

THE MONTANA SIERRAN

JAN - APRIL 2023



WOLF UPDATE

MT Fish Wildlife and Parks (MT FWP) is preparing an environmental impact statement and conducting public scoping on a proposed action to revise the existing 2003 Montana Gray Wolf Conservation and Management Plan. We have concerns with the proposed plan and how accelerated hunting and trapping adversely impacts wolves in MT. The Sierra Club will be submitting comments by April 22, 2023.

STATE: Although SB 295 has not yet passed into law (see description on page two) AND grizzlies remain listed under the federal Endangered Species Act, MT FWP has already petitioned the State Fish and Game Commission to adopt rules to effectuate SB 295, and expedite the hunting and trapping of grizzly bears (in the event that they are delisted). The state agency is currently taking comments related to opening this rule-making process. Tell MT FWP that while grizzlies remain listed, such rule-making is premature! Comments are due by May 11, 2023. For more information on how to help wolves and grizzly bears, contact caryn.miske@sierraclub.org.

GRIZZLY BEAR UPDATES

FEDERAL: The U.S. Fish and Wildlife Service (USFWS) has completed the review of two petitions filed by Montana to remove grizzly bears from the list of endangered and threatened wildlife under the Endangered Species Act (ESA). Bears in the Northern Continental Divide Ecosystem (NCDE) and the Greater Yellowstone Ecosystem (GYE) are at risk! The USFWS will now initiate a status review of grizzly bears in both ecosystems, based on the best available scientific data, to inform a 12-month finding which will determine whether the removal of ESA protections for grizzly bears in the NCDE and GYE are warranted. If so, removing ESA protections would then be initiated through a separate rulemaking process, with additional public notice and comment. Given Montana's poor track record in managing wolves, and pending legislation that would facilitate the killing of grizzlies on a scale analogous to what has occurred with wolves, the SC is opposed to the delisting of either population. We submitted comments reflecting these concerns and public support will be needed as this process moves forward.



Visit <https://www.sierraclub.org/montana> to learn more.

NEWSLETTER DESIGN BY LYNDEY HOLLOWAY

OUR AMAZING VOLUNTEERS

Montana Sierra Club's amazing volunteers and members have made it possible for us to show up strong in defending lands, water, wildlife, and a livable future this challenging session!

Our legislative committee is made up primarily of volunteers that provide strategic direction and support. The support of legislative and organizing fellows Shannon James and Lyndsey Holloway, along with UM intern Delia Schmidt, has also been key in making it possible for us to respond quickly to fast-moving bills. Our members and supporters have placed hundreds of calls/texts/emails to legislators and committees over the past few months. Our volunteer lobby team has been calling and testifying on key bills affecting our environment throughout the session. Our letter-to-the-editor writing circle has resulted in over a dozen letters being published throughout the state. Our members and supporters have also rallied at the Capitol several times to oppose harmful bills.

Thank you to the volunteers, members and supporters that make this work possible! In partnership with other organizations active at the legislature, we've helped defeat a significant number of bad bills. We are continuing to work to move the dial on protecting lands, water, wildlife, a stable climate, and human rights for all Montanans.



Delia Schmidt, UM intern, and Shannon James, Legislative Fellow, posing in front of the Capitol after testifying.



A zoom gathering for our Legislative Committee that meets every Monday during the session

LEGISLATIVE UPDATE

WILDLIFE: The war on wildlife at the legislative session has not yet ended.

The Montana Chapter of the Sierra Club, and our partners were able to beat back several highly concerning bills that would have adversely impact black bears and wolves, including but not limited to HB 627, HB 628 and HB 630. However, two disastrous bills are still pending, and we need your help!

- **HB 372** seeks to enshrine a constitutional right to trap in Montana, and establish hunting, fishing and trapping as the primary wildlife management tool for all wildlife in the state. The number of hunting and trapping permits sold would dictate how species are managed on-the-ground, rather than using scientific, sustainable and non-lethal tools to manage carnivores.
- **SB 295** will permit the killing of grizzlies (if delisted) on both public and private lands. Grizzly could be killed just for their presence in an area, even if they are not engaging in any threatening behavior. This bill would set back grizzly bear conservation efforts by 50 years, thwart efforts to ensure bear connectivity, and threaten bear sustainability.

Please call Governor Gianforte and ask him to veto SB 295!

MARIJUANA SALES TAX BILLS:

- **OPPOSE:** H.B. 669 would block over \$50 million dollars from being spent on multiple conservation programs including Habitat Montana, state park projects, nongame wildlife management, and recreation trails. This bill permanently removes revenue funds allocated for conservation back to the general fund – despite the state's massive budget surplus.
- **SUPPORT:** S.B. 442 seeks to use marijuana tax revenues to retain funding for Habitat Montana, state parks and other wildlife programs, as well as providing funding for county road maintenance and veterans. This bill was amended to better reflect conservation values and we want to thank the legislators that acted to protect conservation interests and the intent of Montana voters!

CLIMATE/ENERGY: Several notable bills passed that would allow special interests to steamroll community concerns and prevent local governments from taking action on climate and energy.

Some of the bills that are on their way to the Governor's desk are SB 208, SB 228, SB 178, and HB 241. In addition, Northwestern Energy has a prominent wish-list of bills making their way through the legislature, including two bills introduced or amended very late in the session (learn more about SB 557 and HB 971 below). HB 284 reinstates "pre-approval" for new power plants (and other energy resources) proposed by monopoly utilities, which helps insulate utilities from the financial repercussions of bad business decisions. HB 220 is aimed at creating a new planning committee to cut regulation for resource and energy planning.

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LEGISLATIVE UPDATE

CLIMATE/ENERGY CONTINUED:

who hold power over NorthWestern Energy's energy choices. Thankfully we also had some victories! Among them: we successfully helped defeat **HB 643** and **SB 97** – both of which would have disincentivized renewable energy in Montana!

- **OPPOSE:** SB 557 would undermine the Montana Environmental Policy Act (MEPA) by constraining public involvement, limiting public accountability for state agencies, and making it much harder for communities to protect themselves from harmful projects threatening air, water, wildlife, agricultural operations or cultural resources. This bill would require anyone challenging a MEPA decision by an agency to prove they would win on the merits of their claim prior to actual adjudication, pay additional fees, and seek an injunction prior to filing. It would help mining companies like Lucky Minerals avoid future decisions like the one that shut down their large-scale mining project in Paradise Valley. This bill would also allow state agencies to ignore the climate impacts of major proposed projects and make it impossible to challenge projects on those grounds.
- **OPPOSE:** HB 971 infringes upon our right to a clean and healthful environment by prohibiting state agencies from analyzing the greenhouse gas and climate impacts associated with mining and other industrial projects. If passed, this bill will threaten our ability to effectively address climate-based impacts in Montana.
- **Call Governor Gianforte and ask him to VETO these bills! Learn more about each on our website.**

HUMAN RIGHTS & TRIBAL SOVEREIGNTY:

Quite a few anti-abortion bills and bills targeting trans and nonbinary Montanans have made their way through the legislature.

Although SC is not an expert on these issues, we recognize that these attempts to take away rights and scapegoat minority groups in Montana causes immense harm to our communities, take a toll on our individual and collective resilience, and make life unnecessarily more difficult for many of us and our neighbors. Some bad bills that diminish rights for trans, nonbinary, intersex, and two-spirit Montanans and deserve a call to the governor: **SB 99**, **SB 458**, **HB 359**, and **HB 361**. These bills have sucked up so much air this session, when legislators could have instead focused more of their energy on tackling looming, shared problems in Montana.

Some bad bills that strip reproductive rights that have passed (or are likely to pass) and deserve a call to the governor in opposition: **SB 154**, **HB 575**, and **HB 625**, and **HB 303** (which allows medical providers to decline to provide services to patients based on broadly defined personal beliefs).

Some good bills that have passed, or are on the verge of passing: **HB 317** ("Provide for the Montana Indian Child Welfare Act"), which seeks to fill the gap left behind if the federal Indian Child Welfare Act is revoked by the US Supreme Court, **HB 18** (Establish missing persons response team training grant program) and **HB 163** (Revise and extend Missing indigenous persons task force). We encourage folks to follow and support the work of Montana Women Vote, Montana Human Rights Network, Montana ACLU, Forward Montana, Red Medicine LLC, and Indian People's Action to obtain additional information on bills affecting human rights and tribal sovereignty in Montana (as well as actions you can take beyond the legislative session)

Call your legislators and/or the Governor's office to voice your support or opposition to the bills listed above. For more information and resources on lobbying, please check out our website at www.sierraclub.org/montana/2023-legislative-session

A VICTORY: NWE GAS PLANT CONSTRUCTION STOPPED!



Gas plant in Laurel, Montana, from the Daily Montanan

"TO MOST MONTANANS WHO CLEARLY UNDERSTAND THEIR FUNDAMENTAL CONSTITUTIONAL RIGHT TO A CLEAN AND HEALTHFUL ENVIRONMENT, THIS IS A SIGNIFICANT PROJECT," JUDGE MOSES STATED.

The Sierra Club and MEIC, in partnership with concerned local residents, recently secured a victory in our drive to combat the climate crisis. The Montana District Court in Yellowstone County vacated the air permit for Northwestern Energy's \$275 million Laurel gas-fired power plant, which is sited on the Yellowstone River. Judge Moses ordered the building of the plant to be stopped until DEQ, the agency that issued the permit, assesses greenhouse gas emissions that would be generated by the power plant. It is estimated that if built, the plant would generate 770,000 tons of carbon dioxide a year.

NORTHWESTERN ENERGY RESIDENTIAL CUSTOMERS AND SMALL BUSINESSES REEL FROM PROPOSED 28% RATE INCREASE

MONTANANS IN RATE SHOCK



NorthWestern Energy wants us to believe the company is a responsible corporate citizen and good steward of the environment that has Montanans' best interests at heart.

ACTIONS SPEAK LOUDER:

In January, NorthWestern Energy announced it was acquiring a greater share of the Colstrip power plant, even though Colstrip is the most expensive energy resource in its portfolio. NorthWestern Energy is likely the only electric utility in the entire country increasing its coal-burning capacity.

Despite the fact that clean energy portfolios of wind, solar, batteries and other components can cost-competitively provide the same electricity, with the same reliability as gas plants, NorthWestern decided to pursue a new methane gas plant.

Despite not having zoning authority to do so, and despite widespread opposition from Laurel residents, NorthWestern Energy started construction on the methane gas plant. A judge ordered construction to be halted because the MT Department of Environmental Quality did not consider the impacts of greenhouse gas emissions and gas plant lighting. (The state legislature has since responded with HB 971 and amendments to SB 557 in order to help NWE salvage this gas plant. Both have garnered strong opposition by hundreds of Montanans across the state.)

NorthWestern Energy has asked for a residential electricity rate increase that will push charges a whopping 28% above August 2022 rates, a move met by a flood of public opposition. We're on our way to having the highest electricity rates in our region.

You would think a good corporate citizen would not fan the flames of the gravest threat to our economy and way of life of our time: the climate crisis.

BUT THEY ARE DOING EXACTLY THAT.

You would think a good corporate citizen would not choose more expensive, dirty energy over renewables.

BUT THEY ARE.

Montanans deserve a transition to affordable, clean energy in Montana. Unfortunately, since the company is a for-profit, monopoly utility, NorthWestern Energy's CEO has no incentive to look out for the future or the pocket books of most Montanans. We know a transition to an affordable, renewable energy system in Montana is possible, and we will keep demanding better for our communities. We will continue to push back on NorthWestern Energy's attempts to maintain a fossil-fueled energy system at our communities' expense.

HELP US RESIST. CONTACT DAVID MERRILL AT DAVID.MERRILL@SIERRACLUB.ORG

2022 IN REVIEW

A BRIEF 2022 RETROSPECTIVE:

- The Inflation Reduction Act passed, after a year of hard work by Montanans to push Congress to pass a major climate bill. Montanans showed up strong in 2021 to push for significant investments to transform our energy system and care for our communities. Although far more is needed, we know we must seize the chance to use this massive funding opportunity to help our communities transform our energy systems & transportation, and to invest in healthy, resilient, infrastructure.
- Thiel Road Coalition, a local group of concerned residents, coalesced in Laurel to push back on the methane plant proposed by NorthWestern Energy.
- We began a revived effort to push back on NorthWestern Energy's misleading messaging with partner organizations, through canvassing at the Butte folk festival, letters to the editor, rallies at NorthWestern Energy's office and public engagement in NorthWestern Energy's rate case (their attempt to increase residential electric rates by an average of \$300 per year).



Helping Plan the Protect Our Home Rally: More than 300 people from across the state showed up for Montana's first Climate Advocacy Day at the Capitol. Montanans packed the rotunda on January 20, 2023 to kick off the beginning of the session by urging legislators to protect the ecosystems and communities we call home. A coalition of Montana individuals, families, and organizations came together to share stories of climate impacts and connect around the common cause of an equitable transition to a clean energy future in Montana. Unfortunately, many bad bills are moving forward this session that would hinder this transition.

- In the 2022 election, we endorsed 25 candidates for the state legislature, made over 2000 phone calls on behalf of these candidates, and helped get out the vote. The great majority of our members turned out to vote.
- We helped raise awareness of and increase engagement in several renditions of *Wrestling with the Truth of Colonization* training series in Missoula & then helped launch "Our Missoula," an effort through Common Good Missoula to re-envision Missoula's growth plan with affordable housing, environment, wildlife, justice, connectedness & safety in mind.

- We partnered with several groups to push back on the escalating number of categorical exclusions approved by the Forest Service, including a **proposed development at Holland Lake**, and to push back on commercial logging of old growth forests in Montana.
- We recruited volunteers from across MT to get ready for the 2023 legislative session!
- We started a climate equity book group and talked with a dozen Montanans about the powerful book *Emergent Strategy*, by Adrienne Maree Brown.



Caryn Miske, our new Executive Director, joined us in late November!

VOLUNTEER

& JOB OPPORTUNITIES

SB 208 | OPPONENT TESTIMONY

HOUSE ENERGY, TECHNOLOGY AND FEDERAL
RELATIONS COMMITTEE
CAPITOL ROOM 472 | MARCH 20, 2023



Shannon James, Legislative and Organizing fellow, testifying on behalf of Montana Sierra Club at the State Capitol

LEGISLATIVE SESSION

Help us finish the legislative session strong! Volunteers are needed to work on a variety of issues ranging from wildlife to climate and energy. Email caitlin.piserchia@sierraclub.org for more information.

WILDLIFE JOB

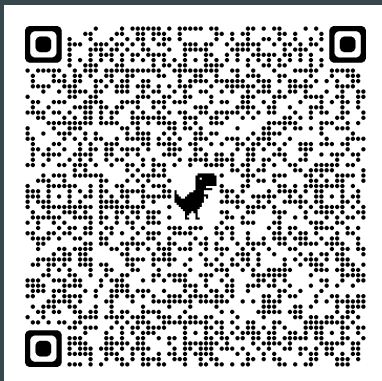
The Senior Campaign Representative is responsible for the planning, coordination, and implementation of the Lands, Water, Wildlife campaign in the Greater Yellowstone-Northern Rockies Region. For more information contact bonnie.rice@sierraclub.org

WEBMASTER

The Montana Chapter is seeking a webmaster 2-4 hours per month to assist with our website. Email caryn.miske@sierraclub.org for more information.

WANT TO LEARN ABOUT VOLUNTEER OPPORTUNITIES?

Use this QR code or go to sierraclub.org/montana.



WHAT KIND OF FUTURE DO YOU WANT TO SEE IN MONTANA 20 YEARS FROM NOW?

Make sure to take our visioning survey at bit.ly/MTvision!



SIERRA CLUB

MONTANA

You can donate or become a member at sierraclub.org/montana