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Subject: Forest Service to add groundwater protections

Forest Service to add groundwater protections

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The U.S. Forest Service on Friday announced its intent to create rules to protect groundwater as part of its efforts to better manage national forest watersheds.

Over the past year, federal groundwater experts have developed guidance for Forest Service supervisors to use when considering activities such as mining or fracking that could affect the quality, quantity and trajectory of groundwater resources.

The released draft guidelines would fill a gap in existing management of water resources on national forests and grasslands.

“Water from national forests contributes to the economic and ecological vitality of communities and plays a key role in supplying 66 million Americans with clean drinking water,” said U.S. Forest Service Chief Tom Tidwell in a press release. “The changes we are proposing will strengthen and support our ability... to protect water resources and support healthy and resilient ecosystems.”

By adding groundwater guidance to the Forest Service Manual, the directive empowers Forest Service supervisors to add conditions protecting groundwater to Forest Service permits.

The amended water policy won't infringe on state-issued water rights or change how state groundwater and surface water quality regulations affect federal lands.

The groundwater directive will be published Tuesday in the Federal Register. That will start a 90-day public comment period prior to the implementation of the directive.

Conservation groups praised the action after pushing for the directive.

“Trout, salmon and other fish depend on cold, clean water for their survival, cold water that often originates from groundwater flows,” said Trout Unlimited CEO Chris Wood. “Across the West, many of our rivers and prized fisheries face severe threats, including prolonged drought, devastating wildfires and climate change. These guidelines recognize that groundwater and surface waters are connected, and that we must manage the entire watershed to keep our streams and rivers healthy and resilient.”

The Forest Service is somewhat late in adding groundwater guidelines to its water management policies.

Several western states, including Montana, have already acknowledged the physical connection between groundwater and surface water.

In fact, Trout Unlimited initiated the Smith River lawsuit that resulted in a 2006 Montana Supreme Court ruling that established the connection between groundwater and surface water when issuing state water rights.

The new Forest Service directive could also benefit the Smith River because it will affect the proposed Black Butte Mine, said Laura Ziemer, senior policy adviser for TU's Western Water Project.

The proposed underground mine would pass beneath forest-service parcels. So Tintina Resources, the company proposing the mine, would have to show that the mine wouldn't diminish the groundwater that ultimately feeds the Smith River.

"Since it will pass right through the water table, they're going to have to explain how they would avoid interrupting the groundwater flow regime," Ziemer said. "We'd have to see the application of the full mine to know."