

Public Hearing

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5 LOWER YELLOWSTONE INTAKE DIVERSION DAM FISH
6 PASSAGE PROJECT, MONTANA
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10 Thursday, June 30, 2016
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13 Lincoln Center Auditorium
14 415 N. 30th Street
15 Billings, Montana
16 6:00 p.m. - 9:00 p.m.
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PUBLIC HEARING

Reported by Sharon L. Gaughan, RDR, CRR, CRC

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1 APPEARANCES

2 BUREAU OF RECLAMATION:

3 David Trimpe (Project Manager)
4 Steve Davies
4 Jerry Benock

5 CORPS OF ENGINEERS:

6 Tiffany Vanosdall (Project Manager)
7 Kayla Eckert-Uptmore
7 Eric Laux
8 Curtis Miller
8 Sage Joyce

9 TETRA TECH

10 Scott Estergard (Project Manager)
11 Linda Lovgren

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1 THURSDAY, JUNE 30, 2016

2 MS. ECKERT-UPTMORE: Good evening. We're
3 ready to start and for people to find their seats.
4 We'll give it a few seconds. I'm getting a
5 gesture from the back that you cannot hear me.
6 Can I see a thumbs up. Super. All right.

7 Good evening and welcome. My name is
8 Kayla Eckert-Uptmore and I'm the Chief of Civil
9 Works for the U.S. Army Corps of Engineers, Omaha
10 District. If you are wondering why the U.S. Army
11 Corps of Engineers has sent a team of folks all
12 the way from Omaha, Nebraska to Montana to hold
13 this meeting, there is a reasonable answer. The
14 Corps of Civil Works program boundaries are based
15 on watersheds, and its military program boundaries
16 are based on state boundaries.

17 As you well know, the Yellowstone River
18 is a tributary to the Missouri River. So as the
19 Missouri River and its tributaries flow from
20 Montana to the confluence with the Mississippi
21 River, Omaha District is responsible from the
22 headwaters of Montana to just around Burwell,
23 Nebraska. That's an eight state region. The
24 largest geographical footprint of any Corps
25 district in the nation.

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1 The Corps staff here today are from the
2 Omaha District. Closer to home for many of you,
3 though, who live in Montana is the Bureau of
4 Reclamation represented by staff from the Montana
5 area office here in Billings.

6 Together we have made available, for
7 public review and comment, the Lower Yellowstone
8 Intake Diversion Dam Fish Passage Draft
9 Environmental Impact Statement, or the Draft EIS,
10 as you'll hear a lot of folks call it.

11 This is the third of the three public
12 meetings. We held one on June 28th in Sidney,
13 Montana; June 29th in Glendive, Montana; and today
14 is our last during the public comment period.

15 The purpose of this meeting is to hear
16 from you. We have two highly qualified project
17 managers from both agencies here today who have
18 been meeting with multiple technical teams to
19 complete this Draft EIS. They will provide a
20 brief overview of the work that's been done to
21 date. We will then offer a public comment period
22 for you to share your perspectives and your
23 opinions. We will not be answering questions
24 directly during the comment session, but we will
25 be here after the comment period throughout the

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1 front corridor there to answer directly any
2 questions you may have. Our intent is to ensure
3 that there's ample opportunity for all
4 perspectives to be heard. We will be here as long
5 as it takes this evening to accomplish that.

6 But before we begin, I would like to
7 introduce the staff that we have here. From the
8 Corps of Engineers in the front we have Eric Laux,
9 the Omaha District Chief of Environmental
10 Resources. We have Curtis Miller, the Omaha
11 District, Chief of the Hydraulic Engineering
12 Section. We have Sage Joyce from the Omaha
13 District, but she's here local at the Montana
14 regulatory office here in Billings. Tiffany
15 Vanosdall, the Yellowstone Intake EIS project
16 manager.

17 From the Bureau of Reclamation, we have
18 Steve Davies, the Montana area office manager.
19 Jerry Benock, the Montana area office manager of
20 planning. And David Trimpe, the Montana area
21 office, Yellowstone Intake EIS project manager.

22 Between all of these followings,
23 hopefully we have the right personnel into here to
24 be able to answer questions that you might have.
25 Again, we are here this evening as long as you

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1 need us to ensure that your questions are
2 answered.

3 Now, for the formal public session, I
4 would like to review the meeting guidelines.

5 First, I ask that we offer all speakers courtesy
6 and respect. As highlighted in your handout, the
7 meeting guidelines -- hopefully everyone was able
8 to grab a meeting guidelines form when they came
9 in -- in review, we encourage everyone to sign up
10 at the front table, regardless if you want to
11 speak or not, so we have a proper accounting of
12 attendance.

13 If you do want to speak, there was also
14 an opportunity to sign in on the sheet there, but
15 you're not limited to speaking, you're still able
16 to speak if you haven't signed in at this point.
17 You will be invited to speak in the order of the
18 sign-in sheet.

19 When you come to the mic, please state
20 your name clearly and who you represent. And so
21 that we can afford an opportunity for everyone to
22 speak, we ask that you limit your comments to
23 three minutes.

24 Once everyone who signed up to speak has
25 spoken, the mic will remain available for those of

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1 you who want to speak but hadn't signed up. All
2 will be held to the three-minute rule. I will
3 hold up a pink card with a No. 1. So if you
4 kindly keep an eye on me over at the table over
5 here. That will signify that you have one minute
6 remaining. If you do not finish your remarks in
7 three minutes, you're welcome to take place in the
8 line again. When at the mic, just introduce
9 yourself again, please.

10 The meeting and the public comments will
11 be recorded by our certified court reporter for
12 the official meeting documents. In all the
13 meetings to date, the majority of the speakers
14 have easily finished in three minutes or less.

15 Again, we ask that you be respectful to
16 all speakers. That you refrain from profanity and
17 you be courteous to the audience and other
18 speakers by holding to the stop bell. A little
19 bit different than those of you who have been at
20 the past meetings, tonight we'll still do the pink
21 card, but we have a bell that will come over the
22 microphone to tell you that your full three
23 minutes is up.

24 Again, we will have plenty of comments
25 again. Please place yourself in line again when

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1 you hear the bell.

2 So with that, I ask you to please turn
3 your attention to the project managers. David
4 will be starting for the review. And, again, I
5 just can't emphasize enough to offer all speakers
6 courtesy and respect this evening. Thank you for
7 being here. We look forward to hearing your
8 comments.

9 MR. TRIMPE: So just a little history
10 about the Lower Yellowstone Project. It was
11 authorized under the Reclamation Act of 1902 as a
12 single purpose irrigation project. That means all
13 costs are incurred by the individual water users.
14 Construction occurred from 1905 to 1908 by
15 Reclamation. The first water delivered to the
16 main canal was approximately 1909.

17 As you can see on the left, the project
18 does encompass four irrigation districts: Intake,
19 Savage, Lower Yellowstone I and II. Other
20 facilities include the Intake diversion dam, the
21 headworks and fish streams, 72-mile-long main
22 canal, 225 miles of laterals, three pumping
23 stations, and it encompasses about 58,000 acres.

24 Operation is performed by the Lower
25 Yellowstone Irrigation Project Board of Control,

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1 and the diversion rate is approximately 1374 cfs,
2 which is also the full water right.

3 So the pallid sturgeon, which is also the
4 reason why we are here, was listed by the Fish
5 & Wildlife Service in 1990. It is considered
6 endangered throughout this entire range and it is
7 native to both Yellowstone and Missouri Rivers.

8 Some primary threats to the pallid
9 sturgeon include construction of dams, bank
10 stabilization, entrainment, disease and predation,
11 as well as commercial fishing.

12 So currently the pallid sturgeon can be
13 found mostly downstream of Intake Diversion Dam
14 down to the headwaters of Lake Sakakawea.
15 Historically, it was found up above Cartersville,
16 as well as in the Tongue and Powder Rivers.

17 So if we provide a fish passage at Intake
18 Diversion Dam, it would open up approximately 165
19 miles of spawning, rearing, and drifting habitat.
20 The next likely impediment would be Cartersville
21 Dam, which is approximately river mile 237.

22 So shortly after the pallid sturgeon was
23 listed in 1990, Reclamation decided to look at the
24 effects of the Lower Yellowstone Project on the
25 species. Based on best available science, there

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1 is very limited passage past the diversion dam,
2 and there was entrainment into the main canal
3 prior to the new headworks and streams.

4 2005 was a big milestone for the project.
5 That's when Reclamation, Army Corps of Engineers,
6 Montana Fish, Wildlife and Parks, the Nature
7 Conservancy, as well as the Service did a value
8 planning study that looked at 110 alternatives to
9 provide passage and entrainment protection of the
10 project.

11 In 2007 under the Water Resources and
12 Development Act, the Corps received authorization
13 to design, construct, and implement a project at
14 Intake.

15 So we have been through a couple
16 environmental analyses. So briefly, the first one
17 in 2010 was the first environmental assessment.
18 The agencies identified the rock ramp and the
19 screened headworks as the preferred alternative.

20 In 2012 that new screened headworks was
21 put into operation. And then in 2015, the
22 agencies released the supplemental environmental
23 assessment that identified the bypass channel as a
24 preferred alternative.

25 Today, here and now in 2016, we are

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1 undertaking an environmental impact statement. So
2 the Notice of Availability was published in the
3 Federal Register on June 3rd. That was the
4 official start of the comment period. Shortly
5 after the release of the Draft EIS, the agencies
6 published an addendum addressing four new
7 alternatives that were not addressed in the Draft
8 EIS. Because of that addendum, the public comment
9 period has been extended to July 28th. The Draft
10 EIS does analyze six alternatives, one of them
11 being the no action.

12 So the purpose and need of the project,
13 which has not changed, is to improve passage for
14 pallid sturgeon, as well as native species,
15 continue the viable and effective operation of the
16 Lower Yellowstone Project, as well as contribute
17 to ecosystem restoration.

18 Prior to the release of the Draft EIS, we
19 did go through a public scoping period. That
20 occurred from January 4th to February 18th. We
21 did hold one public scoping meeting January 21st
22 in Glendive. On the right is just a rough
23 breakdown of the comments that the agencies
24 received during scoping. The majority of them
25 centered around alternatives, economics, and

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1 threatened endangered species.

2 We also received several alternatives as
3 part of scoping. Just a couple of them were dam
4 removal with pumping, implementation of wind power
5 or conservation measures, and just physically
6 relocating pallid sturgeon upstream of the dam.

7 So the alternatives that we're going to
8 talk about tonight, as well, they are in the Draft
9 EIS, is the no action, the rock ramp, and the
10 bypass channel, the modified side channel, and
11 then our two pumping options, the multiple pump
12 stations, as well as multiple pumps with
13 conservation measures.

14 So the no action, which is also
15 considered the baseline, which you measure
16 benefits and impacts from, would be the continued
17 operation of maintenance of the project as
18 currently occurs. This does include the annual
19 placement of rock on the diversion dam. And
20 because no fish passage would be provided at the
21 site, Reclamation or the Corps would likely be
22 required to consult with the Fish & Wildlife
23 Service.

24 There is no construction cost associated
25 with this alternative. Annual O&M would be around 12

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1 2.6 million dollars and then a per acre cost would
2 be \$46.53. So the annual O&M, as well as the cost
3 per acre would be the cost to the water users.

4 I want to caution that these numbers are
5 just estimates. This would be not be your exact
6 assessment. This is just for planning purposes
7 only.

8 So the rock ramp, which was also analyzed
9 in 2010 and 2015, does include a new concrete weir
10 approximately 40 feet upstream of the existing
11 dam. It does include a 1500 foot shallowed-sloped
12 boulder and cobble walk ramp. This alternative
13 does allow the District to divert their full water
14 right down to 3,000 cfs from the Yellowstone
15 River. The rock ramp does cut off the boat ramp
16 that currently exists at the fishing access site.
17 So that would likely have to be moved downstream
18 of the new rock ramp.

19 Construction is estimated at
20 approximately 90.4 million dollars. Annual O&M is
21 about 2.8. And then a cost per acre of \$50, which
22 is approximately 7.5 percent greater than the no
23 action alternative.

24 So the bypass channel, which is also the
25 agencies' preferred alternative, includes an

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1 11,150 foot bypass channel. The entrance would
2 come in just downstream of the existing dam and
3 rubble field, and it does include the construction
4 of a new concrete weir that does allow for the
5 diversion of the full water right down to 3,000
6 cfs from the Yellowstone River.

7 All the fill that is excavated from the
8 bypass channel would be placed in the existing
9 side channel that does help stabilize that
10 upstream entrance area. Construction is estimated
11 at approximately 57 million dollars. Annual O&M
12 of 2.8, and a cost per acre of \$49.27, or
13 approximately 5.9 percent increase from no action.

14 So these are the alternatives that we
15 have previously analyzed. So we do have three new
16 alternatives that we are fully analyzing this
17 time. So with that, I'll turn it over to Tiffany.

18 MS. VANOSDALL: So we looked at several,
19 or a few new alternatives in this EIS in response
20 to comments that we had gotten during scoping,
21 comments that we had gotten based on the
22 finalization of the 2015 EA.

23 One of those alternatives is the modified
24 side channel. We developed this alternative in
25 response to the fact that there had been a few

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1 pallids that used the existing side channel that's
2 out there right now. We would excavate that
3 channel in order to allow that channel to flow
4 more frequently, as frequently as we designed the
5 bypass channel to flow.

6 The reason that we did that is it would
7 meet the criteria that we were given by the
8 biological review team in what pallids need in
9 order to pass. So we would excavate that existing
10 channel to meet that criteria.

11 Another thing that we heard is there were
12 people that didn't want to replace the existing
13 weir. So this alternative utilizes the existing
14 weir that's out there. It would require continued
15 rocking of that structure for long-term O&M.

16 There would be a bridge across the side
17 channel in order to access the existing weir so
18 that the rock could be placed. It's approximately
19 four and a half miles long and the entrance of it
20 for the fish is pretty far downstream from the
21 existing weir.

22 One of the features of this that makes it
23 more difficult for the pallid is generally in fish
24 passage you want your outlet to be as close to the
25 obstruction as possible, so that when they're

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1 streaming upstream, they come to the obstruction
2 and your passage is right there. So that is the
3 downfall of this alternative. However, it does
4 utilize an existing route that pallids have used.

5 Construction is a little over 54 million.
6 Annual O&M is about 2.9 million, which is, per
7 acre, about a \$51.19. In general, that's a 10
8 percent increase for the water user from the no
9 action.

10 The multiple pump stations was an
11 alternative that was looked at as an alternative
12 that removes the existing weir. In response to
13 some comments that we had heard that we needed to
14 look at an alternative that does not include a
15 weir. So this alternative would remove the
16 existing diversion dam. It would construct five
17 pumping stations along the Yellowstone with four
18 pumps at each station, which that would be a total
19 of 20 pumps. And those pumps would deliver the
20 full capacity of 1374 cfs.

21 It would require an upgrade of the
22 existing power system. The pumps would require
23 more power than the power system that's out there
24 can handle, so it does involve an upgrade of those
25 systems.

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1 There would be construction of fish
2 screens. So the pumps would be located off the
3 channel, there would be a canal to those pumps.
4 Within that canal would be a fish screen so that
5 the fish aren't entrained in those pumps.

6 You could use the existing headworks for
7 gravity diversion about 17 percent of the time the
8 main river is above 30,000 cfs. The rest of the
9 time we would have to use the pumping. The reason
10 that we included the gravity diversions is during
11 those times, you could reduce the O&M by not
12 running the pumps.

13 It would include the relocation of the
14 Intake fishing access site, because the very first
15 pump would need to be located at that site.

16 Construction of this alternative is about
17 132 million dollars. Annual O&M is a little over
18 5 million dollars. And the annual O&M per acre is
19 a little over \$88. So that's an increase for the
20 water user of about 19 percent in O&M.

21 This is just a schematic of the pump
22 stations. And I know you can't see them, but it
23 does include how the canal to the pump stations
24 were and what the fish screens and site canal
25 would look like. This is in the EIS if people are 17

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1 interested.

2 So a lot of people have asked, I don't
3 necessarily understand what these pumps would look
4 like. I know there's pumps out there right now.
5 I want to make a comparison to what is existing.
6 A lot of people are familiar with the Savage
7 pumping plant. That pumping plant pumps about 60
8 cfs or 38 million gallons per day. The
9 Yellowstone requirement is 888 million gallon per
10 day. So the Savage pumping plant can produce
11 about 4 percent of that requirement.

12 So it would require about 20 stations of
13 this size to deliver the full water right.
14 Keeping in mind that the Savage pumping plant is
15 not screened, so in actuality, you would actually
16 probably have to have those pumps a little bit
17 bigger.

18 The other alternative that includes the
19 existing weir is multiple pumps with conservation
20 measures. It includes removing the Intake dam.
21 It also includes delivering about half of the
22 existing water right of 608 cfs and making up the
23 difference with conservation measures, both on
24 farm and in the existing canal.

25 Delivery of the water would occur with

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1 Ranney Wells. There would be construction of
2 seven pump sites with six Ranney Wells at each
3 site. It would also include upgrading of the
4 existing power system. We looked at buying into
5 or constructing wind power, because we had heard
6 that there were people that wanted us to look into
7 alternative energy sources. So we did wind power
8 as the source of power for this alternative. You
9 could do gravity diversion with a combination of
10 pumping about 60 percent of the time to help
11 reduce the O&M and the pumping cost. About 40
12 percent of time you could only do pumping.

13 This includes implementation of water
14 conservation measures, which I'll talk a little
15 bit on the next slide, and it would require
16 redesign of the main canal. The existing canal is
17 designed to run up to 1374 cfs. To only run 608
18 cfs, there would have to be some redesign of that
19 canal.

20 This alternative would also include
21 relocation of the Intake fishing access, because,
22 again, the Ranney Wells would be -- the first set
23 of pumps would need to occur at that site.

24 Construction of this alternative is
25 approximately 478 million dollars. Annual O&M

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1 would be about 4.4 million dollars, for a per acre
2 cost of a little over \$77. And that's about a 66
3 percent increase in O&M for the water user.

4 So some of the conservation measures that
5 were proposed that could potentially be
6 implemented both on farms and within the canal
7 itself include check structures, flow measuring
8 devices, converting some of the laterals to pipe,
9 using sprinklers, lining the main canal and some
10 of the remaining laterals, controlling
11 overchecking, and groundwater pumping.

12 I do want to note that we looked at
13 whether the 608 cfs, even with conservation
14 measures, would be able to deliver the water
15 needed for the pumps that are out there and we
16 determined that it would not.

17 This is simply a schematic of what a
18 Ranney Well looks like and that, too, is in the
19 Draft EIS, if someone wants to look at it. And
20 basically it's a lateral pipe that pulls in water
21 from the alluvium, or kind of the groundwater of
22 the river, and utilizes that source of water
23 instead of the river surface water.

24 So I went over the cost estimates
25 individually, but here it's on -- it's in

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1 comparison to each other side by side. And when
2 we're looking at cost estimates, we look at
3 several factors other than just construction
4 costs.

5 So for each alternatives you look at what
6 it costs to construct it. You look at how long it
7 takes to construct it. Because if an alternative
8 takes a really long time to construct for an
9 ecosystem project, then you're delaying receiving
10 your benefits for that long as well.

11 We look at the cost of design. We add
12 that in. Construction management. And generally,
13 the more complicated the project, which is
14 generally a higher cost project, the higher your
15 construction management estimate is, so we
16 generally just take a percentage of construction
17 cost.

18 We looked at -- we added real estate.
19 The rock ramp and the bypass channel are all on
20 federal land, so there's no real estate
21 requirements. The modified side channel, the
22 multiple pumps, and the pumps with conservation
23 measures all would require acquisition of some
24 private land.

25 So that gives you what we call a total

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1 first cost. Then we look at the annual O&M. And
2 what we do is we take the construction costs and
3 we analyze it over a 50-year period. The reason
4 that we do that is to make sure that each
5 alternative is kind of an apples to apples
6 comparison. Because you want to know if an
7 alternative has an extremely high construction
8 cost but very low O&M cost, you want to make sure
9 that you're factoring that in and comparing it
10 right against a project that has maybe a very low
11 construction cost and has a really high O&M cost.
12 So that you're getting a good feel and comparing
13 it with what the true costs are in an alternative.

14 So like I said, we take those costs and
15 we analyze it over 50 years. And then what the
16 Corps is required to do is called a cost effective
17 incremental cost analysis. When we invest in
18 projects, generally you have to show that the
19 benefits of a project outweigh the costs.

20 For ecosystems, there isn't really a
21 monetary value that's assigned to an ecosystem.
22 So what we do is we look at how many habitat you
23 can get or how many habitat benefits you can get
24 from an alternative and at what cost. And then
25 you compare those against each other and you look

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1 for alternatives that give you the most habitat
2 for a lower cost. So you compare all the
3 alternatives against each other and you kind of
4 rule out those alternatives that give you less
5 benefit for more cost.

6 In going through that analysis -- and I'm
7 not going to get into detail. If anybody wants to
8 talk to me afterwards, I'm happy to explain it.
9 But through that process, you get to the bypass
10 channel and the multiple pumping station as both
11 cost effective alternatives.

12 At that point we look at what it takes to
13 get the benefits that you're getting. The bypass
14 channel gives you almost 70 percent of your
15 benefits at a lower cost. That additional 30
16 percent of benefits that the multiple pumps give
17 you is at a much higher cost. So you can get your
18 benefits from the bypass channel at about \$727 per
19 unit of habitat. To get the additional benefit in
20 the multiple pumping, it costs you an additional
21 \$1,400 per habitat unit. And so that's the
22 information that the decision-maker uses in order
23 to determine which alternatives are most cost
24 effective.

25 So this is a summary of the impacts from 23

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1 the EIS. I'm not going to go into any detail,
2 they are in the EIS, if you want to talk to us
3 about a specific resource that interests you we
4 haven't talked about what the impacts are.

5 In summary, we looked at surface water,
6 hydrology hydraulics, groundwater hydrology,
7 geomorphology, aquatic community, federally listed
8 species and state listed species of concern, lands
9 and vegetation, recreation, noise, social and
10 economic conditions and historic properties.

11 And we determined that none of the
12 alternatives have significant negative impacts to
13 the environment or any of those resources. Many
14 of them have beneficial impacts.

15 So the Corps of Engineers and the Bureau
16 of Reclamation in coordination with the Fish &
17 Wildlife Service have determined that the bypass
18 channel is the preferred alternative. The reason
19 for that is the three agencies are confident that
20 it does meet the physical and biological
21 requirements in order for the passage to meet our
22 Endangered Species Act needs.

23 It is a cost effective means of providing
24 a fish passage. It's expected to have the lowest
25 annual O&M. And it would not result in

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1 significant long-term adverse environmental
2 impacts.

3 So that gets us to where what your role
4 is in this, and that's how to comment. Tonight
5 you can either give spoken or written comment.
6 There are comment cards. You can hand those to us
7 at any point. You can also sign up to speak. We
8 will go through all those names. If you didn't
9 sign up, you can still get up and speak. You can
10 mail us comments, and the address is up there.
11 It's also out in the hall. You won't get a
12 response to those mailed-in comments. We won't
13 say, Hey, we got those, but you can send those
14 certified mail if you want. You can e-mail us.
15 You will get a response to that that says, Hey, I
16 got your comment and I forwarded it to the project
17 manager.

18 The due date for all comments is they
19 must be postmarked, if they're by mail, by July
20 28th. They must be received, if they're e-mailed,
21 by July 28th. And then for any additional
22 information on the analysis we did, the
23 alternatives we looked at, or anything else, both
24 David and my contact information is up here. And
25 so this presentation will be posted to Montana

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1 area office's Web site. So you can access it
2 there, or you can get our information out of here.
3 The project Web site can be accessed, and that's
4 up here as well. It's also out in the hall.

5 So we're ready to move into the spoken
6 comment period. Kayla kind of went over the
7 ground rules for that. All of the comments will
8 be recorded by the court reporter. I will call
9 people up in groups of four, generally. It will
10 be great if you can come up to the mic in the
11 group that you're called in. You can sit down in
12 the chairs while you're waiting for others to
13 speak. You'll be called in the order that you
14 signed in.

15 We will be available following the
16 meeting for any questions. If there are any of
17 you that don't want to speak to the larger group,
18 feel free to come out and talk to us later. You
19 can have the court reporter get your comments not
20 in front of the group, but just more private if
21 you like. We're not going to respond to oral
22 comments from up here. And all of the comments
23 that you give us tonight through the comment
24 period will be used in order to finalize the EIS.

25 So I'm going to go ahead and grab the

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1 commenters. And again, you'll have three minutes
2 to speak. Kayla will let you know when you have a
3 minute left. We ask you to please be respectful
4 of everyone else that needs to speak. We will let
5 you finish, but we would like to let everyone
6 through, and then you can come up and add the rest
7 of your comments.

8 Okay. To start out, we have Duane
9 Mitchell, Taylor Brown and Scott Staffanson.

10 MR. MITCHELL: My name is Duane Mitchell.
11 I'm a Richland County Commissioner, and I would
12 like to thank everybody for coming, even those
13 that just came across town or across the state.

14 Genesis 1:28, God blessed them and God
15 said unto them, Be fruitful and multiply and
16 replenish the earth, and subdue it; and have
17 dominion over the fish of the sea, over the fowl
18 of the air, and over every living thing that
19 moveth upon the earth.

20 I just have a couple questions and then a
21 couple of comments. This past Sunday after church
22 my wife was asked by a young girl, a college
23 freshman, If the Intake Diversion Dam has been in
24 operation for over a hundred years, why isn't the
25 pallid sturgeon extinct? They must have --

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3 MR. MITCHELL: Is that better? This
4 young lady asked my wife, If the Intake Diversion
5 Dam has been working for a hundred years, why are
6 the pallid sturgeon not extinct? They must be
7 doing something correct to have been able to live
8 this long.

With this perceived threat of climate change, global warming, and carbon print, how much of a carbon print has the Lower Yellowstone Irrigation Project created over the last 107 years it has been providing water to the valley?

Today Sidney Sugars employs 130 full-time employees. During the campaign, they have over 300 employees with an annual payroll of about 10 million dollars. According to the Chamber of Commerce, each paycheck that is earned in the community turns six to seven times in that community.

Now, add the 70 million dollars of operating expense that Sidney Sugars pays into our economy annually, and you are now talking about a serious impact to our city, county, and state. This will not affect only Sidney, but the other

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1 cities and counties around Sidney.

2 I called the Montana Department of
3 Revenue to see how much this could affect the tax
4 base for Richland County. The appraisal value of
5 one acre of irrigated ground in Richland County is
6 \$664.62; one acre of wild hay land is \$175.98; one
7 acre of grazing land is \$39.30.

8 The taxable value on one acre of
9 irrigated land is \$14.34; one acre of wild hay
10 land is \$3.80; one acre of grazing land is 84
11 cents.

12 Many years ago Congressman Pat Williams,
13 our Representative to Washington, DC, said, If you
14 want to find the source of the problem, follow the
15 money.

16 I have been following the money that is
17 being invested by the government through the
18 Corps, Lower Yellowstone, the many businesses in
19 Sidney that are continually fighting this, and all
20 we're trying to do is preserve our economy and the
21 future of our valley and for the our future
22 generations. However, last night Steve and Matt
23 both said that they were seeking a win/win
24 situation --

25 (End of time signal ringing.)

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1 MR. MITCHELL: Am I done? Okay.

2 MR. BROWN: Good evening. My name is
3 Taylor Brown. I'm currently serving as a State
4 Senator in Senate District 28, which is located
5 here in Yellowstone County. And I want to thank
6 you for coming to Montana this evening to hear our
7 comments. I'll try to keep my remarks brief so
8 that those who have traveled for hundreds of miles
9 can also speak, like the one that's going to
10 follow me came an awfully long way.

11 As a Montana State Senator in a District
12 to improve a portion of the Yellowstone River
13 Valley, I stand today in strong support of the
14 environmental impact study that shows the bypass
15 channel to be the best alternative for both
16 agriculture and for aquatic species.

17 At the outset of my remarks, however, I
18 would like to register my objection to the
19 location and the scheduling of this particular
20 meeting in Billings, Montana, on the evening of
21 June 30th. I think we all know why this meeting
22 was scheduled tonight.

23 (Applause.)

24 MR. BROWN: I think we know why this
25 meeting was scheduled tonight. I don't want to

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1 question your authority to do so. I only would
2 like to register my complaint that, first, if you
3 had scheduled such an important meeting over 200
4 miles away from the location in question; and
5 second, that you schedule it at one of the very
6 worst times of the year for irrigators to try to
7 attend.

8 (Applause.)

9 MR. BROWN: Please don't count this in my
10 three minutes, but I would suggest that you hold
11 your applause, because I've done a lot of this
12 kind of testimony myself and applause just slows
13 the evening down. Thank you for your applause,
14 but I think we should all refrain from applause
15 tonight if we can.

16 To continue, I think the nature of this
17 location is precisely why you're going to hear
18 tonight a bunch of different kind of testimony
19 than you've heard the past two nights from people
20 who actually live and work in the affected area.

21 The sacrifices that were made by many in
22 this crowd to travel to be here tonight were
23 immense. Please give significant weight to their
24 comments. Because I fear that there are many here
25 tonight that couldn't even point to the Intake

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1 weir on a map a week ago.

2 My comment is this: That the proposed
3 EIS had used real science and sound reasoning to
4 arrive at the right solution. Our State's two
5 biggest industries, agriculture and travel/tourism
6 desperately needs you to get this decision right.
7 I believe you have done that with this proposed
8 alternative through the bypass channel. Please do
9 the right thing and trust the process in which we
10 have all spent, or many of us, have spent so many
11 months. Our state's economy cannot afford
12 continued uncertainty about this critical issue.
13 Thank you for your time this year and I would have
14 a written comment that I would like to submit, if
15 I may.

16 MR. STAFFANSON: My name is Scott
17 Staffanson. I am the Representative from House
18 District 35, which encompasses most of the land
19 that is irrigated by this project. I am in full
20 support of this bypass channel option to keep our
21 irrigation project viable. I am a farmer and
22 rancher. I irrigate in the heart of this project.
23 The canal runs through our place, and I am an
24 environmentalist. I have spent my life making
25 decisions that, No. 1, provide for the viability

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1 of the farm that I have been entrusted with. To
2 do that, you must make sure that you're looking
3 out for the long-term viability of that operation.
4 Irrigation is a very important part of this
5 operation. Right now my daughter, Jessie, is at
6 home and she's taking care of the water so I can
7 be here.

8 I guess I think there are many positive
9 environmental impacts that are provided by this
10 irrigation project. And I think to change it to
11 add the pumps definitely will be a negative to the
12 environmental impact. I think the way the project
13 is it needs some improvements with the new
14 improved weir. The main reason that needs to be
15 changed is because of the addition of the fish
16 screens that were put in that -- this is the
17 second phase of that and I think it needs to be
18 there to keep the project viable. And the bypass
19 channel is a very good way to allow the pallid
20 sturgeon to get up the channel, as far as I can
21 see.

22 I also have a letter from a constituent
23 that I will read later on, but I encourage the
24 Corps to go forward with this. We have delayed it
25 enough. We have studied it enough and it needs to 33

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1 happen. Thank you.

2 MS. VANOSDALL: Jeremy Morgret and Ron
3 Etzel.

4 MR. MORGRET: I'm Jeremy Morgret. I
5 represent Stockman Bank. I'm here in support of
6 the bypass channel as well. It's a solution that
7 meets all of the needs of the environment and the
8 fish, but it also still retains the economic
9 viability of the region. So therefore, I ask you
10 to please move forward with it in support of it.
11 Thank you.

12 MR. ETZEL: My name is Ron Etzel. I'm a
13 current operator for the Lower Yellowstone
14 Irrigation Project. I grew up off the project on
15 a dryland farm, the same farm my grandfather and
16 grandmother raised 12 kids. And my parents raised
17 five kids. And I had to go to work for the
18 irrigation project because I couldn't support my
19 two kids on an income of that. And the same thing
20 is happening to the irrigating farmers, and
21 putting pumps in would put an undue burden. And,
22 I don't know, if they keep squeezing the farmer
23 out, what are we going to eat? Thank you.

24 MS. VANOSDALL: Sean and Melissa
25 Appelberg, Samree Reynolds, Denise Lang and Butch

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1 Bratsky.

2 MR. APPELBERG: Sean Appelberg. This is
3 my wife, Melissa Appelberg. We've been living in
4 the Sidney area for the last seven years.

5 (Whereupon, Mr. Appelberg was asked to
6 speak up.)

7 MR. APPELBERG: We've been living in the
8 Sidney area for the last seven years. I work for
9 the South 40 Restaurant. Lola and Arnold Hansen
10 has the restaurant and a farm and they're one of
11 the larger employers, and this bypass project
12 needs to go through. The other alternatives I've
13 seen just are entirely too expensive. These
14 ranchers and farmers depend on the irrigation and
15 the pumping process just isn't going to work, so
16 please go forward with this bypass project.

17 MS. REYNOLDS: Hi, I'm Samree Reynolds
18 and I work at Sidney Sugars. Thank you, again,
19 for this opportunity to be heard. At the first
20 meeting I spoke about not saving one species from
21 becoming extinct at the cost of another, more
22 important, species.

23 Last night I spoke about the delays of
24 endangering the pallid sturgeon even further.
25 Both times I voiced my support of the bypass

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1 channel as the most viable, cost effective,
2 environmentally safe alternative.

3 At these two meetings everyone who had
4 come up to speak all had been born and raised
5 here, grew up here, with lots of history and
6 family here. I'm not from around here. I'm a
7 city girl. I was not born and raised here, so I
8 knew nothing about farm life and irrigation. But
9 since having worked at the Sidney sugar factory
10 for going on 19 years now, I do know the concept
11 of how the pumps are supposed to work. I know it
12 takes a lot of time and money to maintain them.
13 When you compare the cost of the bypass channel at
14 57 million to the multiple pumps at 478 million,
15 it is a no-brainer which one is the best solution.
16 If a simple city girl like me can see that, I pray
17 that powers that be who make the decision on this
18 can see it, too.

19 So I believe that supporting the bypass
20 channel, along with keeping the division dam, or
21 underwater speed bump as James Brower calls it,
22 will be a win/win for all of us, fish and humans
23 alike. Thank you so much.

24 MS. LANG: Hi, my name is Denise Lang.
25 I'm also with Sidney Sugars. I want to thank you

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1 all for sharing all of the information on this
2 project and allowing us, the community, to voice
3 our concerns and opinions.

4 Through a friend of mine during a
5 conversation we had the other day with her and her
6 support, I have the courage to speak up and I
7 encourage others to do the same.

8 Growing up in Sidney I didn't know much
9 about the canal, except that the fish, the
10 farmers, and the entire community were supported
11 by it. The job I have at Sidney Sugars is due to
12 the farmers' ability to grow sugar beets and has
13 given me and many others stable employment.

14 Without the water, farmers will no longer
15 be able to grow the beets, workers will lose their
16 jobs, and the factory and businesses will close.
17 People will be forced to relocate. And as a
18 result, will have to sell their homes possibly,
19 foreclose on their loans and start from scratch.
20 You get the trickle-down effect.

21 People chose to live here for a reason.
22 The canal, to survive, the water will need to
23 change what once was the Lone Tree Creek to plush
24 foliage and improve the wildlife habitat
25 immensely.

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1 If the water goes, so will the human life
2 and the abundant wildlife future for which the
3 Intake Diversion was built. A hundred plus years
4 this gravity system has worked. I just don't
5 think it takes a rocket scientist to figure out
6 that the bypass channel is the best option and I
7 support it a hundred percent. I think I speak for
8 the majority in saying, We don't want no stinking
9 pumps. Thank you.

10 MR. BRATSKY: Good evening. Butch
11 Bratsky is my name, and I am a Billings native
12 here currently working at Stockman Bank. First of
13 all, I would like to thank you for giving us this
14 opportunity to voice our opinions on what has
15 taken place. And I would like to thank all of the
16 folks that did show up here.

17 You know, farming and the agriculture in
18 general is a high-end cost input event, and we
19 really can't afford a lot more expenses. And
20 therefore, we feel and urge you to go with your
21 preferred method, which is the bypass channel.

22 You know, at our bank we currently have
23 750 to 800 million dollars in ag loans, and we're
24 proud to say we finance agriculture. And when
25 they hurt out in the country, everyone hurts. It

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1 rolls down to the city. So we hope that you are
2 very diligent in making the decision that truly
3 does make the most sense, and I urge you to follow
4 the preferred bypass channel option. Thank you.

5 MS. VANOSDALL: Wayne Denowh, Garth
6 Kallevig, Barry Rakes, Steve Pest -- Post -- Pust.

7 MR. DENOWH: That would be Pust. I'm
8 Wayne Denowh. I'm a retired businessman from
9 Miles City. I was in the irrigation supply
10 business. One of the things that I did and helped
11 with my customers was irrigation water rights.
12 And you got a big problem moving a water right
13 downstream. The water right is designed
14 site-specific, meaning, you ain't going to move
15 it.

16 So when you move those pumps in
17 downstream, you go to the back of the line for
18 your water. Unless the government can do what the
19 common, ordinary man can't do, that's a no-brainer
20 to me.

21 One of the things I did was I got on the
22 Internet and I thought, Well, I better Google this
23 thing and find something out. I see in the
24 Bismarck Tribune in 2009 an article that says that
25 there is less than 200 pallid sturgeon left. And

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1 in some of the information here, the current
2 numbers, they're saying about 125. So we're
3 losing nine to ten -- about nine or ten a year.
4 So if this thing goes into court, we got a couple
5 of years and we're going to lose 20, and then ten
6 every year since. It's not a good idea.

7 Also, one of the things that's in the
8 Miles City area was the T&Y put in a fish bypass.
9 And if you do a little bit of Googling, you can
10 find the articles. It's a project Montana Fish,
11 Wildlife & Parks project, also. And it's a
12 roaring success.

13 So you have something that is proven
14 locally by the local people that's doing it and
15 it's successful. And now your preferred option is
16 basically what they have already proven that it's
17 going to work.

18 I would suggest that you get -- one of
19 the things that my customers, in the little
20 mailing, they said, Do it now. So that's what I
21 say, Do it now. Thank you.

22 MR. KALLEVIG: My name is Garth Kallevig.
23 I'm from Sidney. I've lived in the area for 63
24 years and worked there. I'm currently a banker at
25 Stockman Bank for the last 35 years.

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1 First of all, as a banker, I would like
2 to say is I get to see balance sheets and
3 projections for these ag businesses in the valley.
4 I get to see them firsthand. And there just is
5 not room on their balance sheets for additional
6 debt for additional pump costs.

7 Something that's going to be an added
8 cost to their production is going to make it just
9 tough. They've got enough difficulties out there
10 now making a profit. So added cost is just going
11 to make it tougher. So as a banker for the ag
12 customers and someone else mentioned the
13 trickle-down effect on our local economy, I don't
14 think anybody would be untouched if we add
15 expenses and jeopardize our ag valley farmers who
16 irrigate in this district.

17 And then speaking a little different
18 curve here. You know, as a father, as a parent,
19 I've done that for 39 years and a grandparent for
20 19 years, we all try our best raising our kids to
21 teach them right and wrong. And sometimes, you
22 know, it's black and white and it actually worked.
23 And other times, it was gray areas and maybe it
24 worked, maybe it didn't work. There is several
25 times when it absolutely, right and wrong, just

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1 kind of went out the window, and it isn't fair and
2 your child would say, Gee, this isn't fair, Dad.
3 And you would come back in and say, Well, life
4 isn't fair.

5 And in this instance I think we have an
6 opportunity to hit the fair button. Fair to the
7 fish and the other species that would benefit from
8 this EIS study that this fish bypass that the
9 Corps has come up with and the Bureau has
10 endorsed. We have a chance to hit the fair button
11 for the ag businesses, for the communities, for
12 everybody. And so how often do you get that
13 opportunity to hit the fair button? Let's hit the
14 fair button and let's get it done. Thank you.

15 MR. RAKES: Hello, my name is Barry
16 Rakes. I'm from Fallon, Montana, and I'm the
17 president of Buffalo Rapids Irrigation District
18 No. 2 in Terry. And I live at Fallon.

19 We have pumps. Pumps are expensive to
20 maintain. Our average yearly pump fee for our
21 little district, which is 11,531 acres, runs
22 \$74,000 a year just for pump maintenance. And
23 that's not the labor cost of taking the pumps in
24 and out.

25 This fish bypass makes common sense. And 42

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1 I'm afraid our world has lost common sense. I
2 come in support of Sidney because it affects me,
3 too. I raise sugar beets and I raise malt barley,
4 and it's trucked to Sidney, Montana. And it comes
5 down to that, it's going to affect the whole
6 Yellowstone River Valley.

7 Pumps is not an alternative. It takes --
8 you get a power glitch, your pumps go off.
9 There's a ditch across the river, it takes two
10 days to get the water back to the other end.
11 That's what happens.

12 I've asked the guys here from Sidney, I
13 said, What's it take to get from your ditch back
14 to the other end? He said, Three days. Okay.
15 You get storms multiple nights, and you can
16 literally start the pumps, they kick off again.
17 How long is the power out? It's -- there's three
18 days of irrigating. And you can lose a crop in
19 our area in the time.

20 So I drove up here today just to support
21 these guys. It's good for the fish, as well, and
22 I think the fish will learn how to go to the
23 bypass.

24 There's a deer underpass between Miles
25 City and Terry. And they said, How are the deer

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1 going to get to the other side? Well, they found
2 out. They went to the underpass and the deer are
3 getting back and forth to the other side. So the
4 fish will find its way around the bypass, too.
5 And that's my comments. Thank you very much.

6 MR. PUST: It is Pust. I represent the
7 Savage Irrigation --

8 (Whereupon, the reporter asked Mr. Pust
9 to speak up.)

10 MR. PUST: I'm Steve Pust. I'm chairman
11 of the Savage Irrigation. I have been down there
12 for 15-plus years and working in that corridor for
13 25-plus years.

14 I do commend the Corps and the Bureau for
15 the meetings that I was involved with. In the
16 scoping phase and in the development of some of
17 these alternatives and going through what seemed
18 like hundreds of other alternatives. I found the
19 processes to be fair in the sense that we have
20 lots of expert opinions from fish biologists to
21 other experts, as well as the environmentalists
22 have input. And I figured that was a time when I
23 had to bite my tongue and hold my temper. But it
24 is understandable that all the opinions were
25 important. And I think what we have seen here is

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1 maybe not a total meeting of the minds that is
2 happening for everybody, but that we have found
3 something that should work.

4 What I'm concerned about, also, is the
5 funding for this in the end. And as part of my
6 comments, I wanted to point out that in 1953 the
7 Garrison Diversion came full blown. What the
8 biologists say are that our fish are approximately
9 that old. We wouldn't consider kicking Garrison
10 Dam out to get the fish their passage again. It
11 is not economically or financially feasible. But
12 the people of the United States have decided what
13 is important. I believe that that should also be
14 time for that.

15 In closing I would say this, I believe
16 this is a good project because it costs the
17 taxpayers the minimum. The cost to us as
18 landowners in the project is also where it needs
19 to be.

20 And then the other reason is I believe
21 No. 36, the female sturgeon, knew what she was
22 doing, and the bypass channel is the preferred
23 alternative. Thank you.

24 MS. VANOSDALL: Tim Koffkey, Raleigh G.
25 Geck, Mike Murphy, and Kathleen Walter.

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1 MR. KOFFKEY: My name is Tim Koffkey and
2 I'm the ditch rider for the Lower Yellowstone
3 Irrigation Project, District 1. I'm also known as
4 the preacher of the project; irrigation project,
5 that is.

6 For the past 22 and a half years, I've
7 been a pastor. Sometimes pastors are known as
8 shepherds. And we envision Him as a shepherd with
9 a staff, but we forget about the fact that the
10 shepherd also carries a rod, which is used to
11 protect and to defend. So I'm here as a shepherd
12 with his rod here to protect and defend the
13 community that I serve.

14 I speak in support of the fish bypass
15 channel. But before I speak to my support for
16 that, I would like to address some concerns I have
17 for this process and the agenda of the
18 environmentalists. As was stated earlier, I would
19 like to state my objection to the fact that we are
20 here in Billings on this day and this time. To
21 accommodate the environmentalists, I would
22 challenge you that perhaps you should have made a
23 trip out two days earlier and got yourselves into
24 Sidney. The fact that you would not travel to
25 Sidney is an act of cowardness. That's just

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1 beyond me. Look into the eyes, see the community
2 which you seek to destroy, because that is what
3 will happen. But I suppose that it is easier to
4 not come face-to-face with that reality.

5 Secondly, you environmentalists state
6 that the pallid sturgeon has been around for
7 millions of years, which leads me to think that
8 you believe in Darwin's hypothesis of evolution.
9 If that is the case, then according to Darwin's
10 system, natural selection is the law of the land
11 and only the strong will survive. If the pallid
12 sturgeon has not managed to evolve to adapt to the
13 changes, perhaps it is not meant to live according
14 to the natural selection process. That is not my
15 theory. That's a Charles Darwin G2. I was going
16 propose that we consider to exert our superior
17 strength over the sturgeon and have a giant
18 community fish fry.

19 Thirdly, it has been stated that the fish
20 do not like and will not use the man-made bypass
21 to get upstream. I would recommend that each of
22 you to take a trip to Ballard, Washington to the
23 Hiram M. Chittenden Locks located there and to see
24 the man-made salmon fish ladder. I have been
25 there, I grew up in that area. And you see the

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1 salmon jump from one level of the ladder to the
2 next. A man-made process, and yet somehow these
3 salmon figured it out. You know why they figured
4 it out? Because the fish, as God created them,
5 are actually very intelligent and able to adapt.
6 I'll be back again.

7 MR. GECK: My name is Raleigh Geck. I'm
8 a businessman from Sidney, Montana. I run a small
9 electronics store. Most people have covered a lot
10 of stuff I was going to cover. I just got to say,
11 again, and I find it very interesting how we had
12 the meetings farther and farther from ground zero.
13 We get now closer to a bigger airport where these
14 environmentalists can fly in easier and get out.
15 We had the meetings in the summertime when it's
16 harder for the farmers to get to because they are
17 farming, irrigating. Not like these liberal
18 professors from out East that want to come here
19 and tell us how to run our lives. You know they
20 have all summer to do this stuff.

21 But you could tell that I'm not a
22 professional speaker, so some of my thoughts might
23 be very random. I heard from the gentleman last
24 night, the gentleman from the Defenders of
25 Wildlife, some of the things he said. They could

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1 not find a biologist in Montana that would say the
2 fish would find this weir -- or the fish passage.
3 You proved two years ago that it's the best
4 option. Again, you have proved it this time that
5 it is the best option.

6 I am here now representing the
7 responsible taxpayer: The cost involved for the
8 other options are absolutely ridiculous. You want
9 to double these guys' costs? That doesn't make
10 any sense. All these guys that showed up here,
11 they take care of their land every day.

12 The environmentalists, these other guys,
13 got nothing. Don't allow the radical extremists
14 delaying all this stuff. And as Mr. Denowh said
15 earlier, If you delay, the fish are dying. But I
16 know other people that fish this river. They
17 catch these fish. And it seems like recently the
18 fish they're catching, they're not very big when
19 they catch them, so they seem to be reproducing.

20 You have documented proof. Fish have
21 gone over the diversion. It is not a dam. It is
22 a diversion. You also have documented proof these
23 fish have gone around it through the slough. You
24 have documented that. They do that every year.
25 So what they are saying is not true.

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1 The gentleman from the Defenders of
2 Wildlife also said they won't find it, they won't
3 find that bypass channel. I believe they will.
4 Your document is about that thick from what I
5 hear. You used biologists to come up with it.
6 They say that this is the best option. It's
7 common sense.

8 To come up with these pumps isn't. The
9 gentleman from Buffalo Rapids, he said you don't
10 want pumps. They have them, you know. Okay.
11 They break down and fill with junk. The cost
12 involves a half a billion dollars of taxpayer
13 money? Let's be responsible. If you can do this
14 for million dollars -- thank you.

15 MR. MURPHY: Good evening and thank you
16 for the opportunity to be here. I'm Mike Murphy,
17 Executive Director for the Montana Water Resource
18 Association. I'm also a rancher from the Wolf
19 Creek, Montana area and an irrigator out in the
20 Lower Valley.

21 These comments are provided on behalf of
22 the Montana Water Resources Association, the
23 member irrigation districts, the irrigation
24 associations, and private ditch companies, and the
25 respective several thousand farm and ranch

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1 families from throughout Montana, including those
2 located on the Lower Yellowstone Irrigation
3 Project. In providing these comments, MWRA stands
4 in strong support of the Lower Yellowstone
5 irrigators and the century old Intake Diversion,
6 paramount to the economic viability of the
7 agricultural community, property values,
8 businesses and the rural cities and towns in
9 Eastern Montana.

10 MWRA stands in strong support of the 100
11 percent design-complete, shovel-ready and
12 twice-determined preferred alternative concrete
13 weir and fish friendly bypass. The preferred
14 alternative is scientifically determined to be the
15 best environmental and economic alternative to
16 provide a balanced win/win result.

17 The improved concrete weir and fish
18 bypass provide for a continued viable and cost
19 effective water delivery system for the irrigation
20 community and provides the endangered pallid
21 sturgeon with the best opportunity for survival
22 while benefitting all Lower Yellowstone fisheries.

23 Other alternatives, such as removing the
24 existing dam and forcing the irrigators to pump
25 their water from the river and assume an extremely 51

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1 expensive and far less reliable power-dependent
2 pumping process would also result in adverse
3 environmental impacts.

4 The proposed preferred alternative,
5 concrete weir and fish bypass, is based upon an
6 extensive and thorough scientific evaluation of
7 impacts that culminate with an opportunity to
8 enhance the long-term viability and stability of
9 the farm and ranch community,
10 agriculture-dependent businesses, and rural
11 communities while addressing the needs of the
12 pallid sturgeon and other fisheries and wildlife
13 in the Lower Yellowstone.

14 Legal maneuvering to oppose the
15 economically viable and environmentally friendly
16 preferred alternative leaves the fate of the
17 pallid sturgeon in jeopardy and is clearly a
18 costly effort by some environmental groups to push
19 a much broader and disturbing agenda supporting
20 removal/elimination of dams or diversions from our
21 rivers. The agenda promoted irrespective of the
22 cost or impact to agriculture, local communities,
23 or even fish and wildlife dependent sportsmen and
24 women, and ignores other adverse environmental
25 impacts.

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1 Finally, we extend our appreciation to
2 the Army Corps of Engineers and Bureau of
3 Reclamation for all of their hard work and
4 diligent assessment of the possible alternatives
5 and a win-win situation. Again, thank you. I'll
6 provide these written comments.

7 MS. WALTER: Hello, my name is Kathleen
8 Walter and this is Sean Christensen. I'm from
9 Medicine Lake, Montana. I no longer live in
10 Sidney. But I grew up there and my dad worked at
11 Sidney Sugars for 25 years. Raised six children
12 on his salary from Sidney Sugars, and we've all
13 become productive, tax-paying members in the
14 United States, several of us in Montana.

15 This is Sean Christensen. His dad now
16 works for Sidney Sugars. And if you want a face
17 to put on the impact, this young man's face is
18 here for you. Sean's three brothers, his mother,
19 and his dad depend on Sidney Sugars for their
20 livelihood.

21 We are obviously for the bypass. And for
22 that reason and for many other reasons. One of
23 the other reasons, you being from Omaha, Nebraska
24 know all about the Ogallala Aquifer. You know
25 about the fact that in Kansas, Nebraska, Oklahoma, 53

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1 where they're pumping water out of the ground, it
2 goes away. It's no longer there and they're
3 having a heck of a time irrigating there. We need
4 that irrigation to support the economy in Sidney,
5 Sidney Sugars especially, and this young man's
6 family. Thank you.

7 MS. VANOSDALL: Blaine A. Gifford, David
8 Garland, Pat Roberts and Jack Jennaway.

9 MR. GIFFORD: I brought my own stopwatch.
10 My name is Blaine Gifford. I'm a more commonly
11 known as Chip. I'm one of the owners of Johnson
12 Hardware, which is 101 years old in Sidney, and my
13 wife is third generation.

14 Last night I couldn't put my head around
15 what the Defenders of Wildlife were talking about,
16 why they wanted to pump. The pumps are -- you
17 have to use fossil fuels; you have to use power,
18 which is usually provided by some sort of fossil
19 fuels or windmills, which would damage the
20 endangered species, which we do have whooping
21 cranes and we do have bald eagles. I couldn't
22 really figure out why they don't like us. So I
23 thought I can go look on their Web site. And I'm
24 thinking, well, they do like the sturgeon, but I
25 wasn't sure.

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1 But then when I thought about it, what I
2 realized is they aren't afraid this won't work,
3 they're afraid it will. Because they have the
4 scientists, they know that this has a very high
5 percentage of working, and they are trying to
6 eliminate this structure out of the river. They
7 are trying to have a free-flowing river. And
8 they're going to be attacking this and all the
9 other inputs and similar structures from Billings
10 down to Intake. So everyone in Eastern Montana
11 needs to keep an eye on this.

12 Just for your information, \$350,000,000
13 is their budget, Defenders of Wildlife. As of a
14 few years ago, they have people that make \$300,000
15 based out of Washington. These people sit back in
16 their posh houses and expect us to try to scrape
17 out life when they take our water away. And they
18 have high-dollar lawyers. We're the Davids.
19 They're the Goliaths. They're the big
20 corporations.

21 It's probably less than 5 percent of
22 historical habitat of how the sturgeons will be
23 saved, but we're all for it. But we're all for
24 the bypass and we're for this program that is the
25 best that has come.

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1 All the alternatives will cost money or
2 will be environmentally unfriendly. So therefore,
3 we're supporting the bypass channel. The
4 preferred reason, they're smart scientists, smart
5 people, engineers, that have put this together.
6 This is the most viable solution and it's a
7 working solution. Thank you.

8 MR. GARLAND: My name is David Garland.
9 I'm the proud manager of Sidney Sugars. Since the
10 1830's, there's been 181 sugar beet factories that
11 have been constructed in the United States and
12 operated. Billings' Western Sugar factory was
13 built, I believe, in 1906. And Sidney Sugars
14 began hauling sugar to Billings in 1925.

15 Today only 12 sugar beet factories are
16 operating in the United States. So it makes me
17 wonder, why does my factory continue to operate?
18 Is it built stronger, better than any other
19 factory? No. We are just like any other factory.
20 Do we operate efficiently? Do we have the secrets
21 that make us profitable and keeps us open? No.
22 So what is the reason that it keeps operating?
23 And it comes down to reliable water.

24 The construction of the factory was built
25 as a result of the irrigation canal. And with the 56

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1 wooden structure, we have had reliable water since
2 its construction.

3 The concrete weir will do the same. It's
4 one of the only guarantees. Experts have talked
5 about the unreliability of the pumps. We know
6 the concrete weir will work.

7 Last night the only argument I heard from
8 the environmentalists was that they weren't sure
9 if the process or if the bypass would work. It's
10 going to be wide enough. It's going to be deep
11 enough. It's part of the river. It will work.

12 When the river changes courses over time,
13 the fish seem to find their way up anyway. And
14 it's my feeling that the fish will use that
15 bypass.

16 With that, I want to continue being an
17 operating factory. We need the water. The fish
18 need the bypass channel. It's time to put the
19 shovels to the ground and get it done.

20 MS. ROBERTS: My name is Pat Roberts and
21 my husband and I own Mon-Kota Fertilizers &
22 Irrigation, irrigation being our main source of
23 income. Without the water, we have no income.

24 After the Sidney meeting, one of our
25 customers came to me and said, Without water,

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1 you're done. Yes, we are done. And by being
2 "done," that means there are five families going
3 to lose their total income. Three of those happen
4 to be in their 20's and they can surely go on and
5 find something more to do. Four of our employees
6 are nearing retirement. We're too old to start
7 over. We don't have -- if we can't sell our
8 business to get money to retire, we're done.
9 We're totally done. There's nothing we can do to
10 keep going.

11 As Dave said earlier about the number of
12 employees at Sidney Sugars, I know many of those
13 young men personally. They're young men, buying
14 homes, raising families. We need them in our
15 community. We need more people to stay there, to
16 make it home. I think what the environmentalists
17 sometimes forget is where does your product at the
18 grocery store come from? We have to grow the
19 commodities to make the products that you buy.
20 Years and years ago one of my sons said to me on
21 our way back home after having visited his
22 grandparents on a farm, Mom, does Grandma's
23 grocery store not have eggs? I had to have a
24 little discussion of where eggs come from and why
25 we had to go to the grocery store to buy our eggs

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1 and Grandma didn't. So my store survived the
2 irrigation solely from the bypass alternative.
3 Thank you.

4 MR. JENNAWAY: My name is Jack Jennaway.
5 I'm here representing my family's ranch, and I'm a
6 student up on the road at Rocky Mountain College.
7 I would just like to speak more generally tonight.
8 With our growing population and the fact that
9 natural resources, such as land and water, are not
10 going to increase anytime soon, we need to be
11 smart about the way we use our resources. And
12 with irrigation, with regard to water needs to be
13 the first priority. Not just because of all of
14 the people in here that depend on it, but because
15 of the impact that it has on our local economy.

16 The ability for these farmers and
17 ranchers to operate in this area has a wider
18 impact on other industries, such as retail and
19 banking and finance. Candidly, I'm a 20-year-old
20 college student and I'm not an economist and I can
21 figure that out. But we also should not abandon
22 our environmental interest, as well. Of course,
23 we should be good stewards of the rivers and the
24 fish. And in the current environment, where
25 people tend to be so divided and we tend to

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1 look -- when we're looking for answers, we are
2 often willing to substitute hurting our opponent
3 for helping ourselves. Any win/win is a good
4 thing and that's exactly what this bypass channel
5 is. It's a win/win. So, obviously, we should do
6 it.

7 When the gentleman here said that he was
8 a farmer and an environmentalist and he's for the
9 bypass channel, I listen to that.

10 And just as another remark, since I have
11 a little bit of time left, it seems as though,
12 based on the testimony we've heard so far, we have
13 reached a consensus, the bypass channel is the
14 clear path forward and I am in strong favor of us
15 moving forward with this project. Thank you.

16 MS. VANOSDALL: Next up is Tom Erskine,
17 Tami Christenen, Bruce Farling and Scott Bosse.

18 MR. ERSKINE: My name is Tom Erskine.
19 I'm with Interstate Engineering in Billings and
20 Sidney. I'm also a retired ag loan officer. I
21 did that for 35 years. And I'm a taxpayer. I
22 live in Billings. I like to eat. And I'm also a
23 sportsman.

24 I feel both of the alternatives are out.
25 I don't know how on the one side of the mouth we

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1 can talk about energy conservation, and then on
2 the other side of our mouth say we want to put a
3 bunch of pumps in the river that we don't even
4 have the power to take care of. So I don't think
5 they can be considered. I believe the preferred
6 alternative, the bypass channel, is the best
7 alternative, not only for farming, but for the
8 communities, for the people and jobs, and for the
9 pallid sturgeon. Thank you.

10 MS. CHRISTENSEN: Good evening. I'm Tami
11 Christenen. I'm a business owner in Sidney,
12 Montana. I own the Case IH dealership there. Our
13 family has been in Sidney for about 29 years.

14 And I'm going to change my speech a
15 little bit from last night. You know, I think
16 back, and our irrigation project has been there
17 for a hundred years and there haven't been any
18 issues with it. The diversion dam is reliable.
19 It doesn't create any pollution. It's
20 environmentally friendly. It's been brought to my
21 attention that there are more pallid sturgeon in
22 the Missouri River and there's a bigger problem
23 there than there is on the Yellowstone River, so
24 I'm not quite sure why we're continuing to have
25 this discussion. We need to move forward with

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1 this weir and bypass, just as the before when the
2 Bureau had decided it over two years ago.

3 We did some checking today and we found
4 it interesting the Defenders of Wildlife people
5 spoke last night about how they're in favor of the
6 pumps. And yet, they went out on record in 2015
7 against the wind energy turbines for killing
8 eagles per their spring magazine in 2014.

9 The pumps would cause pollution in our
10 area in the air, as well as noise pollution. They
11 would disturb the fish by putting metal into the
12 water and creating noise and vibration. And the
13 overall economy of Sidney would be gone if we
14 don't have irrigation. It would affect the whole
15 town.

16 I also represent the city council and our
17 water supply needs irrigation to put water in our
18 wells. It would be cost prohibitive if irrigation
19 is gone and we have to add more wells to supply
20 the City of Sidney with water.

21 The irrigated crops in Sidney also go to
22 feedlots. They go out to the dryland. It would
23 be cost prohibitive for the nonirrigated farmers
24 to as well.

25 And with that, I'll do the same thing I 62

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1 did last night although we're going to do it a
2 little different. I would like everybody in the
3 audience who is in favor of this bypass to please
4 stand up, and I would like this on record.

5 (The majority of the audience stands up.)

6 MS. CHRISTENSEN: And now I would like
7 the people who aren't for it to stand up.

8 (A few people in the audience stand up.)

9 MS. CHRISTENSEN: And for the record, I
10 feel that the majority of the people in this room
11 are for this bypass and we need to go forward with
12 it.

13 MR. FARLING: Good evening. I'm Bruce
14 Farling. I'm the executive director of Montana
15 Trout Unlimited and I really appreciate the
16 opportunity to speak tonight. I will be
17 submitting some detailed comments, but tonight I
18 just want to hit a few general points. I really
19 want to make it clear to the agencies and everyone
20 in the audience here, there's no one in my
21 organization, there's no one I know of in the
22 conservation community that I've talked to, and
23 others, who wants to put irrigators out of
24 business, who wants to stop irrigating on the
25 Lower Yellowstone, or who wants to put Sidney

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1 Sugars out of business. That is not anybody's
2 goal.

3 I represent 4200 Montanans. We have
4 members in every single county, except one. I
5 can't remember which one it is. I think it's
6 Roosevelt. I drove 350 miles to be here, and I
7 did not get on a jet plane. I'm very familiar
8 with Intake. I've worked with agriculture and
9 I've worked identifying zones of agreement to
10 bring in with irrigators all over Western Montana,
11 and also up in the Legislature on policy.

12 My friend, Mike Murphy, from the Water
13 Resources Association can attest to that. Sort of
14 putting him on the spot, but I think Mike would
15 actually back that up.

16 So a few things, and maybe I could sort
17 of respond to Senator Brown's comments about why
18 in Billings and a few other people. Why in
19 Billings? It's because the Yellowstone River is a
20 national treasure. People love it all over the
21 country. It's beloved in Montana and it's beloved
22 by my members.

23 We're in business with that and we're
24 looking at the business of that, and my members
25 say, There needs to be some advocates for fish

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1 here, too, and advocates that are sensitive to
2 agriculture.

3 The other reason is, basically, that we
4 are looking to find an agreement where we can
5 leave the irrigators whole and also give these
6 fish the highest probability of success, which I
7 think everybody in this room agrees with. The
8 problem is -- I guess it's the problem. I'm a
9 scientist with fisheries and hydrology background.
10 I work with fisheries and biologists all over the
11 state. There's a strong consensus among the
12 biologists in this state that the bypass
13 alternative does not give the fish the highest
14 opportunity for the success. And so that's why
15 we've asked that you take a stronger look,
16 sharpened pencil, elaborate a little bit more,
17 study more alternatives, more options, they're
18 going to get thrown around, to make sure we're
19 comfortable with the decision we make here is the
20 absolute correct decision for the people on the
21 Lower Yellowstone, for the people who love the
22 fish, and the people who love the river, and for
23 pallid sturgeon. Thanks for the opportunity to
24 comment.

25 MR. BOSSE: Good evening. My name is

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1 Scott Bosse. I'm the Northern Rockies Director
2 for American Rivers. We're a national river
3 conservation group with a Northern Rockies office
4 based in Bozeman.

5 I would like to echo one thing that
6 Mr. Farling just said. I appreciate the fact that
7 the Corps and Bureau agreed to host this public
8 meeting in Billings.

9 The Yellowstone is my home river and I
10 spend time on it almost every week during the
11 snow-free months. It's also Montana's river.
12 Billings is the midway point of the Yellowstone
13 River, and I think it's important to give
14 Montanans from across the state an opportunity to
15 comment on this issue.

16 Before I get into the comments on our
17 preferred alternative, I want to shed a little
18 light on my background. I'm a fishery biologist,
19 a former fishing guide, and in my younger days, I
20 made my living working as a commercial fisherman
21 in Alaska. The family for whom I fished for four
22 years lost their way of life due to the Exxon
23 Valdez oil spill when I was there, so I understand
24 what it's like to make your living off of the land
25 and then have it all taken away. We at American

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1 Rivers understand how important it is not just to
2 take care of the fish, but also to take care of
3 the people who make their living from farming
4 along the Lower Yellowstone River.

5 When we viewed this draft environmental
6 impact statement, we asked ourselves a couple of
7 questions in trying to determine which alternative
8 made the most sense to us.

9 The first question was what is going to
10 work for the fish, because that's the primary
11 purpose of this project. If it doesn't work for
12 the fish, it doesn't work. And we're not just
13 talking about pallid sturgeon. There are 52 fish
14 species in the Lower Yellowstone River; 32 of them
15 are native. There's seven fish species of special
16 concern. So this isn't just about restoring the
17 pallid sturgeon.

18 Allow me to explain how we determined
19 that this project probably won't work for fish.
20 We've reviewed the scientific literature, looked
21 for examples of similar projects across the
22 country, and found that there's never been a fish
23 passage facility built that's been shown to pass
24 pallid sturgeon, or shovelnose sturgeon, which is
25 a close relative to the pallid.

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1 A lot of people here tonight talked about
2 the Tongue River Bypass, which is a fantastic
3 project. But the truth is it's never passed
4 pallid sturgeon. It's been successful at
5 providing passage for lots of other species of
6 fish, but not for pallid sturgeon, and that's the
7 focal species we're trying to help get past the
8 Intake Diversion Dam.

9 The other question we asked ourselves is
10 which alternative can succeed in passing fish
11 while also keeping farmers in the Lower
12 Yellowstone Project whole. Our organization has
13 been involved in approximately 200 dam project
14 issues across the country over the past 20 years.
15 If you want to look at a successful project after
16 which this one can be modeled, you can look at the
17 removal of the Savage Rapids Dam on the Rogue
18 River in Oregon. It's a very similar case to what
19 we face at Intake Diversion Dam. It involved
20 federally listed fish species, and the Bureau of
21 Reclamation was involved in removing the dam and
22 replacing its function with a pump system. Thus
23 far, it seems to have worked well for fish and
24 farmers. So I think there's some good models out
25 there.

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1 There's one final issue I would like to
2 address, and that is the vulnerability of the
3 proposed bypass canal to extreme floods and ice
4 jam events on the Lower Yellowstone River, both of
5 which are very common. Flows on the Lower
6 Yellowstone River can reach 70,000 cfs, sometimes
7 even 100,000 cfs. When that happens, we have
8 genuine concerns about the structural integrity of
9 the bypass. Riprap and levees along the
10 Yellowstone River fail all the time and need to be
11 repaired on a regular basis. If the bypass canal
12 fails in a major flood or ice jam event, pallid
13 sturgeon will have no effective means of getting
14 above Intake Diversion Dam.

15 In closing, American Rivers supports an
16 open river alternative that involves removing
17 Intake Diversion Dam and replacing its function
18 with a pump system, and the absolute worst thing
19 we can do is throw 57 million dollars at a
20 solution that won't work for fish or farmers and
21 could, in fact, make the situation worse than it
22 is today.

23 MS. VANOSDALL: Okay. Next up is Walt
24 McNutt, Dave Kelsey, Steve Forrest, and Richard
25 Cayko.

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1 MR. MCNUTT: For the record my name is
2 Walt McNutt. I am part owner of Tri County
3 Implement in Sidney and I spent 16 years of my
4 life in the State Legislature. While there, I
5 worked for the eagle, water issues, and natural
6 resource issues and had a great deal of
7 interaction with many environmentalists and with
8 people who depend on agriculture and economics in
9 this state to survive.

10 One thing that I have come to realize,
11 and we heard last night, if I may make a comment
12 about, one of the gentlemen said that we want a
13 win/win. Well, there's no win/win. Their win/win
14 is the only way this is going to work is taking
15 out that ag. You just heard it from the previous
16 speaker. That's the only viable way they're going
17 to accept anything you propose. And I got to tell
18 you, these people are not stupid and they are well
19 funded and it isn't from Montana.

20 Now, I've finally gotten to a point that
21 I'm tired of people coming into our state and
22 telling us what to do for us when we are the best
23 stewards of this land. We are the best stewards
24 of the cropland involved in this project. And we
25 have studied and studied about the bypass and the

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1 weir that the Corps of Engineers and the Bureau of
2 Reclamation and the U.S. Fish & Wildlife says will
3 work.

4 Why do we constantly have to say we want
5 to protect the farmer, but these pallid sturgeon
6 is the most important thing here. I don't agree
7 with that. Human life and culture and economy is
8 what's going to pay for what's done to try to
9 preserve these sturgeon. And if you think these
10 people are going to change their mind, don't you
11 believe it, because they're not. And when this is
12 all done, and I assume this has to go back to the
13 Judge, and they're going to be in there just like
14 the two that filed suit, tooth and nail fighting
15 every step of the way. They are not going away.

16 If they're so committed to the viability
17 of farmers, why don't they put their efforts in a
18 fundraising campaign to establish a trust fund to
19 pay for the O&M for the duration of the project.
20 You're not going to see them do that. Thank you.

21 MR. KELSEY: Hi. My name is Dave Kelsey.
22 I farm and ranch out at Molt just northwest of
23 town here. And I also operate a small irrigated
24 operation south of Bridger that's fed from a
25 diversion dam off of Clarks Fork.

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1 I guess I am somewhat happy that the
2 media is here in support our neighbors to the
3 east.

4 And I'm a member of the Billings Chamber
5 Committee and a Director of Yellowstone Valley
6 Electric Cooperative. We know the importance of
7 agriculture. Agriculture is the No. 1 industry in
8 this state. And we should not take a second seat
9 to anybody with regard to that.

10 Our operation at Bridger, without the
11 diversion dam and the irrigation project that it
12 supplies, would be pretty much over. So it is
13 critical that we support this bypass channel
14 effort.

15 And I guess the thing that bothers me
16 about this whole deal, these folks are not happy,
17 these environmental folks are not happy meeting a
18 happy medium. They want to move from that bypass
19 channel and that diversion dam in Glendive on up
20 the Yellowstone and take everything out along the
21 way.

22 This is nonsense, folks. This is total
23 nonsense. We cannot allow this. We have a high
24 percentage of our membership in Yellowstone Valley
25 Electric and the folks around Billings and all up

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1 and down the Yellowstone that are dependent on
2 these rivers for survival. If you went down there
3 and you didn't have these rivers along the way,
4 there would not be these communities. These
5 communities develop because that river was there,
6 and the irrigation project that it provided. We
7 cannot forget that.

8 And I'll tell you another thing. We've
9 got to start outweighing these folks. They're
10 driving our energy through the roof and they're
11 trying to take control of our waters. It's just
12 time. Enough is enough.

13 MR. FORREST: Steve Forrest, Defenders of
14 Wildlife. I want to thank you again for coming to
15 Montana. I value the knowledge of the folks that
16 did drive hundreds of miles to get here. I think
17 that's an incredible effort.

18 It's not a win/win situation if one side
19 doesn't win. And the problem we have with the
20 preferred alternative is that we don't think it's
21 going to work. It's not going to provide passage
22 for sturgeon. Your own EIS makes it pretty clear,
23 it acknowledges that the open river alternative is
24 going to give the sturgeon the best chance
25 possible. That is the best science we have on

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1 this issue. All the rest of it is guesswork for
2 putting down a 60 million dollar bet on an unknown
3 chance. We could put down a hundred million
4 dollar bet on a sure thing. I don't bet,
5 necessarily, all the time, but that seems like
6 better odds to me that's worth the extra
7 investment.

8 And as I said last night, my organization
9 and the other organizations who are here tonight
10 are willing to look for that money elsewhere to
11 make up that difference. Let's do this right the
12 first time.

13 And just one other thing, given all this
14 uncertainty around the bypass configuration,
15 whether the sturgeon are going to find it and use
16 it, whether they will use it in numbers; and if
17 they do use it, are the numbers sufficient to
18 accommodate their rather unusual spawning regime.
19 All that remains to be seen. And we've got a
20 great deal of uncertainty. I think that behooves
21 the Corps to be held accountable until passage is
22 achieved. The Bureau is going to stay. They're
23 stuck. And the irrigators are stuck, if this
24 doesn't work. But I would like to see the Corps,
25 who's getting off on a pretty good deal on this

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1 river to stay involved until, in fact, we have
2 shown that sturgeon are moving up river in
3 sufficient numbers to spawn, so that's my
4 last point and I think we're going to push that
5 pretty hard, is that we would like to see you guys
6 hang in there until at least the project is
7 completed. Thank you.

8 MR. CAYKO: Good evening. My name is
9 Richard Cayko. I'm the Chairman of the Board of
10 Control of the Lower Yellowstone Irrigation
11 Project. And I'm also the Chairman of McKenzie
12 County Commissioners in North Dakota. And I bring
13 that up because part of this project is in North
14 Dakota, also. So there's two states involved here
15 and two sets of districts.

16 As elected officials, we have a
17 responsibility, and I've been on these boards for
18 many years, to do the best with the tax dollars
19 that we are charged with. If you wanted to spend
20 a half a billion dollars putting some pumps in
21 this river system that aren't going to work, that
22 ain't going to fly. We can take the money -- and
23 57 million is a lot of money -- to do what we're
24 going to do, but at least it's going to work. And
25 the reason it's going to work is because it's the

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1 most environmentally and economical way to go.

2 If you think back, I grew up right on
3 that river right where the pallid sturgeon and the
4 shovelnose sturgeon are. The dam was built and in
5 operation for over a hundred years, right? When
6 we were growing up, our irrigation ditches were
7 full of shovelnose and pallid sturgeon. The
8 question is: How did they get in there if they
9 didn't get above the dam? I mean they had to get
10 across there somehow.

11 The dam, or the weir that we call it, and
12 James has called it a speed bump, when we get the
13 new weir in here, concrete weir strong enough to
14 survive the ice flows, we won't have to -- picture
15 the low water and all those rocks sticking up, we
16 won't have to worry about that because they won't
17 have the rock. There'll be a level -- there'll be
18 an elevation to get the water right and the
19 irrigation that holds constantly water in it.

20 The bypass channel will take 15 percent
21 of the Yellowstone River down, 30,000 cfs, take 15
22 percent, you got about 4500 cfs going through that
23 channel. If them fish can't swim through there, I
24 don't know where they're going to go because the
25 canal is only 1574 cfs, and 4500 is about three

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1 and a half times bigger. And that's large and
2 that will be enough. Thank you.

3 MS. VANOSDALL: Next up is Becky Reidle,
4 Shelby Reidle and Justin Kucera.

5 SHELBY & BECKY REIDLE: Hello. My name
6 is Shelby Reidle. And my name is Becky Reidle.
7 And we signed up individually but we have a
8 cooperative statement that we would like to give
9 time for six minutes.

10 I am proudly both a farmer's daughter and
11 a farmer's wife. My family, I'm a mom of six, is
12 in the third generation of farmers in the Lower
13 Yellowstone Valley. And my husband's family, he's
14 in the fourth generation to farm and live in the
15 Lower Yellowstone Valley.

16 We are in favor of the bypass tonight.
17 This option has been studied repeatedly three
18 times in 15 years, and it is the preferred option
19 of the U. S. Army Corps of Engineers, the
20 Department of Interior, and the Fish & Wildlife.
21 Furthermore, the results of earlier Corps studies
22 have now been verified by an independent
23 contractor.

24 We feel that the opposition is using a
25 double standard claiming that the bypass channel

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1 option requires even more study when they're
2 proposing for removing the weir altogether has
3 only been studied for six months.

4 By creating the bypass, not only will the
5 pallid sturgeon have an easier journey north, so
6 will many other aquatic species. If the
7 opposition is truly concerned with the
8 environment, they would not support removal of the
9 weir in favor of installing numerous pumping
10 stations. Installing pump sites across the river
11 would require dredging, both initially and for
12 routine maintenance.

13 In addition, the electrical
14 infrastructure needed to operate these many pumps
15 would be continually detrimental to wildlife,
16 including, but not limited to, whooping cranes and
17 long-eared bats, which are also endangered
18 species. The necessary power lines would
19 interfere with the whooping crane flight patterns
20 and the noise pollution created by the pumps would
21 disrupt the bats' sonar.

22 For these reasons, we support the bypass
23 channel and believe it is time to move ahead with
24 it. It is the best choice for the wildlife,
25 agriculture and overall quality of life in the

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1 Lower Yellowstone Valley.

2 I do have one question to leave with the
3 members of the obstructionists, opposition, Did
4 you eat today? Whether you are vegan, vegetarian,
5 or carnivore like me, if you drink soy milk or
6 dairy it doesn't matter, a farmer put that on your
7 table, a farmer feeds you three times a day. On
8 behalf of the farmers here and across the country,
9 you're welcome. We don't need your gratitude but
10 we deserve your consideration and your respect.

11 MR. KUCERA: Hi. I'm Justin Kucera. I'm
12 a fourth generation Montanan. I appreciate
13 farmers and ranchers. Irrigation is No. 1.
14 Recreation is No. 2. Both very important to the
15 economy and well-being in Montana. And I guess
16 I'm here in defense of recreation and things that
17 are wild.

18 I support the purpose of this pallid
19 sturgeon passage, but we need to keep the farmers
20 farming. There's no doubt about that.

21 I don't understand why we have to put the
22 bypass channel into an existing side channel, it
23 already works for pallid sturgeon. I don't
24 understand why we can't move the water
25 entrance/fish exit of the preferred alternative

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1 downstream and leave the existing side channel to
2 function as a wild connection. It's more than
3 fish or farmers when you're from here and you love
4 that river and you want to see it come out of its
5 banks and be wild sometimes. I just feel that I
6 can't support a bypass channel that destroys a
7 national treasure, which is the freedom of the
8 Yellowstone River. It just makes no sense to me.

9 I think there are other alternatives. I
10 haven't seen any EIS. I asked for it a few months
11 ago and it never showed up at my door.

12 I get nervous. I don't really do this
13 ever.

14 The Yellowstone River is where I live.
15 It's where I raise my children. I drink from it,
16 and I just spent a week on it. I love it. The
17 Lower Yellowstone Valley, the irrigator, the
18 agriculture, that means we've got the croplands,
19 we've got the river between, the riparian areas,
20 the flora, the fauna and it's amazing. It's the
21 greatest place in the world and I just don't think
22 this alternative is the best one for here in
23 Montana, or the pallid sturgeon or the farmer or
24 for recreation.

25 I'm shocked that it's at 2.9 million

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1 dollars for O&M. I can't imagine the rock in that
2 diversion -- I could be wrong, but I can't imagine
3 that takes 2.9 million dollars.

4 We should look at other alternatives
5 including off-stream storage, such as that at
6 Nelson and Deadman's Basin reservoirs. Look at
7 water re-use and water conservation. Take less
8 water out of the river, catch and store the
9 nutrient-loaded return flows from the irrigated
10 fields.

11 I don't know, I'm just one guy, but
12 there's got to be other alternatives that don't
13 plug the one way the pallids get up and down the
14 river and don't destroy one of the last wild
15 rivers we have. Thank you.

16 MS. VANOSDALL: Next up is Dale Rambur,
17 Stephanie Schlothauer and James Brower.

18 MR. BROWER: They said I could have their
19 three minutes each. I'm just teasing. I'm
20 waiting for them to come down.

21 MS. VANOSDALL: Dale? And it's possible
22 that I'm ruining the names, so if you signed up to
23 speak, we are at the last few that are signed up,
24 so just step out. I have Dale Rambur, Stephanie
25 Schlothauer and James.

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1 MS. SCHLOTHAUER: Good evening. My name
2 is Stephanie Schlothauer and I'm married to a
3 farmer and this is my family. All here. They're
4 all wearing yellow shirts. We are a big, big
5 family.

6 First of all, let me say that I am one of
7 the many that is so impressed with the engineering
8 skills of the people who designed the original
9 gravity flow canal and lateral system of the
10 Yellowstone Irrigation District over one hundred
11 years ago. They built this canal system and it
12 has worked successfully and dependably to support
13 food and feed and business for thousands of human
14 beings and for wildlife. And I believe we can
15 support the bypass project, because it is the one
16 that is most acceptable.

17 The point that I would like to make is a
18 scientific one. And that is, that there has been
19 DNA testing, and I quote, "to determine the rates
20 of hybridization between pallid and shovelnose
21 sturgeon, and based on the genetic markers
22 assessed, the DNA markers for the pallid sturgeon
23 were genetically indistinguishable from the more
24 common shovelnose sturgeon. Their ability to
25 hybridize, and thus evolve comes about when the

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1 shovelnose fertilizes the eggs of the pallid
2 sturgeon. Because of this ability of two species
3 to hybridize, some biologists have expressed
4 concern that it is a violation of the Endangered
5 Species Act to protect one species that may not be
6 genetically isolated from another." I think that
7 is a very important fact to bring out. So it
8 almost substantiates the fact that the pallid
9 sturgeon is evolving and it is being helped to
10 evolve. So thank you, and thank you, all my
11 family. I'm so glad that we're all here to show
12 you what a big family we are.

13 MR. BROWER: Is Dale Rambur here? Does
14 he want to speak? Okay. Hopefully he comes in by
15 the time I'm done. I'll try and take up some
16 extra time for you. All right.

17 Hi. I want to thank everybody that took
18 the time to travel so far to get here so that your
19 comments could be heard and things could be
20 weighed and we could see how we can work together
21 to find the best solution for the fish while
22 keeping the reliability that the irrigation
23 project has had for 107 years.

24 I want to reiterate that the bypass
25 channel has been studied several times since 2005 83

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1 and that removal of the dam has been studied for,
2 I assume, six months. That, in itself, raises the
3 argument that our friends who love the fish have
4 made that there is no certainty in 15 years of
5 study or not enough certainty of 15 years of study
6 on the bypass. And I disagree with that. It's
7 been studied for 15 years. In fact, I have seen
8 several news articles that talked about how many
9 tens of millions of dollars have been spent
10 studying the pallid sturgeon.

11 And I want to reiterate that the
12 contractor who bid the job to build the bypass
13 channel and construct the concrete weir with its
14 notch that will pass water over the top of it 170
15 years instead of the stacked rock we have now,
16 which will ruin fish passage, but the contractor
17 bid it for 28 million dollars to do the
18 construction of the bypass channel, not the 57
19 million you're hearing from people who have only
20 been involved for less than a year.

21 First concern I have, you remove the dam
22 and you are going to dry up several legitimate
23 water right holding pump stations above the dam,
24 because you will lower the water level of the
25 river seven feet. By lowering the water level of 84

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1 the river seven feet, you will dry up two existing
2 side channels that have been there over a hundred
3 years and supports a lot of aquatic wildlife. So
4 removing the dam is not a hundred percent win/win
5 for every fish or every side channel in the
6 Yellowstone River, because there was a scientific
7 paper finished by MSU talking about the importance
8 of the side channels and how there's a very
9 limited number of side channels in the Yellowstone
10 River. And they're important because they support
11 a broad variety of fish in the side channels and
12 out of the side channels and they give the small
13 fish someplace to live and hide from their
14 predators.

15 So removing the dam has a lot of
16 unintended consequences, including the
17 installation of pumps, which create a lot of noise
18 and vibration and will be placed all along about a
19 thousand feet of the Yellowstone River where some
20 of the prime habitat, thousands of acres, has been
21 generated in 107 years of flood irrigation that
22 support the northern long-eared bat and the
23 whooping crane. You really need to make a
24 decision soon enough to say --

25 MS. ECKERT-UPTMORE: We will bring you 85

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1 back up as soon as we get through the list. Thank
2 you.

3 MS. VANOSDALL: So that's the list of
4 everyone that had signed up. We invite anyone
5 that didn't sign up to come forward and make a
6 statement. If you did sign up and didn't finish,
7 we invite you to finish your statement. We will
8 still hold you to the three minutes. This time we
9 ask that you state your name and who you represent
10 and make sure you do that clearly for the court
11 reporter.

12 MR. LINDE: Hello. I'm Dave --

13 (Whereupon, the court reporter asked the
14 commenter to speak up.)

15 MR. LINDE: I wasn't going to say
16 anything, but this guy over here was proud of
17 closing or taking out 200 dams. I would be
18 ashamed to say that. This is the taking down of
19 America, a little bit at a time. Do the bypass.
20 Do the right thing.

21 MR. SCHMIERER: I'm Lee Roy Schmierer,
22 along with my brother and my wife and his wife,
23 Dennis and Karen, and my wife, Charity. We're
24 second generation farmers in the Savage area. We
25 are now four generations of us living in that area 86

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1 there now.

2 I will say that we are very proud to be
3 environmentalists. We're not just mere farmers,
4 we're caretakers of the land and the river. God
5 has entrusted me with that, and I take it
6 seriously.

7 We are not wannabes like some people are
8 here. They have nothing invested. It will cost
9 them nothing when it's done, but yet they're here
10 with their opinions.

11 We're happy hunters and fishermen. We
12 love the land, we love the river, we love the
13 wildlife. Just as dad did, it's really just who
14 we are, what I want, and what I have been
15 privileged to have and want to hand down to my
16 children and my grandchildren. And therefore, I
17 support the fish bypass because it's best for the
18 river, the land, the wildlife, and the people that
19 are vested in it and carefully care for it.

20 I want to say to our opponents, you do
21 have a privilege here to come and speak, but you
22 don't have a right.

23 MS. PETERSON: Lynne Peterson. I am
24 Superintendent of Savage Schools, and I would like
25 to thank all the people here for passing the mill

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1 levies for the public education. You are looking
2 at the people who pass mill levies to get us new
3 schools and they deserve a round of applause.

4 And I represent Savage, Montana and my
5 dad is a sugar beet farmer. What I would like is
6 450 million dollars to support my 126 students.
7 We need to put that into education, so we can have
8 better stewards of the land, so we can have people
9 who come from our area, who know the area, invest
10 in it, and return to make it a better place.

11 I think we're focusing on a really small
12 piece of the puzzle. We have bigger environmental
13 challenges coming at us. We need to be prepared.

14 And I understand how you want to save the
15 pallid sturgeon. And I say to those
16 environmentalists what we are told in education
17 when we're faced with a cost that we don't know
18 how to cover. Hold a bake sale. Don't put it on
19 the farmers.

20 MR. MITCHELL: Duane Mitchell. I wasn't
21 aware that I could speak for three minutes at one
22 time. I'm going to finish what I was starting to
23 speak about.

24 Congressman Pat Williams said, Just
25 follow the money. Just a little bit ago, you

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1 know, I -- last night we heard about this win/win
2 situation that we're looking for. And I prayed to
3 God and I asked God to give me some wisdom and
4 tell me how you can do -- take the diversion dam
5 out and replace it with some pumps and that's
6 going to be good for the farmer.

7 But then a little bit ago Steve said he
8 would rather bet a hundred million dollars to
9 remove the dam to save the fish and basically you
10 farmers are going to be on your own. And I think
11 that's going about, follow the money. But I would
12 like it to be known that the County Commissioners
13 in Richland County, all of them, all support the
14 bypass channel. Thank you.

15 MR. WYRWAS: My name is Danny Wyrywas,
16 W-Y-R-W-A-S. Hi, thank you for your
17 consideration. Your decision isn't easy as you
18 weigh nature versus man. In my opinion, Montana
19 is the most beautiful state in the freest country
20 in the world. We are just over 1,000,000 people.
21 Based on population, Montana is a small city.
22 However, we are the fourth largest land mass state
23 with an immensely diverse landscape. Residents
24 across this state are family and friends. My
25 brother, by another mother, Shane Gorder, who was 89

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1 born and raised in Sidney, asked me to share a few
2 words.

3 I understand that saving the pallid
4 sturgeon is vital. I am an avid fisher, hunter
5 and outdoorsman, with an understanding of
6 ecosystems and nature. Conservation is how I am
7 able to fill my freezer and eat. I also
8 understand that my family and friends' lives may
9 be impacted by an impulsive decision.

10 Salmon on either coast of this great
11 country have been decimated in years past by a
12 variety of factors; one being dams. In the
13 Pacific Northwest their reclamation efforts are
14 actually paying off. Yes, dams were a big factor
15 in the decline of salmon; and, yes, the removal of
16 many dams, especially along the Columbia have
17 helped boost their numbers, but those dams were
18 turbine power generating dams, which killed the
19 fingerings by the thousands. This dam does not
20 have the destructive nature as those ones. This
21 is a 100 percent natural irrigation system.

22 Upon looking at the combined efforts of
23 those involved to save the salmon, both government
24 and non-government, it has been widely documented
25 that ladders or weirs have played a huge role in

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1 the success of the salmon. The Pacific Northwest
2 and all the ecosystems that were affected continue
3 to show promise as salmon populations are moving
4 up and to the right. Those involved are seeing
5 that it is both complicated and quite simple. The
6 simplicity came when they created a passage for
7 the salmon. This project also has a passage
8 system in place.

9 The complexity came because as societies
10 try to solve problems, they create bigger and
11 worse problems. An example from the salmon: Over
12 fishing is also a culprit, so farmed fishing
13 started to become an option. Sadly, as
14 researchers studied their effects, they found that
15 feeding farmed fish wild sardines, mackerel, and
16 herring actually competed with and caused wild
17 fish to starve. Also, it was found that it was
18 taking six pounds of fish to get one pound of
19 flesh. Our efforts to help actually hurt.

20 Montana is home to more Superfund Sites
21 than any other state in the country, as we have
22 allowed big companies to come exploit our lands
23 then leave us with a mess. We are land and
24 resources. We know that they are not expendable.

25 Fish & Game have documented sturgeon

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1 above the dam. We have a proven ladder system
2 that can be installed. We have a zero emission,
3 zero maintenance irrigation system in place.

4 So I have to ask: Why would we create
5 waste by putting in a fuel-eating pump system that
6 could cause problems that could resemble those of
7 the City of Laurel when flows are less than
8 normal? Why would we put ourselves at risk of a
9 disaster that could happen to the Yellowstone
10 River like that which happened as one of our
11 refineries had a pipe leak thousands of gallons of
12 fuel into the river? Why would we create expense
13 when we Montanans are known for being
14 conservative? Look into the audience, these are
15 primarily farmers from Glendive to Fairview. They
16 are innovators and creators. In my opinion, they
17 could build the bypass better and at half the cost
18 of the government. That statement isn't meant to
19 be disrespectful. These people know that
20 preserving waterways, game, fish and land directly
21 dictate their lives. They know how to rub two
22 sugar beets together and make a dollar.

23 My brother from another mother, Kevin
24 Murphy, who lives in Colstrip, may be out of a job
25 in the near future as the EPA restricts CO₂ output 92

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1 by coal-fired power, yet the solution here is to
2 put in a CO₂-creating pump. This doesn't make
3 sense, just like New Orleans doesn't make sense,
4 yet we taxpayers pay to keep that town above
5 water, even though it was built on the coast 20
6 feet below sea level. Why are we creating a
7 problem where there is no problem?

8 One last thing. As you weigh this,
9 please remove bias, the inability to see the other
10 person's point of view and release wisdom.

11 MS. ECKERT-UPTMORE: That's time. You're
12 welcome to come back.

13 MR. PASCHKE: My name is Ted Paschke.
14 That's P-A-S-C-H-K-E. I did not know about this
15 until two nights ago. I have lived in five
16 countries, traveled to 13, and I have had two
17 international marriages. I've seen a few things.

18 When I was called about this two nights
19 ago, I was angry immediately. And then I was
20 saddened. And I'm still angry. And I have not
21 figured out why we are here tonight. I have
22 listened.

23 First of all, this young man right in the
24 back briefly said, If you want to save the fish,
25 one of the options is transplant them, seed them

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1 above the Intake facility. That's been done all
2 over the United States with success. Why not do
3 that? If you really want to save the fish, that
4 will do it.

5 The other thing is my first marriage,
6 wife deceased, was thrilled when she saw the
7 salmon run in Washington state. Fish can do it.
8 Salmon jump.

9 But I want to talk to the people from
10 Glendive, Fairview, Sidney, Montana. You know,
11 you hold your anecdotes. I grew up in the Lower
12 Yellowstone Valley, beautiful life. But these
13 people, and I believe, they don't care. I don't
14 know how you're going to fight them, but they're
15 not going to go away.

16 It's not geology. It's a world view.
17 And their view is not important. We have the
18 win/win solution here. I knew nothing until two
19 days ago. And when you hold up the one, shout at
20 me so I hear you. I don't know what we're here
21 for. You have government studies that say this
22 will work. What are we here for? Do it.

23 And if you don't want to do it,
24 transplant all the fish upstream. Why are we
25 here? And this is the danger, friends, part of

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1 these people that are going to destroy you won't
2 care. They will destroy the country. They don't
3 care. Personal vested interest. They are not
4 going away. So I just say, Shame on you. Shame
5 on you. Cease and desist the destruction.

6 MR. STEINBEISER: My name is Jim
7 Steinbeisser, S-T-E-I-N-B-E-I-S-S-E-R.

8 First of all, I would like to thank the
9 Bureau for all the work they have done to prepare
10 for this. I do stand in support of the bypass
11 channel. I think it's by far the most viable
12 option. There's been a lot of points said to
13 tonight, and I don't want to repeat all those.
14 But, one, I would suspect that a sustainability
15 analysis was done comparing the fish bypass
16 channel, or alternative, to one of the pumping
17 plants. The pumping plant would no way even
18 compare, so its sustainability needs to be a part
19 of this and should be considered.

20 Just a one other thing I would like to
21 mention. The other day I had a French
22 photographer follow me around for a day. For
23 those of you who might be wondering why would a
24 photographer follow me around. I was wondering
25 that, too. But anyway, I told him that I had a

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1 meeting in Sidney that night and it was about the
2 pallid sturgeon and what we were going to do about
3 the sturgeon's viability and talk about the fish
4 bypass. And he looked at me kind of silly and he
5 said, Well, in France, we have them all over the
6 place. Fish bypasses, they work excellent. If
7 the pallid sturgeon has been around for 70-plus
8 million years, I think it's going to figure out
9 the fish bypass. Thank you.

10 MR. REKDAL: Hi, my name is Seth Rekdal,
11 R-E-K-D-A-L, and this is Dalton Lemburg,
12 L-E-M-B-U-R-G. We are representing the FFA. So
13 we're representing FFA, more specifically the
14 Shepherd FFA.

15 I was never raised around agriculture. I
16 was basically a city kid growing up. And in
17 seventh grade, I joined the FFA organization,
18 which stands for Future Farmers of America. I
19 joined the FFA and I didn't know much about
20 agriculture or about the agricultural industry.
21 And I began in my seventh grade year and through
22 my senior year, so six total years in the
23 organization. I have learned quite a bit about
24 the industry and agriculture, as well.

25 I'm know it is on the decline,

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1 agriculture, as with every industry in the nation
2 in the world. And I can remember like in my 8th
3 grade history class our teacher told us that to
4 build a civilization, you're building a community,
5 the first thing you need is people and the second
6 thing you need is agriculture. So a decision like
7 this should be based on something like
8 agriculture, something that's the basis of the
9 community and the people.

10 MR. LEMBURG: Again, I'm Dalton Lemburg.
11 I'm with the Shepherd FFA. One thing that I
12 personally have learned in my few years in the
13 FFA, I don't know if all of you may know this, but
14 less than 2 percent, 2 percent of the whole
15 United States population, the freest country in
16 the world are directly involved in production of
17 agriculture. And first off, I would like all of
18 you to give yourself a hand, applause, for being a
19 part of that.

20 Secondly, it gives me a bad feeling in my
21 stomach when somebody, a part of the 98 percent,
22 comes after the less than 2 that put food three
23 times a day on the table and still can create a
24 surplus for the freest country in the world.

25 Now, what I would also like to say is

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1 that I believe in the future of agriculture. You
2 are agriculture. I believe in your future. And I
3 believe that you should stand by and keep doing
4 what you're doing, Sidney, and your surrounding
5 area. You're doing a heck of a job.

6 MS. STAFFANSON: So many hard acts to
7 follow. My name is Gail Staffanson,
8 S-T-A-F-F-A-N-S-O-N. And I'm just here to read a
9 letter from Rita Steinbeisser,
10 S-T-E-I-N-B-E-I-S-S-E-R.

11 To whom it may concern: I am writing in
12 support of the bypass channel for the Intake dam
13 to help out not only the pallid sturgeon, but
14 every other aquatic species in the river. The
15 bypass channel is the best chance to help the
16 endangered species while still keeping the
17 irrigation project, Sidney Sugars, and agriculture
18 and the research stations viable.

19 As a wife and mother of farmers living
20 and working in Richland County, I am frustrated
21 that the viable solution is not being utilized.
22 We continue to waste money in the court, when a
23 solution to the problem has been identified. It
24 benefits the pallid sturgeon, it sustains the
25 local economy of the Mon-Dak Region with the

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1 installation of a bypass channel.

2 To my understanding there's now a
3 recommendation to install pumps. This appears to
4 be cost prohibitive from an economic standpoint,
5 as well as disruptive to the environment. The
6 pump solution runs the risk of disrupting other
7 wildlife, possibly creating a Sidney water
8 problem, and affecting the livelihood of the
9 people living and working in Mon-Dak Region.

10 If you are not concerned about the 58,000
11 acres of irrigated farming land, I urge you to
12 think about all the businesses in our community
13 that rely on agriculture to sustain the economy
14 through the oil booms and busts. Agriculture has
15 thrived for more than a hundred years thanks to
16 the innovative irrigation project that was built
17 with the land and environment in mind.

18 I feel the Lower Yellowstone Irrigation
19 Project has done their due diligence to find a
20 solution that is mindful of fish habitat.

21 Now I encourage you to do the same and
22 consider the economic welfare of agriculture in
23 the Mon-Dak Region, as well as the ample water
24 supply for residents living in this area. Best
25 regards, Rita Steinbeisser. Thanks.

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1 I support the bypass.

2 MR. BROWER: My name is James Brower. I
3 spoke earlier and didn't say my name. That's
4 B-R-O-W-E-R.

5 First of all, thank you to those that
6 have traveled all these miles to get here. I want
7 to go back to what I was trying to say about the
8 pump solution, no matter how you power it. I have
9 been in design irrigation and working with
10 irrigation systems in three different states, on
11 three different major rivers, national treasures.
12 And it's funny, the cycle that we go through.
13 They want to remove dams. And I believe the
14 people who take pride in removing dams are afraid
15 that the bypass channel will work, because if the
16 bypass channel works, it will solve problems
17 without removing dams all over the country. It
18 will benefit the fish all over the country without
19 having to make a choice between people or the
20 fish. I know these people here don't want to hurt
21 the farms, but they don't have experience on the
22 farms with pumps. They don't realize that with
23 pumps you have to rebuild them every three to five
24 years for hundreds of thousands of dollars. With
25 the motors, you have to rebuild them every seven

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1 to ten years worth more than the pumps, hundreds
2 of thousands of dollars. So if these people don't
3 like the preferred alternative that's been
4 analyzed three times and they don't want that paid
5 for, these people themselves need to personally
6 pay for the O&M cost that would otherwise be
7 hoisted upon the local farmers, which is a 2
8 percent minority. And I believe in the
9 United States it's against the law to pick on a
10 minority. Let's not make the American farmer the
11 next listed endangered species that you need to
12 protect.

13 Let's not delay any longer the
14 construction of a viable solution that will help
15 all fish in the river. And if it doesn't help
16 them, the Corps and the Bureau, and the federal
17 government and the project are legally obligated
18 to create a fish passage, so fish passage
19 solutions will continue to be implemented until it
20 works. But after 15 years of study, we are
21 confident the fish passage will work. But if you
22 want the dam removed, pay the O&M costs yourself.
23 Otherwise, you don't really care. Thank you.

24 MS. SEDER: My name Pat Seder. I am here
25 as a tax-paying construction worker who supports 101

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1 ag in our Yellowstone County and in our state.

2 I am came here tonight to kind of figure
3 out what was going on, and I appreciate all the
4 folks that came from Sidney. And I want to say
5 I'm glad they're having a meeting here tonight
6 because it gives me an opportunity to speak in
7 their support. Also, I want to support myself
8 here. I live in Huntley. I have a small
9 irrigated place and I have a lot of neighbors who
10 have irrigated places. And I'm afraid that if you
11 give these folks an inch, they're going to think
12 it over, and they're going to start, like they
13 can, and they're going to move all the way
14 upstream every chance they get. And I think
15 that -- I don't know, the direction of our country
16 is scary to me already and it's kind of gone
17 viral, and I think at some point we need to shut
18 down some of these people and bring some common
19 sense back into the way you make decisions.

20 And on a side note, I've been an
21 electrician. I've been an electrician for 35
22 years, and there's some other issues involving
23 motors and pumps and water. They have already
24 proven that water and badly powered equipment in
25 boats kill people in the water. What do you think

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1 is going to happen if there's faults and leakage?
2 There's more than a sturgeon that's going to get
3 killed. The electrical current is a very
4 dangerous thing to be messing around with in
5 water. I think that's a very poor alternative.

6 So aside from that, I just want to say I
7 support the bypass. I think it's a viable
8 alternative for everybody and I think that the
9 common sense needs to come back into our country.

10 And I also want to commend these kids
11 from Shepherd. I've been working in the real
12 world and I think our ag community brings out the
13 best in our young people, and with the work ethic
14 that our country needs desperately. And these
15 kids come out here and were very vocal and very
16 responsible about the way that they presented
17 themselves and we need more of these kids. And
18 thank you, farmers, for producing them. They are
19 our future and they are the best of all of us.

20 MR. BROOKS: My name is David Brooks.
21 I'm with the Montana Trout Unlimited. And I just
22 wanted to clarify that I'm also from Montana, I
23 drove here. I didn't fly here tonight. I'm not a
24 university professor. And I don't have some --
25 and you can talk to my boss about this -- what a

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1 environmentalist is supposed to have, but
2 seriously, I appreciate everybody coming tonight
3 and offering comment. And I, of course, care
4 about the pallid sturgeon and want to see the fish
5 passage work and these fish be recovered here.
6 And so, yes, it scares me that there's a huge risk
7 that the bypass channel will not work and that's
8 even stated in the EIS that there's zero examples
9 of bypass channels working on this plan. So that
10 scares me.

11 But the thing that scares me equally is
12 the cost here. 57 million dollars is a lot of
13 money. Yeah, the EIS states that after one year
14 of implementation of any of these alternatives,
15 the Corps of Engineers will be gone and the Bureau
16 of Reclamation, that's not bringing any money to
17 the table for this project, will likely not have
18 money to support an alternative or improvements
19 and will scrap the whole thing.

20 If we take a minute and consider that
21 this alternative, the bypass channel, might not
22 work, who is going to be on the hook if it
23 doesn't. It's likely to be us as taxpayers, the
24 State of Montana, and possibly the irrigation
25 district for recovering these pallid sturgeon.

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1 And so, yes, the money issue is important. We
2 need to look really hard at spending 57 million
3 dollars in a solution that can be bust and we will
4 not have any agencies around to help find Plan B
5 when we're back to the drawing board to consider
6 one of these other options.

7 Meanwhile, I have read the entire EIS.
8 It's long and tedious. And even I can see in this
9 EIS that the numbers, the financials, on many of
10 these alternatives are grossly inflated. Let me
11 give you one example that I think someone here in
12 the crowd can probably speak to. For the open
13 river alternatives, one of the expenses being
14 charged is for a ditch rider. We have a ditch
15 rider. And I think he introduced himself as
16 Mr. Koffkey. They have budgeted per year for a
17 ditch rider on an open river alternative half a
18 million dollars. So maybe that's every year as a
19 ditch rider, but I would offer that that's
20 probably an inflated cost, and there are many
21 others like this that I see in the EIS for the
22 other alternatives. So I would say we need to
23 sharpen our pencils, we need to go back and look
24 at this with a real concern over the money being
25 spent here, and I believe us as taxpayers and the

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1 irrigators run a huge risk if the bypass channel
2 does not work.

3 MS. MESSER: Good evening. And I have
4 spoke in the two previous meetings on the economy
5 and the economics and how devastating the loss of
6 the weir would be to our entire economy.

7 I have looked at the EIS and there is a
8 portion of it that talks about a monitoring where
9 we could actually take a look at alternatives if
10 the bypass doesn't work. For the
11 conservationists, the obstructionists, whatever,
12 if that is what your uncertainty is about, if it
13 isn't going to work and they're willing to help us
14 figure it out, why don't you bring the money to
15 the table and help us really find a solution to
16 work together to truly care about the fish and the
17 lives of these people and all of the economies
18 that support our state and our nation. And why
19 don't we actually get this thing started. I fully
20 support the bypass channel.

21 MR. KOFFKEY: Tim Koffkey, K-O-F-F-K-E-Y,
22 Lower Yellowstone Irrigation Project, proud to be
23 a ditch rider. I love my job. I love the
24 opportunity that I have to serve the farmers and
25 to be a part of that 2 percent that take care of 106

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1 our great nation and those around the world.

2 I have some issues. Sorry. Last night
3 they say you want to work toward a win/win
4 possibility. Really? When you want the most
5 expensive option out there? You say, Why waste 57
6 million dollars? I say to you, What is 57 million
7 in comparison to 132 million or a half billion
8 dollars?

9 You say, It won't work. Why can't you be
10 an optimist and say, It just might for a fraction
11 of the cost. Not only that, the pumping stations
12 are a minimum of five, possibly seven. As stated
13 in the EIS, one of the things that affects the
14 pallid sturgeon is the bank stabilization of the
15 river. You will have to stabilize five to seven
16 banks wherever you put these pumps at because the
17 river doesn't know. She's beautiful and she flows
18 where she wants and she takes the land that she
19 wants. So in order to protect those pumping
20 stations, you're going to have to stabilize the
21 area around it, which will further challenge the
22 pallid sturgeon, according to the EIS study.

23 What about some other EIS studies besides
24 the environment impact study? What about the
25 economic impact, not just for Richland County or 107

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1 Dawson County. Maybe the people that live in
2 Richland and Dawson come here to Yellowstone
3 County to do their shopping. I've been here
4 multiple times and many times I see license plate
5 numbers with the No. 27 and 16. So we're not just
6 talking about the economic impact of Richland and
7 Dawson County. It's state-wide.

8 What about the agricultural impact? The
9 solution that you suggest, these pumping stations,
10 the farmers could never afford the O&M. Never.
11 They have said that they will go under. If we
12 have to go to the pumping stations because they
13 can't afford it, third and fourth generation
14 farmers will be gone. Thank you.

15 MR. STEINBEISER: I'm Don Steinbeisser,
16 S-T-E-I-N-B-E-I-S-S-E-R. I'm an irrigator in
17 Sidney. And I want to thank the Bureau of
18 Reclamation for all the work you've done on this.
19 The bypass channel is the best option and I just
20 want to say, as a former Legislator, I spent 12
21 years in the Legislature, I dealt with Trout
22 Unlimited numerous times and they tend to be
23 obstructionists. And the environmental groups
24 here today, that's their purpose.

25 When President Nixon signed the

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1 Endangered Species Act in 1973, he said, We're
2 going to work together to save the species. These
3 guys are not working together. They're trying but
4 they're not. And I know how they are because I've
5 dealt with them in the Legislature. They're
6 obstructionists. So I want to thank you very
7 much.

8 MS. MCFARLAND: Good evening. My name is
9 Lisa McFarland, M-C-F-A-R-L-A-N-D. My husband is
10 a fifth generation farmer. I'm a fourth
11 generation farmer here in Yellowstone County. And
12 I'm also the President of Yellowstone County Farm
13 Bureau. And I just want to say that I believe the
14 people in Yellowstone County are in support of
15 these good people from Sidney and the bypass,
16 because eventually it's going to work its way up
17 the river and affect us here. And the biggest
18 issue and the reason why we need you to support
19 these people is because a service is to all.
20 Billings is being eaten up by people who want a
21 half-million-dollar home on a little spot.
22 Eventually, we're no longer going to be able to
23 farm here. Our families are going to be pushed
24 out, and we're going to have to rely on the
25 farmers and ranchers in the small communities.

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1 So I ask you to support the bypass, and I
2 appreciate all of my neighbors and friends from
3 Sidney.

4 And Trout Unlimited has 4200 members in
5 the state of Montana. One organization that I'm
6 involved in, the Montana Farm Bureau Federation
7 has over 20,000 members. So that just puts in
8 perspective where the people in our state are
9 supported. Thank you.

10 MR. ASBECK: I'm Hugo Asbeck. I'm 79
11 years old. Nobody told me I had to be 16 or older
12 to go to work. I can tell you one thing, water
13 flows downhill a hell of a lot better than it does
14 uphill with a pump.

15 There's been all my friends, farmers and
16 ranchers and business people, there's been a lot
17 of sweat and blood went into this farming
18 operation and irrigation project, way more than
19 any environmentalists have ever thought of putting
20 out. Thank you.

21 MR. BLOESSER: My name is Trey Bloesser.
22 I'm just graduated from Savage and I'm going to go
23 to college in Bozeman this year and get a degree
24 in animal science, livestock production. I guess
25 I would just like to say that farmers and ranchers 110

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1 are true conservationists. My cat just brought a
2 baby bunny yesterday and we tried nursing that
3 back to health. It died, but it just shows that
4 we truly care more than any of those people
5 sitting over there.

6 My sister, she has five kids, and she
7 brought home four baby pheasants, and she put them
8 in her house when their mom died. That stuff
9 happens all the time. I'm sure everyone in this
10 room has stories like that. And those
11 conservationists have no idea, they do not know
12 what they're talking about.

13 I would also like to say I am a young up
14 and coming rancher and farmer. Between the
15 government regulations, climate change,
16 environmentalists, and population growth, it's
17 going to be hard to feed the world in a few years.
18 And by 2050, in 34 years, the world is going to
19 grow by 2 billion people to 9 billion. And I
20 guess I don't know how we'll feed all those
21 people, except to not feed the environmentalists.

22 But in all reality, I guess we will feed
23 them. But I know for a fact that their taking
24 away 58,000 acres of irrigated farmland is not
25 going to help the world feed itself. Thank you. 111

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1 MR. KOFFKEY: Tim Koffkey, third verse,
2 same as the first. As I said, the third
3 environmental impact statement, when you take away
4 the livelihood of somebody that that's all they
5 have known all their lives for three or four
6 generations -- that's what's going to happen. And
7 don't sit there smugly. Sorry.

8 When you have the heart and soul of an
9 individual, a human being created in the image of
10 God. Someone who's been given dominion over the
11 earth and the animals, and they are greatest
12 environmentalists around. But you will destroy
13 that person when you take away that, because that
14 is what's going to happen if the environmentalists
15 look at standing up in that courtroom and declare
16 a moratorium. Your intent is not to save the
17 fish -- I said this last night -- you have an
18 agenda that has far greater impacts. It begins
19 with the dehumanization of people.

20 The President of PETA once said, A rat is
21 a pig is a dog is a boy. Essentially saying,
22 You're all the same. Humans are not going to be
23 (indiscernible) exists around the earth. Once you
24 dehumanize it, it becomes easier to kill.

25 Since party activists tend to go to the 112

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1 quotes, there is one that goes so far as to say
2 that he has more sympathy for threatened insect
3 species than for children dying of hunger in
4 Africa.

5 David Brown, the former head of the
6 Sierra Club said, While the death of young men in
7 war is unfortunate, it is no more serious than the
8 touching of mountains in wilderness area by
9 humankind.

10 I find those statements to be revolting
11 and disgusting and despicable. They are inhumane.
12 And that's what happens when you have an agenda
13 and a mind-set that begins with, We're nothing
14 special, we're no better than an animal.

15 You would rather destroy our communities
16 than to see us live peacefully and respectfully
17 taking care of the environment that exists in
18 Montana. To you, the environmentalists, Enough is
19 never enough. We give you an inch and you take a
20 mile. We give you a mile and you take a thousand.

21 In 1980's there was a move to plastic
22 bags to save a tree. Trees that were planted for
23 that sole purpose. (Indiscernible.) That's what
24 my dad did. Save the tree. Buy plastic. So we
25 were asked paper or plastic when we went to the

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1 grocery stores. But no paper. Now paper -- or
2 the plastic, I'm sorry, is ruining the
3 environment. Hello. We all knew that back in the
4 1980's. The paper was a renewable resource, but
5 we gave in to it. And now it's not good enough.

6 MS. TRUSHEL: Hello. My name is Brittany
7 Trushel. B-R-I-T-T-A-N-Y, T-R-U-S-H-E-L. So I'll
8 start out, I represent myself. What bothers me is
9 that we have scientific data that show the pallid
10 sturgeon do not really use the Yellowstone River.
11 David, in our meetings, you know this. And so
12 this whole smoke and mirrors thing focusing on the
13 Yellowstone River and trying to make these farmers
14 that put food on our table responsible for the
15 demise of a species, what remains in some dams on
16 the Missouri and Mississippi Rivers? I mean
17 that's the reason the pallid sturgeon is in
18 danger -- or isn't extinct after the hundred years
19 because they don't use the river. That's why the
20 biologists don't think they'll use this passage.
21 Because they're not in the Yellowstone River.
22 They're in the Missouri River. They're a large
23 river fish.

24 And so all of this here and all of this
25 traveling here is moot. This is all a smoke and 114

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1 mirrors show trying to put something on a people
2 that are hardworking. I worked in Sidney for
3 years, and I worked on pallid sturgeon for years.
4 And it's really sad that we do not have the basic
5 biology information to make a choice, all of us
6 make this choice, because that's what we're doing.
7 We're putting this on the backs of people, putting
8 this, all the management and operational costs,
9 when these animals are probably not going to use
10 this fish passage. And they never used it last
11 year, a high water year, they lived up in this top
12 where they spawned. Still not enough water
13 (indiscernible) and they died.

14 And so I would just like to say that
15 because there's basic science that's not here, and
16 I think it's really truly sad that we all
17 (indiscernible) making the decision and, that is,
18 some small dam's fault, where people have lived
19 there for generations and farmed when it's not.
20 It's about people, Mississippi River states and
21 the barge traffic down there, and that we want to
22 hold water back. So thank you.

23 MR. QUINNELL: Wayne Quinnell,
24 Q-U-I-N-N-E-L-L. I'm an electrician from Fallon,
25 Montana, and we're all gathered here today to try 115

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1 and save an endangered species from possible
2 extinction. On one side of the line is the
3 environmentalists. They're the endangered
4 species, they're backing the pallid sturgeon. On
5 the other side of the line is us, the locals. We
6 also want to save the pallid sturgeon; but,
7 however, we are here to save the endangered
8 species of the small American farmer. The farmer
9 has plenty of obstacles standing in his or her way
10 in this day and age. Fuel costs, labor costs, the
11 war on GMO crops, low commodity prices, and now
12 the uncertainty of the future of affordable,
13 viable water for irrigation.

14 Without the LYIP, many of these 350 farm
15 families will have to sell out and move on because
16 they won't be able to afford to keep the farms,
17 farms that have been in their families for
18 generations. Sell the lands that have been worked
19 for three, four, even five generations. Grandkids
20 next to their grandparents. Calloused hands, sore
21 backs, scarred knuckles. All earned from years of
22 hard work carving out a living and all of that
23 heritage could be gone with the blink of an eye.

24 So I talked to a few of my friends who
25 are farmers from Intake all the way down to

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1 Fairview and got some input about what their
2 yields are on average. So this is just a little
3 look at what these 58,000 acres could produce for
4 the world. So if all 58,000 acres were planted in
5 wheat, that wheat could produce enough flour to
6 make 418 and a half million loaves of bread.

7 If all of that was planted in corn, it
8 would produce enough corn to make 3.72 billion
9 corn tortillas.

10 If all of that land was planted in
11 barley, you could take that barley, malt it, and
12 make 350 million gallons of beer.

13 If you took all this land and planted it
14 in sugar beets, it could produce 350,000 tons of
15 sugar. That is 700 million pounds of sugar.

16 So this is just a few of the reasons why
17 I believe we should all support the fish bypass.
18 And I'll have a more to say about the electrical
19 side in a little bit.

20 MR. GRIFFIN: Good evening and thank you
21 for the opportunity to speak. My name is Brad
22 Griffin, and I live here in Billings. I'm a
23 lobbyist for the Montana Equipment Dealers
24 Association. I represent over 50 businesses
25 across the state of Montana that provide farm

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1 equipment services to Montana's ranchers and
2 farmers. I stand here in support of the diversion
3 of the channel. And I have been a lobbyist for 23
4 years up in Helena, and back and forth where the
5 political discourse became so poisoned by
6 obstructionists. We used to look for
7 middle-of-the-road solutions, like the one you
8 have before you. And I urge you to not give the
9 opponents a precedence. That's an important word
10 to remember because if they get -- if they win
11 this precedence, they'll take it up and down every
12 river wherever they want to go to take out dams
13 and diversions. I think it's important that we
14 honor the 15 years of study that has gone into
15 this, and I would urge you to adopt and support
16 the middle-of-the-road solution that you have
17 before you. Thank you very much.

18 MR. PASCHKE: Ted Paschke. Montana would
19 say, Keep the power dry. I'm a little emotional.
20 Again, I want to ask a question: What are we here
21 for tonight? I'm asking you. I have heard
22 tonight years of study, millions of dollars spent
23 already on those studies. It is time for you to
24 act. It is time for you to do it. You need this
25 bypass channel. That is the record of many bodies

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1 that have reviewed this already. It is time for
2 you -- these people have been giving their
3 lifetime stories here. Let's forget all of the
4 stories. You have the study that defined and the
5 recommended solution is the bypass channel. Do
6 it. Just do it.

7 And I believe I owe an apology to someone
8 in this general area. I'm not sure who this
9 gentleman is even with. He hasn't spoken. I
10 talked about shame. Well, maybe I should have
11 been looking to the three gentlemen that spoke
12 previously. So I apologize. If you're on their
13 team, then I say, Shame to you.

14 But I just reiterate that it is time for
15 you to move. No more meetings, no more studies,
16 no more la pelea -- that's Spanish --
17 confrontation. Just do it. Okay.

18 MR. KOFFKEY: I promise this will be my
19 last time. Tim Koffkey, K-O-F-F-K-E-Y. This will
20 be my last statement.

21 People traveling to San Diego visiting
22 the Swallows or to San Juan Capistrano. I want to
23 invite you all to look down to the Willow Bridge
24 (phonetic) at about 6:00 in the morning to see the
25 swallows under the bridge. Hundreds of swallows

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1 that feed off what is around there. And they're
2 there because it is their habitat.

3 What about the geese and the ducks that
4 raise their young in the canal? Every day I drive
5 that canal twice a day, over 20 miles up and down
6 and I see these geese and these ducks raise their
7 young on the canal. That's their habitat, their
8 land and we need to protect that, not only the
9 numerous wildlife that live and thrive because of
10 the canal and its drainage.

11 Our farmers and irrigators and employees
12 put in long hours so people can enjoy the
13 convenience of buying food in the grocery store.
14 They do it not for personal recognition or to make
15 tons of money. They do it for the love of the
16 outdoors and the love of the land, the love of the
17 animals, the love of the environment. They do it
18 for the love of what they are doing for the
19 opportunity to serve their community. This is why
20 I support our farmers, our community, our schools.
21 And I support the bypass channel and I support
22 this limited species, the hardworking farmer,
23 before they, too, become extinct.

24 So to you, environmentalists, as I said
25 last night and I say it again, I want to suggest 120

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1 that you come up to Richland County, put in the
2 hardworking hours of the farmers, walk in their
3 shoes. Don't just live in our area, come work it,
4 come work the fields. Come with the ditch rider,
5 do my job. Come home with numb hands from
6 operating a weed-eater. Come home after 13, 15
7 hours days and go back out at 11:30 at night when
8 the power goes off. Do my job, and then come and
9 tell me what you want to do. Then perhaps you
10 would have a greater appreciation for what it is
11 that we do and what you are looking to destroy and
12 take away.

13 So to our farmers and all those that
14 traveled here, thank you. We love you. We
15 appreciate your hard work. I have deep and
16 profound appreciation for all the work you do.
17 God bless.

18 MR. BUXBAUM: Scott Buxbaum,
19 B-U-X-B-A-U-M. I'm an irrigator and farmer from
20 the Fairview area. I live on the North Dakota
21 side. I just have some numbers to show that I
22 wanted in the comments, that if we do the pumping
23 situation like you're proposing, these numbers are
24 go up and this is going to be an additional
25 expense on my farm. I raise 550 acres of sugar

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1 beets on my farm. My taxes would go up by at
2 least 42,000 per year.

3 My loss in production, my sugar beets
4 will grow -- in the heat of July and August, my
5 sugar beets will grow anywhere from two and a half
6 to three ton per week. I figure two and a half
7 ton, and my loss in production is \$68,000. Just
8 on my farm alone it's going to cost me \$111,000
9 if we do pumps.

10 If they have that loss in the middle of
11 July when the beets need that crucial water, we
12 will lose that production. And that will, in
13 turn, be a loss of production, a loss of income.
14 And then on the other hand, you have an increase
15 of taxes because those pumps take a lot of O&M.
16 It's costing more money for the upkeep and O&M.
17 Thank you.

18 MR. DEHERRERA: My name is James
19 Deherrera. D-E-H-E-R-R-E-R-A. At this point, I
20 just wanted to bring -- we had one lady tonight
21 that said that she was a scientist and that the
22 pallid sturgeon aren't native to the Yellowstone
23 River. If you want to, go to and Google
24 Comprehensive Sturgeon Research Project.

25 She stated that -- again, she stated that 122

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1 the pallid sturgeon aren't native to the
2 Yellowstone River. If they weren't native to the
3 Yellowstone River, why didn't they just do a big
4 release of 700,000 eggs? This was on Monday, June
5 27th that they released 700,000 eggs in the Upper
6 Missouri River, one and a half miles east of the
7 Milk River, which would be west of Frazer, Montana
8 and just a little bit southeast of Nashua,
9 Montana.

10 And so they released 700,000 baby fish
11 June 27th, the collaborating scientists of the
12 Missouri River Pallid Sturgeon Drift Study
13 released over 700,000 one-day post hatch pallid
14 sturgeon to the Upper Missouri River.

15 And I just wanted everyone to understand
16 that when she come up and she said that they
17 weren't a native fish, that aren't in the
18 Yellowstone River, that that is now documented,
19 their release into the Upper Missouri River. And
20 I am for the bypass channel. Thank you.

21 MS. TRUSHEL: Brittany Trushel.

22 T-R-U-S-H-E-L.

23 Pallid sturgeon are absolutely native to
24 the Yellowstone River and to Montana. They are a
25 large river fish that is in the Missouri River. 5 123

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1 percent of radio-tagged pallid sturgeon have moved
2 up the Yellowstone River. 5 percent. We are
3 putting all of our eggs into 5 percent.

4 Missouri River, absolutely. And they're
5 absolutely native to Montana. And they absolutely
6 use the Lower Yellowstone River. In fact, one of
7 their spawning habitats is seven miles up the
8 Yellowstone River right below the Fairview Bridge.
9 And it's actually called Crapper's Corner, because
10 there used to be an old house there.

11 Every year these pallid sturgeon go there
12 and spawn, and then their eggs and larvae go
13 straight down the links to Sakakawea usually into
14 the area where they hatch their eggs and they die.

15 So they might use -- the 5 percent, they
16 come up and they use the Yellowstone River, but
17 they are large river turbid fish that reside in
18 the Missouri and Michigan Rivers.

19 MR. QUINNELL: Wayne Quinnell,
20 Q-U-I-N-N-E-L-L. So one of the matter of the
21 diversion dam, the environmentalists' groups say
22 they want to work with us on, so long as it's
23 taken out and replaced with the electric pumps.
24 Oh, yes, the electric pumps that we are all told
25 will still reliably deliver the full water right. 124

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1 But in reality, though, there is nothing
2 more reliable and economical than gravity. Pumps
3 are kind of like a new sports car full of computer
4 technology. I'm sure they work great at first.
5 Then you have programming glitches and they break
6 down, and it takes three engineering degrees to
7 find out what the problem is.

8 Gravity irrigation is like that old 1994
9 Dodge diesel pickup. It's not fancy. It doesn't
10 have all the bells and whistles, but when you turn
11 the key, it's going to fire right up and it's
12 going to go to work for a long, long time. Simple
13 to fix, after all, water flows downhill.

14 Now, back to the electric pumps. The
15 company that I work for does all the maintenance
16 on the electrical systems for the LYIP, so I have
17 a little insight on this subject. As you heard
18 earlier, it would take over 20 times the pumping
19 capacity of the pumps that currently supply the
20 Savage Irrigation District from the Savage Pumping
21 Station.

22 When the pumps that are at the SID
23 station are no little run-of-the-mill water pumps.
24 Each of the three electric motors puts out more
25 horsepower than the average American car. The

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1 amount of power they consume is mind boggling.
2 They operate on a 2400-volt system, that's 20
3 times more power than in your home. And when
4 things go wrong, in a 2400-volt system, you don't
5 just go to the electrical panel and reset the
6 tripped breaker. You can't just go to the local
7 supply store and get a \$26 part and fix the
8 problem.

9 A couple of years ago two fuses at SID
10 blew, and they had to be special ordered and built
11 at the cost of \$3,000 per fuse, and it took over a
12 month to get them back up and running.

13 So what happens when the pumps fail and
14 the farmers lose their ability to irrigate their
15 land? That was all. Thank you.

16 MR. DAVIES: Not seeing anybody else
17 coming forward, my name is Steve Davies. I'm with
18 the Bureau of Reclamation. We're going to be
19 closing here shortly. How about that? Okay.

20 I'm Steve Davies with the Bureau of
21 Reclamation. On behalf of the Bureau of
22 Reclamation and the Corps of Engineers, I want to
23 thank everybody for showing up tonight. A lot of
24 you drove long distances. Thanks, everybody, for
25 making your comments tonight. Your comments,

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1 whether verbal or written, are critical for us to
2 make an informed decision. The turnout at each of
3 these meetings, and this is the third and final
4 meeting that we're going to conduct publicly, has
5 been phenomenal. We had about 500 people show up
6 at Sidney. We had about 175 in Glendive. I
7 haven't heard a number tonight, but we're probably
8 around 200. That's about 900 people or so. The
9 final numbers for the count of this will show up
10 in the final EIS about who showed up at each of
11 the meetings.

12 Thank you, David and Tiffany for making
13 presentations tonight. Thank you to the staff of
14 the Lincoln Center for making this facility
15 available for us tonight. Thank you very much for
16 our recorder. It's very critical. We took some
17 timeouts on a couple of occasions tonight,
18 probably several occasions tonight to make sure
19 that the words that everybody spoke here tonight
20 were accurately recorded. Thank you for our law
21 enforcement. We had law enforcement presence here
22 for most of the night. I truly thank them for
23 showing up tonight.

24 How to comment. So this doesn't end our
25 comment period. Maybe we could put the slide back

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1 up here. So all the spoken and written comments
2 tonight will become part of the record. There's
3 still opportunity to provide comments. You can
4 mail comments to the U. S. Army Corps of
5 Engineers. The address is there. The due date
6 for comments, if you're mailing these, they must
7 be postmarked by July 28th. The environment
8 impact statement, all documents are posted on our
9 Web site, our project Web site, the Bureau of
10 Reclamation, Montana area office Web site listed
11 at the bottom. Don't hesitate to contact us for
12 any questions for this.

13 This presentation will be made available
14 on this Web site. I want to also say that there
15 are hard copies of the environmental impact
16 statements at the libraries of Sidney, Glendive,
17 and Billings. I believe there's one copy at each
18 of those.

19 Thanks, everybody, for coming tonight.
20 Great turnout. Again, we're going to be
21 recording -- or responding to all of these
22 comments. A lot of you came a long distance
23 tonight and you're probably traveling back
24 tonight. Please drive safely and thanks again for
25 coming.

Public Hearing

1 If anybody read from statements tonight,
2 the reporter would appreciate those copies. Thank
3 you.

4 (Whereupon, the proceedings duly ended at
5 9:08 p.m.)

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Public Hearing

CERTIFICATE

2 STATE OF MONTANA)
3 County of Yellowstone) : ss.

5 I, Sharon L. Gaughan, RDR, CRR, CRC,
6 Court Reporter for the State of Montana, residing
7 in Billings, Montana, do hereby certify:

8 That I was duly authorized to and did
9 report the proceedings in the above-entitled
10 cause;

11 I further certify that the foregoing 128
12 pages of this transcript represent a true and
13 accurate transcription of my stenotype notes to
14 the best of my ability.

15
16 DATED this, the day of
17 2016.

20 /s/ Sharon L. Gaughan
Sharon L. Gaughan, RDR, CRR, CRC

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