

August 2020

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Recommended Citation

Nichols, Robin (2020) "The Montana Environmental Information Center," *Public Land & Resources Law Review*. Vol. 43 , Article 8.

Available at: <https://scholarship.law.umt.edu/plrlr/vol43/iss1/8>

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THE MONTANA ENVIRONMENTAL INFORMATION CENTER

Robin Tawney Nichols

*The Montana Environmental Information Center
came about because of people, issues, and timing.*

In the vanguard of the environmental movement in the 1960s and 1970s, Montana was ready for this bright green nonprofit. It was Montanans who lobbied for and adopted one of the country's first streambank preservation laws in 1963. It was Montanans who saw what was happening to their wild country and spearheaded efforts to adopt the federal Wilderness Act in 1964. It was Montanans who saw a need for and successfully passed the Montana Environmental Policy Act in 1971, a year after Congress adopted the federal law. And it was Montanans who wrote and adopted a new constitution in 1972 guaranteeing the peoples' right to a clean and healthful environment.

All this had been accomplished through the efforts of visionary lawmakers and a loosely organized citizenry led by people like Don Aldrich.

After retiring in 1969 from the Montana Power Company, Don became executive secretary of the Montana Wildlife Federation ("MWF") and began lobbying the state's biennial legislature in direct opposition to his old employer. It was a lonely business. As Montana's only full-time conservation lobbyist, Don counteracted the well-funded corporate machines by building a statewide telephone network, pounding out a weekly newsletter, providing legislators with rock-solid information on issues, and, when necessary, bringing hordes of citizen lobbyists from MWF's far-flung rod and gun clubs to Helena.

Supported by a no-frills expense account, Don was just the right person to carry the conservation message. He wasn't shrill, impatient, or belligerent. On the contrary, he delivered MWF's point of view in a respectful, pragmatic, and believable fashion. Even those who disagreed with Don respected and admired him for his steadfast views and conviction.

My late husband Phil Tawney had known Don, a fellow Missoulian, from childhood and introduced us in 1970 as we celebrated the first Earth Day on the Oval at the University of Montana ("UM"). The following year, we saw Don daily at the legislature where Philip served as a student intern for Senator G.W. "Por" Deschamps (R-Missoula) and I endured a brief career as a Senate typist (carbon paper, no errors). When I happily resigned mid-session, I turned my attention to my senior paper

for the UM School of Journalism, which overlapped with the research paper required for Philip's internship.

Philip and I had composed a survey and subsequently interviewed 155 of 159 legislators at the 1971 session about their attitudes toward environmental issues. We compared each legislator's attitude with his or her age, education, occupation, political party, and key roll-call votes on specific pieces of legislation.

Our statistically significant data indicated that ranchers and farmers, who then comprised 41 percent of the legislature, had the least favorable attitudes toward the environment, while those with careers in education, law, and medicine were the environment's best friends. Pro-environment legislators also tended to be Democrats. Jerry Holloron, the bureau chief of Lee Newspapers, explained in 1971 that agriculturalists were concerned environmental bills would hurt their livelihoods. He noted: "If environmental bills were not killed at the drop of an industrialist's hard hat, they often went down under the crunch of a cowboy boot." And so, it was.

In 1972, while Philip organized campus support for a conservation-minded candidate for governor and I returned to my job as co-editor of *UM Profiles*, the tabloid publication for alumni and friends of the university (now *The Montanan*), 100 delegates were busy framing a new constitution for Montana.

The results of their work were nothing short of breathtaking. Besides guaranteeing citizens the right to a "clean and healthful environment," the constitution included a clause guaranteeing the "right to know," allowing access to public records, and ensuring that all meetings of state and local governments were open, except when the demand for individual privacy clearly exceeded the merits of public disclosure. This was a game-changer. In a state historically controlled by corporate interests, all government meetings now had to be open to the public and announced in advance.

Meanwhile, an Arab oil embargo created a national energy crisis, and politicians and corporations turned to Montana with plans to strip-mine the state's low sulfur coal and impound vast amounts of water to cool dozens of proposed coal-fired generating plants. Montana had become the target for large-scale speculative development, and sprawling subdivisions had begun to carve up critical wildlife habitat and productive agricultural land. The twin threats of energy development and subdivision activity had far-reaching implications.

Overnight, the environment needed more voices at the state capital. As a first step in bolstering the citizen lobby, Don Aldrich asked Philip

and me to join him for the 1973 session. We called ourselves the Environmental Lobby, broadening Don's base of sportsmen and sportswomen to include other Montanans who were concerned about conservation issues. Together we rented a tiny two-bedroom house near the capitol with room for a freezer full of elk meat to sustain us through the session.

The Environmental Lobby proved to be effective as three people, not one, lobbied hard all day and kept the phone lines buzzing at night, urging concerned conservationists from around the state to contact their legislators or come to the capitol to testify at hearings and buttonhole their legislators. We learned that timing was everything. When streambank preservation legislation came under fire, a call to Butte brought a herd of sportsmen, each looking twice his size in a puffy down coat and daunting to any legislator who dared disagree.

Convinced that Philip and I could handle the Environmental Lobby's mission and relieved to part ways with the "Puzzle Palace," Don left Helena mid-session. We were on our own.

As referenced elsewhere in this collection, the 1973 legislature adopted a passel of landmark legislation to address the threats facing Montana, including the Major Facility Siting Act, Strip Mine Reclamation Act, Coal Conservation Act, Water Use Act, Subdivision and Platting Act, and greenbelt legislation.

When the 1973 session ended, the Environmental Lobby ceased to exist and everybody, including lawmakers, corporate hacks, and citizen lobbyists, returned home just like they did after every biennial session. However, this year was different since the state's new constitution required the legislature to hold annual sessions. With just nine months between the 1973 and 1974 sessions, environmentalists clearly needed to step up their efforts.

In October 1973, after many conversations with conservation activists, Bill Bryan, Philip, and I (now employed by Bryan's Northern Rockies Action Group), proposed the creation of a year-round, all-volunteer Helena Environmental Operations Center. We presented our idea at a series of meetings around the state and some twenty-five folks volunteered to help make the concept a reality. In December 1973, the new nonprofit organization was rechristened the Environmental Information Center ("EIC") and a statewide board of advisers was selected to help guide it.

The 1974 legislative session saw an even stronger conservation presence at the legislature as we were joined by Bill and Dana Milton, Tom France, and a corps of Helena volunteers who kept the phone lines humming, published a weekly newsletter (*The Capitol Monitor*), brought

in conservationists to talk to their legislators face-to-face, lobbied, and testified. Bills on strip mining, hard rock mining, and land development became bridges for new alliances with farmers and ranchers, unions, and low-income groups.

EIC rented office space in the Placer Hotel on Last Chance Gulch, Helena's main drag. In its heyday, the Placer had been the watering hole for high-powered deal-making as well-funded lobbyists plied legislators with booze and fancy dinners. Now EIC's 20-somethings plotted to turn things around from the Placer's second floor.

At the end of the day, this new generation would gather, sometimes at our house. Once, after a particularly grueling day, young lobbyists, friendly legislators, surreptitious state workers, and a few strays feasted on fried eggs, macaroni and cheese, and popcorn. It was what we had to offer.

While the 1973 legislature had adopted landmark environmental legislation, the 1974 legislature wrote a much different story. On "Bloody Thursday," March 7, 1974, the state Senate killed nearly every piece of major land use legislation passed by the House—streambank preservation, lakeshore protection, voluntary conservation easements, and a moratorium on rural subdivision development.

But despite these setbacks, the 1974 legislature passed a three-year moratorium on major diversions or impoundments in the Yellowstone River, declared slurry pipelines to be not a beneficial use of Montana's water, repealed a statute allowing coal companies the right of eminent domain, required coal companies to obtain state permits before siting strip mines, created a system of state-administered natural areas on state-owned lands, and prohibited construction on floodplains. Working in concert with Northern Plains Resource Council and a coalition of progressive groups, EIC made a difference.

After the 1974 session, EIC's advisers, staff members, and volunteers decided that relying on volunteers to operate a year-round organization was not sustainable. They agreed that EIC needed the continuity of a full-time, paid staff and a broader operating philosophy to blunt the efforts of year-round corporate lobbyists. The EIC staff now would be charged with thoroughly researching issues to build arguments, watchdogging state government agencies as well as the legislature, testifying at both legislative and agency hearings, and keeping the organization's members informed through the weekly "Capitol Monitor" during legislative sessions and through a bimonthly newsletter, "Down to Earth," during the rest of the year.

Between the 1974 and 1975 sessions, EIC launched a statewide inventory led by staffer Christine Torgimson to document land use

changes resulting from subdivision development. Despite the adoption of the Montana Subdivision and Platting Act in 1973, no one—including state and local governments—had any idea how much of the state had been subdivided. EIC’s Montana Land Project revealed that nearly a half million acres of land had been divided into parcels smaller than forty acres. Information culled directly from the courthouses and municipalities of the state’s thirty-five most populous counties showed that, more often than not, lots were sold without adequate sewer, water, roads, access, or allowance for police and fire protection.

With the data gathered, it was time to go public. In the fall of 1974, about 2,500 people attended nine regional land use workshops across Montana and a major land use conference in Great Falls, all sponsored by EIC and a broad coalition of statewide groups. At every meeting, Montanans revealed their concerns about their state, its rate of growth, and the development that encroached upon its precious agricultural base.

In December 1974, the results of EIC’s subdivision inventory were published in a twenty-page tabloid-sized report, entitled “Land Development in Montana.” This tabloid was distributed to EIC members and the press and, during the 1975 legislative session, placed on the desk of every legislator.

Also hitting the legislators’ desks was an article in *Montana Magazine*, previewing material from the tabloid, and the January/February 1975 issue of *Montana Outdoors*, the official publication of the state Department of Fish and Game (now Fish, Wildlife & Parks), dedicated to threats on the landscape and further explaining EIC’s survey results. All this attention helped to establish EIC as a credible research, as well as lobbying, organization.

In its first year, EIC, with its slogan “Keep Montana Montana,” went from 25 to 800 members.

Switching from an all-volunteer organization to one with paid staff presented EIC with some challenges. Guarding its tight budget, EIC opted to only register one “professional lobbyist,” Philip, and considered other staff members “citizen lobbyists.” It was a fine line. Mid-session, we caught wind that Senators Jean Turnage of Polson (later chief justice of the Supreme Court) and Toni Rosell of Billings were planning to file suit to bar me, then seven months pregnant, from lobbying. To avoid fueling their case, I responded by staying clear of the capitol and confining my efforts to the office and phone lines. Not long after my threatened expulsion, I went into labor and gave birth to our son Land prematurely. Turnage and Rosell quietly dropped their pending lawsuit.

As I laid low with our newborn, action was heating up on the subdivision front. House Bill 666 (HB 666), introduced by Rep. John Vincent

(D-Bozeman) was wending its circuitous path through the legislative process.

Designed to improve upon the Montana Subdivision and Platting Act, HB 666 gave county commissioners the tools they needed to make the subdivision review process work. The bill set forth specific public interest criteria, which a proposed subdivision must meet for county approval. Those criteria included the basis of need for a proposed subdivision and expressed public opinion about it, as well as the development's effects on agriculture, taxes, local services, natural environment wildlife habitat, and public health and safety.

Steady under fire and a natural (and professional) teacher, John was the perfect sponsor for this hot potato. Tossed back and forth between the House and the Senate and opposed by Governor Thomas L. Judge, HB 666 became what the governor later described as the most controversial bill of the 1975 session. After heated debate and much parliamentary maneuvering, including a rejected amendatory veto, Governor Judge at last signed the bill into law. John describes the drama surrounding his bill in a separate account.

Other legislative victories in 1975 helping Montana get a firmer grip on land development included the Montana Economic Land Development Act, sponsored by Rep. Harrison Fagg (R-Billings), which provided substantial tax incentives for proper land use in rural and urban areas, and a bill that allowed voluntary conservation easements, sponsored by Rep. Art Sheldon (D-Libby). EIC also helped influence the passage of other crucial legislation, including lakeshore protection, streambank preservation, a requirement for written consent by surface landowners before strip mining could proceed on their properties, and the highest coal severance tax in the nation.

EIC subsequently published a 20-page analysis of significant environmental legislation and voting records for each bill discussed. This legislative analysis became a regular publication of EIC.

During the 1975 and 1977 sessions, EIC's young staff had the help of a not-so-secret weapon: Corwin Springs retirees Leonard and Sandy Sargent. The Sargents brought class to EIC's operation. Renting a home in Helena, the Sargents provided gracious homecooked meals to woo or comfort weary legislators and an inevitable clutch of young lobbyists. Sandy spent her days in the EIC office, bringing order to filing systems and doing whatever was needed. Leonard, a rancher and retired teacher, testified at hearings and lobbied legislators who were closer to his age than those on the EIC staff.

While intimate dinners helped solidify legislative support and foster a feeling of community, once each session from 1977 to 1997, Len and

Sandy took their notion of entertaining many notches above the ordinary, hosting biennial White Hat parties for a veritable who's who of good guys—progressive-minded legislators, other elected officials, and sympathetic lobbyists—at the Montana Club, the inner sanctum of those who wore black hats. The White Hat Party was an exuberant joy, not to mention a great big thank you to the environmental movement and the legislators who supported the green cause.

In the mid-1970s, Montana environmentalists were creating organizations for the long haul and, by default, inventing careers in activism that provided full-time work, a plethora of experiences and skills, and, hopefully, enough money to pay the bills. Those organizations continue to make a difference.

By 1980, EIC was forced to add Montana to its name when an out-of-state group, which had the foresight to copyright “Environmental Information Center,” threatened a lawsuit for infringement. It wasn't a bad change.

The Montana Environmental Information Center persists, keeping Montana—Montana.