

A Brief History of Montana Freshwater Partners

Montana's rivers, streams, and wetlands are more than just landscapes—they are living threads that connect our ecosystems, communities, and values. Montana Freshwater Partners, formerly known as Montana Aquatic Resource Services (MARS), was conceived in 2011 to fulfill a need for compensatory mitigation in Montana. At the time, no functional mitigation banks existed in the state and the US Army Corps of Engineers (USACE) was not requiring stream mitigation even though the state had lost about one-third of its wetlands since settlement. The Montana Audubon Society surveyed 404 permits issued by the USACE in Montana between 1990 and 2002. Over the 12-year period, they found that USACE issued 6,621 permits and only denied 11, impacting 179 miles of rivers or streams and nearly 900 acres of wetlands.

The Montana Wetland Council identified a pressing need for better compensatory mitigation to address these issues. Lynda Saul, Montana DEQ Wetland Program Coordinator and Wetland Council Chair, along with Tom Hinz, who previously ran an in-lieu fee (ILF) mitigation program, applied for a grant through the U.S. Environmental Protection Agency (EPA) to start an ILF program in Montana. They received the grant in 2011 with the contingency that it was run by an independent non-profit organization. Pat Byorth, Director for Montana Water Project at Trout Unlimited (TU), was asked to head the creation of an organization to host the ILF program; TU and Byorth accepted the challenge. Stan Bradshaw, Montana Staff Counsel at TU, completed the necessary paperwork to create our organization as a nonprofit. A Board of Directors of highly esteemed water resource professionals were recruited, with backgrounds in geomorphology, stream restoration, permitting, business and economics, water law and fish and wildlife biology. Peter Skidmore, a restoration consultant was contracted by TU to create our organization. Instrument. Skidmore, in collaboration with the Board and nearly two years of work, finalized the Instrument that guides our organization, in 2013 and became a founding Director of MFP.

Our early and ongoing success stems from a collaborative effort between a strong staff, working board, and a multitude of organizations and professionals. Founders knew that our nonprofit status meant that it could be so much more than solely Montana's ILF program; it could initiate creative approaches to bolster aquatic resources throughout the state. In fact, founders expected us to raise the bar on stream and wetland mitigation, and eventually address other aquatic resource challenges.

After the ExxonMobil oil spill on the Yellowstone River in 2011, we took decisive action to protect this important resource. ExxonMobil had to pay a fine to compensate for the oil spill and we lobbied for some of the money to go towards a novel conservation program: the Channel Migration Easement (CME) program. This unique program partners with landowners in exchange for monetary compensation to place an easement on the 100-year channel migration zone on their land. The easement protects the river from installation of riprap or bank hardening on the property in perpetuity to allow for the natural process of erosion and deposition. This is essential to the health of rivers, as it alleviates down

cutting and provides essential riparian habitat for birds, wildlife, and cottonwood recruitment while also allowing the river access to its floodplain for flood and drought mitigation. ExxonMobil and the MDEQ allocated just \$15,000 to start this program, but it was soon supplemented by a larger sum when the program proved successful. We identified a niche to mitigate that was not simply regulatory and were successful in implementing a new program with a small sum of startup money. This is a model for the potential we have to work outside our ILF program.

Following the 2016 Yellowstone River fish kill, we organized the Yellowstone River Symposium in Livingston. We were successful in acquiring funding and support from The Kendeda Fund, The Arthur M. Blank Family Foundation, Montana DNRC, Trout Unlimited, MSU Extension, Soil & Water Conservation Districts of Montana, and Simms for this project. This event catalyzed an effort with key stakeholders to address threats the Upper Yellowstone River faces to collaborate using scientific and cultural information that is still ongoing today. Overall, 49 business owners, agriculturalists, conservationists, government officials, and concerned citizens met and a committee continues to meet regularly in order to address and mitigate the ongoing challenge of protecting the Yellowstone River. This yet again showcases our ability to be leaders in the watershed community and work outside of our ILF program in meaningful ways when funding and capacity are met.

What began as a mission to establish a statewide stream and wetland mitigation program under the Clean Water Act quickly grew into something larger: a vision for innovative conservation rooted in science, collaboration, and a deep respect for our land and water.

Since making our first mitigation credit sale in 2014, we've expanded our efforts beyond mitigation to meet the evolving needs of Montana's watersheds. Our work includes pioneering the Channel Migration Easement program, a first-of-its-kind effort to compensate landowners for preserving the natural movement of rivers and protecting sensitive habitats, including critical areas for endangered species like the pallid sturgeon. Born out of lessons learned after the 2011 Silvertip Pipeline oil spill on the Yellowstone River, this program now serves as a replicable model for floodplain conservation across the state. We've also developed new programs such as our *Give Back to the Yellowstone* Program, designed to conserve, restore, and protect the health and resiliency of the Upper Yellowstone Watershed in Park County.

At the heart of our work is a love for the waters that define this place. These rivers carry more than just water—they carry stories, cultural importance, and the ecological lifeblood of Big Sky Country. Whether it's the stillness of wetlands at sunrise, the flash of trout in a riffle, or the fall colors of cottonwoods lining a floodplain, we are reminded daily of why this work matters. Montana Freshwater Partners exists to help Montanans protect what we all cherish: clean, vibrant, and resilient waterways that sustain life in all its forms, now and for generations to come.