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Comment on Proposed Terms of Reference
for Analysis of Proposed Coal Mines in B.C. Flathead/North Fork drainage, British Columbia
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My name is Thompson Smith. I live in Charlo, Montana. In 2005, I was appointed by Montana Governor Brian Schweitzer as a citizen member of the Flathead Basin Commission. My comments, however, are my own, and not the official statement of the Commission as a whole. I do concur in that statement as well, which has already been submitted to British Columbia.

I am a historical consultant directing the tribal history and ethnogeography projects for the Salish-Pend d'Oreille Culture Committee, a department of the Confederated Salish and Kootenai Tribes of the Flathead Indian Reservation. It is as an environmental and cultural historian that I offer my remarks. I should mention that I have received permission from the Director of the Salish-Pend d'Oreille Culture Committee for those portions of my remarks that draw from tribal history.

It is crucial that we approach this important issue with a clear historical perspective. Last week, I attended a hearing held at the Double Tree Inn in Missoula, along the banks of the Clark Fork River. It would be wise for us to reflect on the environmental history of that river, for it offers us a powerful cautionary tale for the B.C. Flathead/North Fork project.

Today, the upper Clark Fork River, from Butte downstream to Milltown, is geographically the largest toxic waste Superfund site in the United States. Most of us are familiar with the reasons why. Following the completion of the Northern Pacific Railroad in 1883, industrial mining exploded across Montana, and most of all at Butte, the richest hill on earth and the site of Silver Bow Creek, the uppermost tributary of the Clark Fork River. The copper and zinc and other metals that came out of Butte were smelted just downstream at Anaconda. At a time when governmental protection of the environment and public health was virtually nonexistent, the mining companies were free to reel in astonishing profits as they subjected miners to inhuman conditions and as they fouled the waters and air of much of western Montana. Today, we are expending hundreds of millions of dollars in an attempt to repair just some of the damage, even as we know that in the scale of human time, the Clark Fork will never be what it once was.

But to really gain a sense of that damage, we need to turn to the history and memory of the people who were here for millennia before the development of mining in the upper Clark Fork. For thousands of years, the Salish and Pend d'Oreille people lived throughout the Clark Fork, Flathead, and surrounding areas, traveling by foot, canoe, and in recent centuries by horse, harvesting with great expertise the abundant but fluctuating resources of the region. In the process, they developed an intimate, profound knowledge of this place.

One of the most powerful ways to get at that knowledge is through their traditional Salish placenames. Embedded in these ancient placenames -- many of which are rooted in tribal creation stories -- are important insights into the tribal way of life and the complex tribal relationship with the land.

They also provide a powerful way of understanding the region's environmental history, in many cases throwing into stark relief the ways we have transformed this place. One of the best examples has to do with bull trout, which of course also looms as a crucial issue in the B.C. Flathead/North Fork. In the Clark Fork drainage, the mining and smelting at Butte and Anaconda -- along with overcutting of the forests and overgrazing of the land -- resulted in the dramatic decline of these remarkable fish over the course of the twentieth century. They are now listed by the U.S. Fish and Wildlife Service as a threatened species under the Endangered Species Act. Until the past century and a half, of course, bull trout were wildly abundant in virtually every drainage of western Montana. And yet for all that abundance, Salish and Pend d'Oreille people distinguished the upper Clark Fork with numerous placenames that refer specifically to bull trout. In other words, in a world swimming in bull trout, the tribes here knew that the upper Clark Fork was exceptional. And so, in the Salish language, Missoula (specifically, this exact area near the confluence of Rattlesnake Creek and the Clark Fork) is called *Nʔaycčstm*, meaning Place of the Small Bull Trout; Bonner, or the confluence of the Blackfoot and Clark's Fork River, is called *Nʔaycčstm*, meaning Place of the Large Bull Trout; and Butte -- or more specifically, the area around Silver Bow Creek, which for the last century has been virtually buried in mine waste -- was called *Snʔapqey*. This name refers to a Place Where Something Was Shot in the Head. In the 1950s, Salish elder Eneas Granjo explained that this name was given to the area because Salish people harvested bull trout there by shooting them in the heads with bows and arrows. In other words, the bull trout were so large and so numerous, and the waters of Silver Bow Creek so crystal clear, that the fish could be gathered in this unusual way.

Could there be more profound testimony to the ecological transformation of western Montana

over the past century?

The Flathead drainage system is even more densely packed with Salish-language placenames. For millennia, the Flathead River, including its various branches, has been the artery flowing through the heart of Pend d'Oreille territory and culture in western Montana. It is of such seminal importance that it is known in Salish simply at *Ntx^wetk^w* -- the River. Dr. Carling Malouf, a longtime professor of anthropology at the University of Montana, has written that "the density of occupation sites around Flathead Lake, and along the Flathead River....indicates that this was, perhaps, the most important center of ancient life in Montana west of the Continental Divide....The area around Flathead Lake, and along the Flathead River down as far as Dixon is so rich and dense in sites that one is tempted to regard the area as one vast archaeological site." (Carling Malouf, "Historical and Archaeological Sites and Objects," in Leo K. Cummins, *Impact Assessment: Forest Land of the Confederated Salish and Kootenai Tribes of the Flathead Reservation*, Montana (unpublished ms, April 1974).) Malouf was less informed about the various branches of the Flathead upstream from the lake, but these were just as important to the Pend d'Oreille, and also to the Kootenai.

On the Flathead Reservation, people lived in traditional ways along the river well into the twentieth century, and its importance to the tribes has continued to the present, as evidenced by the governing Tribal Council's repeated rejection of proposals to construct more dams on the river -- despite the promise of lucrative income -- and by their treatment of the river corridor as a special management area. Each spring since the 1980s, the tribes have held a "River Honoring" event, lasting several days, that provides environmental education to thousands of western Montana schoolchildren.

Non-Indians have long shared with the tribes a recognition of the exceptional qualities of the Flathead ecosystem, beginning with the establishment of the U.S. National Forest Reserves (precursor of the National Forest system) in the 1890s, Canada's Waterton Lakes Park in 1895, and Glacier National Park in Montana in 1910. In 1964, the U.S. Congress passed the Wilderness Act and set aside the million acre Bob Marshall Wilderness Area -- including the entire upper drainage of the South Fork of the Flathead -- as one of the first official wilderness areas in the United States. In 1976, all three upper branches of the Flathead, including the North Fork from the Canadian line to its confluence with the Middle Fork, were designated part of the national Wild and Scenic River system. And now the Clark Fork is being cleaned up, Milltown Dam is being torn down, and the confluence with the Blackfoot River is being restored. Many agencies are doing what they can to save and revitalize the bull trout, recognizing both its ecological importance and its value as a food source for both Indian and non-Indian people. The rest of us have finally begun to follow the tribes in their tradition of respectful treatment of

this magnificent river and its ecosystem. That promise seemed enshrined even across international borders with the establishment of Glacier-Waterton International Peace Park and World Heritage Site in 1995.

There would seem no place on the continent more worthy of the honoring of the Transboundary Waters Treaty of 1909. But tragically, we are now on the verge of seeing this jewel become the most egregious example of the flouting of that treaty. We seem to be on the verge of a giant step backwards to the mistakes so tragically inflicted upon the Clark Fork over a century ago.

Cline Mining wants to carve a coal mine of truly massive proportions into the headwaters of the Flathead drainage system. The preliminary indications are that this will cause unavoidable disaster to the Flathead on both sides of the border. Water quality samples taken in the Elk River, where a similar mine is now operating and which has a similar geological and topographical profile as the North Fork, show alarmingly high levels of several contaminants, including selenium, nitrates, and sulfates. And so far, the response of the BC government has been to reject or ignore every single one of the 129 comments submitted by the state of Montana regarding the draft terms of reference. They also rejected the additional seven pages of comments from Glacier National Park. I heartily concur in the objections of Montana and Glacier Park to the revised draft terms of reference, particularly the lack of a transboundary basin-scale baseline and environmental assessment, the lack of a detailed mine design plan, insufficient comparison to the existing open-pit coal mines in the Elk River valley, insufficient response to the data recommendations of the technical subcommittees, and insufficient detail regarding cumulative effects analysis.

What is particularly worrisome about the intransigence of Cline Mining and the BC Provincial Government at this stage is that it means they are unwilling to even *examine* the potential impacts. One can only surmise that the reason is that many of these environmental impacts simply cannot be avoided or adequately mitigated -- so the company obviously does not want these issues even considered.

BC can certainly point to the present coal projects being advocated by Montana's Governor and wonder why that is good, but the BC project is bad. I share that critique in a number of ways, and I strongly respect the sovereign right of Canada and British Columbia to control its destiny, but it does not make the North Fork project any more palatable. The people who named the site of the Missoula hearing "Place of the Small Bull Trout" are watching and wondering. Have non-Indians -- whether American or Canadian -- really learned from the mistakes of the past?

Or are we once again valuing the almighty dollar above everything else, and thus preparing to destroy one more holy place, one more place of magnificence and abundance and beauty?

I hope we can turn this situation into an opportunity to honor the shared history of the U.S. and Canada in recognizing and protecting the Flathead as a place of priceless ecological and cultural value. The first step in such recognition will be the careful examination of the full range of impacts that would result if this proposed mine comes to fruition.

Sincerely,

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