***Flow Presentation***

***Burt Williams, Thursday, February 25, 2016***

Title: THE PEOPLE PART OF THE OCCASION

First a disclaimer, the situations I describe are my interpretation of what happened over the last 20 years along the Yellowstone River. Others probably have other opinions.

I have been working on what I would say for several weeks. I have been working on the Yellowstone River study for more than a decade. And I have maybe fifteen minutes to make some sense out of what I think is important to the river’s future.

One of those is art and culture, and maybe I can indirectly get at why I think art and culture are important to the river in the future.

As you have heard from other panelists, we now have an extensive inventory and analysis of what makes the river tick. And that effort arose from emergency at least, maybe crisis is a little too strong. The floods of 1996 and 1997. But along the way we also learned that history plays a part in the status of the river today.

So I want to tell three quick—I hope—stories to illustrate the difficulty and the hope of being better stewards of the river.

1996-1997---100 year floods, particularly affecting people in the upper river. Or at least affecting them in more ways. Vacation houses, protected side channels called spring creeks with commercially successful trout fishing, not to mention things that were common to the entire river like agricultural interests and urban flooding.

**ONE**

In Park County an immediate move to protect property, so over 100 permit applications filed to modify the river channel and banks. That was reactive, and did not attempt to understand the consequences to the river and its immediate environment. The environmental community reacted just as reflexively, and filed a lawsuit to try and slow/stop the work in the river.

* A lot of anger and recrimination resulted.
* Governor (Racicot) stepped in.
* A study done over the five years following the floods, a lot of internal controversy over just what and how to study.
* On the most critical issues no consensus reached, and no real initiative to be innovative in future management.

And that was just on the first 65 miles or so of the 460 miles of river downstream from YNP.

**TWO**

On the rest of the river, floods were also severe. But much of the land is in agriculture, communities were farther apart, permits were also filed, but perhaps with not the frequency and intensity as in Park County. Nevertheless both the business community and environmental community were concerned. I worked for TNC and thus was part of the environmental side.

* We met and formed as a group of concerned citizens and organizations—the Yellowstone Environmental Forum.
* We looked at the Upper Yellowstone, and damage had happened, but localized, and in spite of American Rivers putting the Yellowstone on their top ten list for endangered rivers, but not the whole river.
* We also looked at demographics and ownership and soon decided that the ag community had as much at stake, and more financial risk, than did the environmental community, and we thought we would have to work with them, not against them to get traction .
* We soon found that the Conservation Districts had assumed some leadership on the ag side, and were inventorying how much river modification had gone on to see just how big the problem might be.
* So we started attending their meetings, and soon were able to arrange a meeting with their leadership. And found that there was a nucleus from each side that could come up with joint goals for the river and joint needs for understanding the river.
* Not without some controversy, but bottom line with both of us working together, we were able to focus enough attention on the river to get legislative support for a study of the entire river.
* I remember the first iteration of what needed to be done was met with suspicion from both sides.
* But what was supposed to be a 4 year study stretched out to more like 14 years, and we have finished that study with a minimum of conflict.

**THREE**

The study began uncovering stories early on, and some of those stories showed that the river had been deteriorating in some aspects for years. For example, we learned that the Tongue River, which enters the Yellowstone at Miles City, had become greatly diminished as a contributor of young fish to the overall river fishery. In fact MFWP had documented that while the lower river has over 50 species of fish, not far up the Tongue River there were only 19 species.

There were several blockages for migrating fish up the river, but the most problematic was the T&Y Diversion Dam, 11 feet high, and in place since 1886. It pretty much blocked any fish passage upstream, but for much of the year fish could go downstream. In the 120+ years of the dam’s existence lots of fish went down and over the dam, but adult fish were not replacing those lost because of the height of the dam.

To make a long story short, because of the Yellowstone study it brought people together at the meetings for planning and managing the study. That allowed lots of conversations to occur, including ones with the manager of the T&Y Irrigation District, Roger Muggli, who as it happened was interested in saving the fish. Because we were talking, not fighting, about issues on the Yellowstone and tributaries, we soon found a way to combine the resources of the irrigation district, NRCS, BOR, FWP, FWS, and TNC to marshal support to build a bypass channel around the dam. Over time the irrigation district improved its infrastructure, and we found a way to both get fish around the dam and not have then entrained in the irrigation canal. A win-win for all involved.

So my bottom line:

Talk to each other, and don’t move to find out how big the differences might be, rather try to find the commonalities.

The Yellowstone study really created a forum where various interests could talk freely and openly, and ideas flowed as fast as the river. And from those ideas came an intersection of those interests rather than a battle between interests. And creative financing and amazing solutions to technical problems.

**FOUR**

However the future still awaits, and no particular outcome is certain. Our study of the Yellowstone identified a river valley in some decline from an environmental viewpoint. However we could be years from a reckoning.

Yellowtail Dam on the Bighorn River has changed the Yellowstone from where it meets the Yellowstone on down stream. The forces that keep a river valley dynamic have been much reduced. That has produced an apparent increase in riparian communities along the river, but the long run is that the river is no longer moving laterally into the valley as it passes along. And someday that will have great effect on the valley because the present management of water flowing down the valley will not replace riparian vegetation as it matures and dies out.

Those riparian issues are exacerbated by isolation of the river’s floodplain in many areas. The primary cause is railroad location, but added to by agricultural dikes, highways, and protection of areas around cities and towns.

Along the Upper River, where mountains are in view, cold water trout fishing is great, and communities are larger and closer together. Here many people have moved or built houses along the river, hemming it in, leading to river bank modification, as well as other environmental problems.

Irrigation withdrawals have diminished the size of the river, and are problematic for river life forms, particularly in dry years.

And obstructions in the river, such as irrigation diversion dams primarily related to agriculture, have had not so good effects on the fish populations. One species, pallid sturgeon, is endangered to the point of near extinction in our region.

It was great that we were able to complete the studies that reached these conclusions without major conflict.

But restructuring how we use the river environment will not be cheaply attained. Fifteen years ago, we overcame parochial interests, and made agreements in principle; we marshaled a government-agriculture-environmental coalition that found the funding for the Yellowstone River study and a major increase in understanding of how the river works. And accomplished the documentation to back up the understanding.

I think about how limited the consensus was going forward from the upper river study, and how quick people, groups, movements were to condemn and file lawsuits, and how resistant those on the losing side of the lawsuit were to change. And I think about the political polarization that has occurred in the last dozen years throughout our country.

The next few years will require some vibrant and innovative leadership to find a way past saying “no”, and find even larger partnerships than we have so far, to take on expensive to do projects and long entrenched interests that have had no incentive to change a longtime successful model of how to live with the river.

I think that changes will have to come from a lot of different directions, and if the world of art can meet the unusual river and its history and start creating a new understanding of how we live with the river it will be a start.