

Commissioner of Political Practices 1209 Eighth Avenue Post Office Box 202401 Helena, MT 59620-2401 Phone: 406-444-2942 Fax : 406-444-1643 www.politicalpractices.mt.gov

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Campaign Finance and Practices

Complaint Form (08/17)

Type or print in ink all information on this form except for verification signature

Person bringing complaint (Complainant): Complete Name No on I-191; c/o Charles Denowh, Campaign Manager Complete Mailing Address PO Box 5391, Helena, MT 59601 Phone Numbers: Work (406) 495-8383 Home

Person or organization against whom complaint is brought (Respondent): Complete Name Cottonwood Environmental Law Center and John Meyer Complete Mailing Address PO Box 412, Bozeman, MT 59771 Phone Numbers: Work (406) 546-0149 Home

Please complete the second page of this form and describe in detail the facts of the alleged violation.

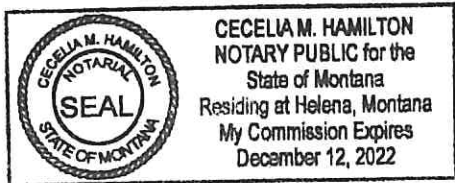
Verification by oath or affirmation

State of Montana, County of Lewis & Clark

I, Charles Denowh, being duly sworn, state that the information in this Complaint is complete, true, and correct, to the best of my knowledge and belief.

(SEAL)

Signature of Complainant



Subscribed and sworn to before me this 11th day of May, 2022.

Cecelia M. Hamilton

Notary Public

My Commission Expires: Dec. 12, 2022

**Statement of facts:**

Describe in detail the alleged violation(s) and cite the statute or statutes you believe have been violated. Please attach copies of documentary evidence to support the facts alleged in your statement.

If the space provided below is insufficient, you may attach additional pages as necessary.

Please see attached letter outlining the complaint.

**Complaints must be:**

- signed
- notarized
- delivered in person or by mail.

May 11, 2022

Commissioner of Political Practices  
Commissioner Jeff Mangan  
1209 Eighth Ave.  
P.O. Box 202401  
Helena, MT 59620

Re: **Campaign Practice Complaint Against John Meyer, Cottonwood Environmental Law Center, and John Does 1-10.**

Dear Commissioner Mangan,

No on I-191 hereby submits this combined complaint against the primary sponsors of ballot initiative I-191: Cottonwood Environmental Law Center and John Meyer (hereinafter collectively "CELC" unless otherwise stated), and any other now unknown entity or committee that may have contributed to or made these expenditures (John Does 1-10).

Cottonwood Environmental Law Center  
John Meyer  
PO Box 412  
Bozeman, MT 59771  
406-546-0149

John Does 1-10

No on I-191 respectfully requests that the Montana Commissioner of Political Practices ("COPP") immediately investigate these serious violations of Montana's campaign finance and reporting laws by interests seeking to influence our elections.

Montana has a long history of standing up to dark money groups attempting to manipulate our elections. We ask the Montana Commissioner of Political Practices to shed light on the above-named entities that have been using undisclosed funding sources to push I-191 to the voters of Montana. Montanans have a right to know what interests and contributors are funding those efforts, how much money is being dumped into our political system, and what other tactics are being utilized.

The complete failure of the I-191 proponents to provide any reports to COPP makes it impossible to know for certain what entities have been funding I-191 and the extent of the expenditures CELC has made to influence voters. What we do know is there are ample undisclosed expenditures by Cottonwood Environmental Law Center and John Meyer. Montana voters are counting on COPP to reveal the true source of the funding for this effort and to show CELC that they cannot operate outside the law.

**I. Illegal Election Communications By Cottonwood Environmental Law Center Violate Multiple Montana Laws.**

This complaint is combined against John Meyer, Cottonwood Environmental Law Center, and John Does 1-10 because no Primary Ballot Committee has been formed. CELC and Meyer are the primary sponsors of the initiative and submitted it to the Montana Secretary of State on December 3, 2021. Further, CELC is functioning as the Primary Ballot Committee, soliciting contributions, and making expenditures to promote the qualification and passage of I-191. The Commissioner should investigate each individual, entity and any other potentially responsible entities or individuals to ensure that this blatant disregard for Montana law through unreported expenditures and contributions attempting to influence a Montana election is immediately ended.

**A. Mont. Code Ann. § 13-37-201 and Admin. R. Mont. 44.11.201 requiring filing of political committees have been violated.**

Montana law requires that “a political committee shall file the certification, which must include an organizational statement and the name and address of all officers, if any, within 5 days after it makes an expenditure or authorizes another person to make an expenditure on its behalf, whichever occurs first.” Mont. Code Ann. § 13-37-201(2)(b). However, for ballot initiatives, an issue does not become a “ballot issue” under Montana law until the Secretary of State prepares and transmits “the form of the petition or referral to the person who submitted the proposed issue” for subsequent signature gathering. *Id.* at § 13-1-101(6)(b). No expenditure is required to trigger this filing deadline; it is triggered once the Secretary of State prepares and transmits the signature gathering petition to the ballot issue proponents.

The Secretary of State prepared and transmitted the signature petition for I-191 on April 5, 2022. See [https://sosmt.gov/elections/ballot\\_issues/proposed-2022-ballot-issues/](https://sosmt.gov/elections/ballot_issues/proposed-2022-ballot-issues/). CELC had 5 days to file its C-2 Statement of Organization. Five days lapsed on April 10, 2022. CELC has never filed a C-2 to establish a primary ballot committee though it is functioning as such.

To date no committees – neither incidental committees nor primary ballot committees – have been filed to support I-191, yet expenditures attempting to influence the election are being made. The failure to timely file C-2s and establish committees is a violation of Mont. Code Ann. § 13-37-201.

**B. Failure to disclose expenditures is a violation of Mont. Code Ann. § 13-37-225 and multiple other laws and rules.**

Montana law requires reporting of contributions and expenditures made to attempt to influence ballot measure campaigns. Mont. Code Ann. § 13-37-225. An expenditure is a payment or anything of value made by an entity to support or oppose a ballot measure. *Id.* § 13-1-101(19). There are certain statutory exceptions to the definition of an expenditure such as a membership communication. *Id.* Disclosure reports are required to be timely and

periodically filed as provided in law. *Id.* at § 13-37-226. Ballot issue committees “must disclose all contributions received and expenditures made prior to the time an issue becomes a ballot issue . . . even if the issue subsequently fails to garner sufficient signatures to qualify for the ballot.” *Id.* at § 13-37-228(1). This is known as the “lookback” period wherein an entity that has the purpose of qualifying a ballot measure must report all expenditures made to qualify the initiative for the ballot prior to the time the measure officially becomes a “ballot issue” pursuant to law. Mont. Code Ann § 13-37-229 details the specific information that is required to be reported for each expenditure made. Disclosures are required regardless of an entity’s tax status. *Id.* at § 13-37-233.

An examination of all ballot and incidental committee filings to date finds no reporting of multiple expenditures made to submit and qualify I-191 for the ballot. Those expenditures, of which we are aware, each constituting a separate violation of law, are listed below with supporting documentation. There are likely multiple other expenditures that have been made of which we are unaware. Every unreported, undisclosed expenditure has been made illegally.

1. Expenditures for materials posted to the CELC website. The website is available at: <https://www.cottonwoodlaw.org>. Individuals monitoring the issue first captured information regarding I-191 (then known as Ballot Measure 24) on March 16, 2022. Since that time, periodic checks of the website show additional postings and encouragement to sign the I-191 petition. There are no “paid for by” disclaimers on the website. **Exhibits A and B.**
2. The home page for CELC (<https://www.cottonwoodlaw.org>) has a video that automatically plays with a shield that has been created with a mountain and river graphic which reads “Initiative-191 Montana Clean Rivers” (hereinafter the “Shield Logo”) and footage of the Gallatin and Madison rivers. Text at the beginning of the video states: “I-191 will permanently protect the Gallatin and Madison Rivers from water pollution.” The video continues to play with more river footage and ends with text that reads: “Sign the petition and put I-191 on the November ballot.” The cost of the video production is an undisclosed and unreported expenditure in violation of the law. There are no “paid for by” disclaimers in the video. The cost of the production of the Shield Logo is another unreported expenditure in violation of the law. There are no “paid for by” disclaimers on the Shield Logo. **Exhibit B.**
3. The home page for CELC displays the Shield Logo and if you click through it leads to a new page specifically advocating for the passage of I-191. This page also has several links where visitors could click through to “Sign the Petition”. There are no “paid for by” disclaimers on the website. **Exhibit B.**
4. CELC sends out frequent email correspondence to a mail listserv. Any member of the public may sign up to receive emails but are not “members” of CELC. CELC is a 501(c)(3) organization that operates as a law firm and is not a membership organization. However, it appears that CELC offers a membership option for individuals that donate to

its efforts. **Exhibit C.** The email correspondence is received by any individual who enters his or her email address; email correspondence is not limited to actual donating “members” of CELC therefore none of these emails fit the exception to the definition of “expenditure” in Mont. Code Ann. § 13-1-101(19)(b)(iv) and the full cost of developing and sending these emails is required to be disclosed. The email correspondence specifically advocates for the passage of I-191, encourages readers to sign the petition, and solicits contributions to help fight for I-191. See the below list of mass emails differentiated by the date they were sent and the information they contain relating to I-191. There are no “paid for by” disclaimers on any of the emails. Each email contains multiple campaign finance violations for failing to report expenditures.

- a. March 17, 2022 (**Exhibit D**) information on I-191, inclusion of newly produced I-191 video, call to action to donate to put I-191 on the ballot.
  - b. April 6, 2022 (**Exhibit E**) information about I-191, call to action to sign the I-191 petition.
  - c. May 5, 2022 (**Exhibit F**) call to action to sign the I-191 petition and donate to CELC’s efforts to put I-191 on the ballot.
  - d. May 6, 2022 (**Exhibit G**) information on I-191, inclusion of another newly produced video that is advocating for I-191, call to action to sign the I-191 petition and donate to CELC’s efforts to put I-191 on the ballot.
  - e. May 10, 2022 (**Exhibit Q**) information on I-191 in recent news, call to action to sign the I-191 and to donate to CELC’s efforts to put I-191 on the ballot.
5. John Meyer has posted many videos promoting I-191 to Vimeo. There are 4 videos posted to Vimeo that appear to be professionally produced and CELC has failed to report any associated expenditures. The production cost of these videos is estimated to be at least \$40,000. These videos clearly fall within the definition of expenditure and the cost of which should have been reported. The videos also fail to contain the required “paid for by” disclaimer. See the below list of Vimeo videos, a link to the video (all last accessed on May 6, 2022) and a short description. The failure to report the design, production and distribution costs of each of the four videos are separate campaign finance violations.
- a. Video with Josh Seckinger posted May 3, 2022 of a fishing guide talking about the need for I-191. This video was also sent out via mass email by CELC on May 6, 2022. **Exhibit H** available at: <https://vimeo.com/705923777>
  - b. Video Gutkoski posted sometime in April 2022 of a man talking about the need for I-191. **Exhibit I** available at: <https://vimeo.com/695971668>

- c. Video I-191 posted sometime in April 2022 which is the same video that CELC has posted to its homepage. **Exhibit J** available at: <https://vimeo.com/692639149>
  - d. Video I-191 Algae posted sometime in April 2022 of the Gallatin River, named by Meyer as “I-191 Algae”. **Exhibit K** available at: <https://vimeo.com/692081316>
6. CELC has created an entirely new website, <https://i-191.com>, that contains information about I-191 and asks voters to sign the I-191 petition. It also has a link to the I-191 signature petition created by the Secretary of State and appears to encourage voters to electronically sign the I-191 petition. The expenditures to create this website with the capability to create electronic signatures have never been disclosed. The website fails to contain the required “paid for by” disclaimer. See **Exhibits L, M, N, O, P**.

CELC has failed to file a single report and has failed to disclose any of these expenditures. The dates most of the videos were posted, websites created, and emails sent, indicate that at least half of the expenditures should have been reported on the April report that was due April 30, 2022. Because the primary ballot committee was required to be filed by April 10, 2022, the report due April 30 would have been the first report that CELC, acting as the ballot committee, would have been required to file. CELC should have included on that report all expenditures during the lookback period—from the date the measure was submitted to the Secretary of State through the date the measure officially became a ballot issue which was April 5, 2022. The additional unreported expenditures include the cost to draft the initiative, the work to move the initiative through the state review process, the cost to litigate the Attorney General’s legal insufficiency determination, and all other costs during that time frame that CELC undertook to advance the initiative. Failure to report each of these expenditures violates Montana law.

**C. Failure to attribute paid campaign materials violates Mont. Code Ann. § 13-35-225.**

All paid election materials are required to include an attribution stating the entity financing the communication, its treasurer or executive officer and the address of the entity. Mont. Code Ann. § 13-35-225. As described in the above list of expenditures in I.B and as shown on the corresponding Exhibits, none of the expenditures contain the required “paid for by” disclaimer. Each failure to include a disclaimer is a separate violation of Mont. Code Ann. § 13-35-225.

**D. Cottonwood Environmental Law Center and John Meyer failed to report any contributions to a primary ballot committee and failed to report contributions received by CELC in response to the solicitations contained in email communications.**

Montana law requires all contributions received by a ballot committee to be reported. Mont. Code Ann. § 13-37-225. Contribution is defined in detail but the general meaning in statute



includes “the receipt by a . . . political committee of an advance, gift, loan, conveyance, deposit, payment, or distribution of money or anything of value to support . . . a ballot issue.” *Id.* at 13-1-101(9). In-kind expenditures from other political committees are contributions under law that are to be reported. *Id.* Mont. Code Ann. § 13-37-229 requires all ballot committees to report all contributions, including in-kind contributions in detail. The requirement to report contributions applies to all contributions to a primary ballot committee whether received pursuant to a solicitation or not. In addition, Mont. Code Ann. § 13-37-232 requires an incidental committee to report all contributions received pursuant to a solicitation.

Again, an examination of all ballot and incidental committee filings finds no reporting of any primary ballot committee, nor incidental committee. CELC is acting as the ballot committee, being the only entity actively supporting I-191. CELC has failed to report any contributions or expenditures. Because CELC is the primary ballot committee, it must disclose all its contributors, and no reports have been filed to list the contributors. MCA § 13-37-225. Further, expenditures were made multiple times by CELC explicitly soliciting contributions for supporting the I-191 effort, yet none of these contributions received from solicitations were reported or disclosed. Contributions made in response to a solicitation must always be disclosed. Any contributions CELC and Meyer have received have been hidden by CELC and Meyer in violation of Montana law. *Id.* at §§ 13-37-229 and 13-37-232.

**II. Cottonwood Environmental Law Center, John Meyer, And Any Other Unknown Entities Involved In These Activities Should Be Held Responsible For Their Actions, Be Required To Report, And Be Fined In Accordance With Montana Law.**

Montana voters deserve to have clear information about the sources of the big money interests that will be attempting to influence their votes. The I-191 initiative is an extreme change to Montana law, especially given the primary sponsors failed to achieve their goals at the administrative level and in the court system. There is an extensive and detailed review procedure outlined in law to accomplish the goals of the initiative sponsors, yet because they failed to follow the procedures, they are now acting as if they are above the law and can change it to their liking by duping the voters of Montana. If the proponents would pursue their goals through the normal course of action outlined in statute, there would be appropriate vetting of the proposal and after much analysis an informed decision could be made by regulators. CELC and Meyer’s filing of I-191 is an abuse of the initiative process, as they are attempting to get another bite at the apple after multiple failings through statutory and judicial processes.

This complaint only includes information the No on I-191 Ballot Committee has discovered. Without timely investigation by COPP, voters will have no way of knowing how many other election communications have occurred, the entities paying for those communications, or the interests those entities represent. Montana citizens have a right to know.

We respectfully request that every instance of nondisclosure and failure to report be investigated and prosecuted. Undisclosed contributions and expenditures are not *de minimus*



violations but rather constitute serious impediments to Montana's campaign finance laws and the historical values they represent. Even negligent violations of these reporting and disclosure laws are subject to fines of up to \$500 or three times the amount of the unlawful contributions or expenditures, whichever is higher. Mont. Code Ann. § 13-37-128. The undisclosed expenditures listed above were clearly over \$500 and, per the statute, the fine of three times the amount of the unlawful expenditures must be levied. *Id.* It is also likely the undisclosed contributions exceed \$500 and again the fine should be three times the amount of the unlawful contributions. *Id.*

Under law, the COPP has authority to remove candidates from the ballot and potentially from office for failing to file certain paperwork. See Mont. Code Ann. § 13-37-126. While reporting violations are limited to the action brought pursuant to Mont. Code Ann § 13-37-128, these violations can still be used as grounds for an action to remove an elected official from office. *Id.* at § 13-37-130. In cases such as this when individuals so egregiously violate the law and flaunt their disregard for disclosure the face of all those candidates and political committees who play by the rules, a similar remedy – removal from the ballot – would be proper recourse for a ballot measure as well.

The COPP office has on many occasions noted that ignorance of the law is not an excuse to not comply. "Excusable neglect cannot be applied to oversight or ignorance of the law as it relates to failures to file and report." *Safe Montana v. MTCIA*, No. COPP 2016-CFP-030-B, pp. 9–10, see also *Matters of Vincent*, Nos. COPP-2013-CFP-006, 009. The failure of proponents to I-191 to file any of the required financial reports or disclose any information about their income sources or expenditures represents a clear disregard for Montana's reporting requirements and warrants a full and immediate investigation. This pattern of flagrant disregard for the law should not be tolerated or allowed to continue.

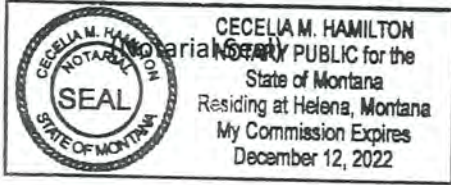
No on I-191 thanks the Commissioner in advance for thoroughly investigating and prosecuting these severe violations of Montana campaign laws.

Sincerely,



No on I-191  
Charles Denowh  
Campaign Manager

Subscribed and sworn to before me this 11 day of May, 2022.



Cecelia M. Hamilton

NOTARY PUBLIC FOR THE STATE OF MONTANA

Print Notary Name: \_\_\_\_\_

Residing at: \_\_\_\_\_

My commission expires: \_\_\_\_\_

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# I-24: Montana Clean Rivers.

I-24 is a citizen ballot initiative that will permanently protect sections of the Madison and Gallatin Rivers from water pollution. I-24 will designate the section of the Gallatin River from the boundary of Yellowstone National Park to the confluence of Spanish Creek and the section of the Madison River from Hebgen Lake to Ennis Lake as "Outstanding Resource Waters." If Montana voters approve I-24, the Montana DEQ will be prohibited from issuing permits to pollute the sections of rivers. The initiative is necessary because development in Big Sky is threatening to destroy the Rivers.

In order to get I-24 on the November ballot, Cottonwood and our conservation partners need to collect signatures from nearly 31,000 registered Montana voters. We will begin collecting signatures in April.



**EXHIBIT A**



If I-24 is passed in November, this section of the Gallatin River will be permanently protected from water pollution.

< **Prosecuting Clean Water Act Violations in Big Sky, MT.**

**Protecting Old Growth.** >



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**CURRENT**

# I-191: Montana Clean Rivers



I-191 is a citizen initiative to permanently protect the Madison and Gallatin Rivers from water pollution. All Montanans have the Constitutional right to a “clean and healthful environment,” but unnecessary development in Big Sky is stealing that right from us. As more resorts and vacation houses are built, the Madison and Gallatin Rivers are paying the price. Several tributaries of the Gallatin and Madison Rivers are already listed as “water-quality impaired” by the Montana Department of

Environmental Quality. Clean water and healthy trout populations are more important than more

**EXHIBIT B**

more important than more  
vacation houses and golf courses  
for the rich. If you are a Montana  
voter, sign the Petition to put I-191  
on the November ballot and  
permanently protect the Madison  
and Gallatin Rivers.

Sign the Petition.

The Montana Attorney General previously determined that I-191 cannot go on the November ballot because it would prevent developers from securing permits to pollute the Gallatin and Madison Rivers. Nobody has the right to pollute our water. The Montana Supreme Court issued a decision that unanimously reversed the Attorney General.

We now need to collect more than 30,000 signatures from registered Montana voters by June 17, 2022 to put I-191 on the November ballot. Sign the petition to permanently protect the Gallatin and Madison Rivers from water pollution.

Sign the Petition.



If I-191 is passed in November, this section of the Madison River will be permanently protected from water pollution.

Sign the Petition.

**Prosecuting Clean Water  
Act Violations in Big Sky,  
MT.**



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If you like inspiring stories and learning how to protect the environment, sign up for our newsletter!

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# Why become a Cottonwood Member?

Cottonwood files lawsuits on behalf of our Members and other conservation groups. Our members live, recreate, and study on the front lines of conservation. Cottonwood Members are what allow Cottonwood to boldly protect the West.

Cottonwood Members share Cottonwood's vision of the future: a world in which our children and grandchildren have clean air to breathe and clean water to drink, have access to pristine wildlands, and can glimpse a free-roaming bison.

Cottonwood Members commit to contribute just \$10 or more each month to support the *pro bono* legal work that Cottonwood does to protect the people, forests, water, and wildlife of the American West.

Donate To Become A Member

**From:** Cottonwood Environmental Law Center <[john@cottonwoodlaw.org](mailto:john@cottonwoodlaw.org)>  
**Sent:** Thursday, March 17, 2022 8:41 AM  
**Subject:** [EXTERNAL] Huge win in Montana Supreme Court!

## NEWS FROM THE FRONT LINES



**The Montana Supreme Court just issued a unanimous decision that ballot initiative I-24 can move forward.**

The Montana Attorney General wrongly decided that I-24 cannot go on the November ballot because it would prohibit the Montana Department of Environmental Quality from issuing permits to pollute the Madison and Gallatin Rivers. Developers do not have a right to pollute Montana's Rivers. The Montana Supreme Court reversed the Attorney General almost immediately. Read [what papers are saying](#) about our win.





Now the hard work begins. We need to collect nearly 31,000 signatures from registered Montana voters in less than three months to get I-24 on the November ballot.

We've been told I-24 will cost between \$3-\$5 million dollars to win. We have \$2,000. Big Sky has endless money. You know what Big Sky doesn't have: heart.

We can't pull this off unless we get a lot of support from normal people like you.

**DONATE \$100**



This section of the Gallatin River will be permanently protected when I-24 passes in November 2022.

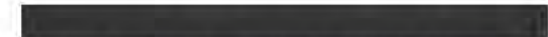
**DONATE \$100**

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Cottonwood Environmental Law Center | [Cottonwoodlaw.org](http://Cottonwoodlaw.org)



Cottonwood Environmental Law Center | P.O. Box 412, Bozeman, MT 59771

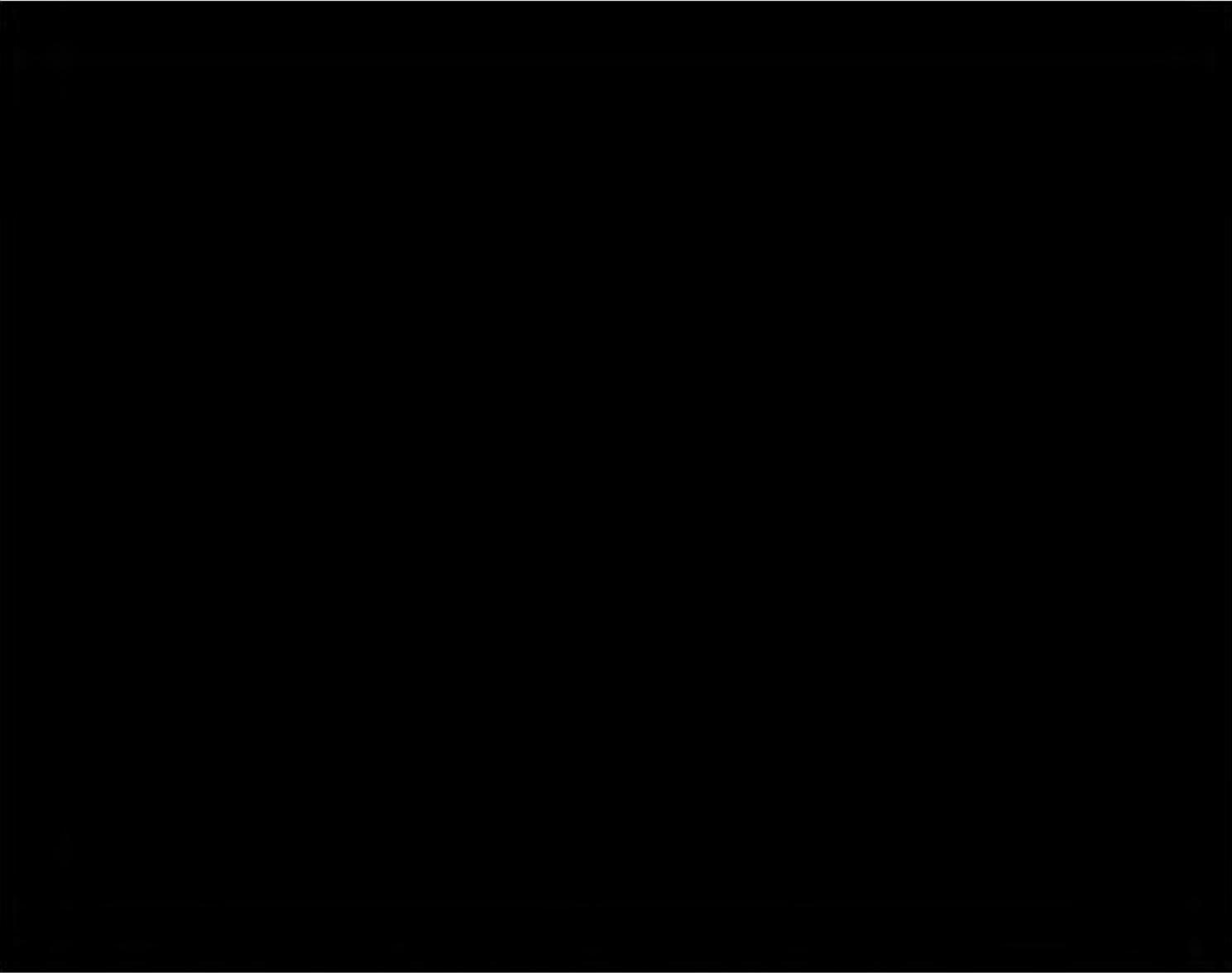


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Sent by [john@cottonwoodlaw.org](mailto:john@cottonwoodlaw.org) powered by

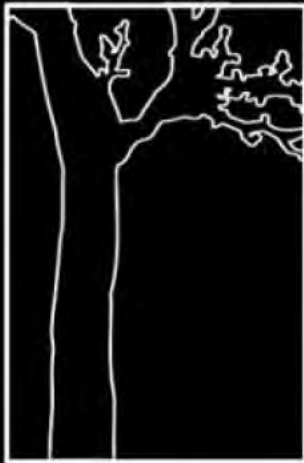






**From:** Cottonwood Environmental Law Center <[john@cottonwoodlaw.org](mailto:john@cottonwoodlaw.org)>  
**Date:** April 6, 2022 at 9:31:40 AM MD  
**Subject:** [EXTERNAL] I-191 is up!  
**Reply-To:** [john@cottonwoodlaw.org](mailto:john@cottonwoodlaw.org)

## NEWS FROM THE FRONT LINES



Cottonwood  
ENVIRONMENTAL LAW CENTER

## The most dangerous people are the ones with nothing to lose.

We have no money. We have no time. Development is turning the Gallatin River green. The Madison River is next.

How did we get here? Large conservation groups like Trout Unlimited and the Greater Yellowstone Coalition are collaborating with developers. They support permits for the private Yellowstone Club to make snow using treated waste water. The snow will melt and the pharmaceutical pollution will enter the Gallatin.

Pharmaceutical pollution is causing fish to [change sexes](#). Clean water or collaborative pollution--it's up to you.

Cottonwood is helping spearhead a ballot initiative to permanently protect the Madison and Gallatin Rivers. I-191 prohibits the Montana DEQ from issuing permits that will degrade the water quality of the Gallatin, Madison, and their tributaries. We have to stop the cancerous development in Big Sky from destroying Montana's Rivers.

After more than two months of illegal delays by the state of Montana, we just received the final I-191 ballot petition. We've asked the Montana Supreme Court to allow us to collect



signatures electronically. In the meantime, we're doing it. They can always say no. But they can't say we didn't try.

**Sign the petition.**



This section of the Gallatin River will be permanently protected from water pollution when I-191 passes in November 2022.

**Sign the petition.**

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Cottonwood Environmental Law Center | [Cottonwoodlaw.org](http://Cottonwoodlaw.org)





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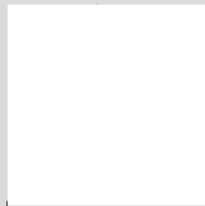




From: Cottonwood Environmental Law Center <[john@cottonwoodlaw.org](mailto:john@cottonwoodlaw.org)>

Sent: Thursday, May 5, 2022 12:32 PM

Subject: [EXTERNAL] Big Sky Updates, Give Big Gallatin Valley, and More



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# NEWS FROM THE FRONT LINES



## **We're on the attack and moving up!**

The Montana DEQ issued the Yellowstone Club a permit last year to blow snow on Eglise mountain using treated wastewater. Eglise is a French word that means "Church." The snow will melt and carry pharmaceutical pollution into the Gallatin River and its tributaries. We're in court to stop the Yellowstone Club from desecrating Church Mountain with pharmaceutical snow pollution.

A district court decided to stand down yesterday and allow the Montana Supreme Court to decide whether the Montana DEQ violated the Montana Environmental Policy Act by failing to analyze the impacts of the Yellowstone Club's pharmaceutical snow permit. [Read our opening brief.](#)

**We need your help.**

Last week an employee of the Montana DEQ testified during our federal trial that [the Big Sky District has to fix rips and tears](#) in the liners of its sewage lagoons. We placed dye in the sewage lagoons and the Sewer District [found the dye](#) being discharged from a pipe into the river one day later. [Call or email the DEQ](#) and ask them if they are going to require Big Sky to fix the leaking sewage pond liners.

If you haven't already, [sign the petition](#) to put I-191 on the November ballot. The citizen initiative will permanently protect the Gallatin and Madison Rivers from water pollution by prohibiting the Montana DEQ from issuing permits to pollute the river.

Today and tomorrow is Give Big Gallatin Valley, the annual fundraiser for nonprofits in the area. Cottonwood isn't just giving big big--we're giving everything--to protect and restore the Gallatin River.

Please [make a donation](#) to help protect what we all care about.

For clean water,

John

John Meyer, Executive Director  
Cottonwood Environmental Law Center



Cottonwood is working to permanently protect this section of the Gallatin River from water pollution via Citizen Initiative 1-191.

[Learn More & Sign the petition.](#)

Cottonwood Environmental Law Center | [Cottonwoodlaw.org](http://Cottonwoodlaw.org)



Cottonwood Environmental Law Center | P.O. Box 412, Bozeman, MT 59771

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Sent by [john@cottonwoodlaw.org](mailto:john@cottonwoodlaw.org) powered by

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**From:** Cottonwood Environmental Law Center <[john@cottonwoodlaw.org](mailto:john@cottonwoodlaw.org)>  
**Sent:** Friday, May 6, 2022 1:12 PM  
**To:** Jon Olsen <[jolsen@lonemountainland.com](mailto:jolsen@lonemountainland.com)>  
**Subject:** [EXTERNAL] From the Mouth of a Fishing Guide

## NEWS FROM THE FRONT LINES



**Collaboration with developers has turned the Gallatin River green.**

**I-191 will make it blue again.**



[Learn More and Sign the Petition.](#)

[Donate.](#)







This section of the Gallatin River will be permanently protected from water pollution when I-191 passes.

[Learn More & Sign the petition.](#)

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Cottonwood Environmental Law Center | [Cottonwoodlaw.org](http://Cottonwoodlaw.org)



Cottonwood Environmental Law Center | P.O. Box 412, Bozeman, MT 59771

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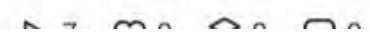
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# I-191 Algae

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This algae bloom in the Gallatin River is the result of over-development in the Big Sky area. Passage of ballot

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I-191 Algae John Meyer



yellowstone\_buff... John Meyer





# I-191: Montana Clean Rivers

## OUR RIVERS NEED YOUR HELP



**I-191 is a ballot initiative to permanently protect the Madison and Gallatin Rivers from water pollution.**

[SIGN NOW](#)

# READ AND SIGN THE PETITION

The Montana Attorney General previously determined that I-191 cannot go on the November ballot because it would prevent developers from securing permits to pollute the Gallatin and Madison Rivers. Nobody has the right to pollute our water. The Montana Supreme Court issued a decision that unanimously reversed the Attorney General.

Take a look. And then Sign I-191 to protect two of our greatest natural resources.

**WARNING**

The Attorney General of Montana has determined that the proposed ballot issue will likely cause significant material harm to one or more business interests in Montana.

**PETITION TO PLACE INITIATIVE NO. I-191 ON THE ELECTION BALLOT**

Subject to applicable law and deadlines, if 5% of the voters in each of 34 legislative representative districts sign this petition and the total number of voters signing this petition is 30,180, this initiative will appear on the next general election ballot. If a majority of voters vote for this initiative at that election, it will become law.

We, the undersigned Montana voters, propose that the Secretary of State place the following initiative on the November 6, 2022 general election ballot:

**Statement of Purpose and Implication:**

I-191 declares portions of the Gallatin and Madison Rivers north and west of Yellowstone National Park to be "Outstanding Resource Waters." The stretches of water that I-191 would designate run from Yellowstone National Park to the confluence of Spanish Creek on the Gallatin River and from Hobgen Lake to Ennis Lake on the Madison River.

I-191 bypasses the existing review process for such a designation, including the local government consultation, review of social and economic impacts, and environmental impact statement that would be involved.

I-191 also prohibits the State from approving a permit for any new or increased discharge into Outstanding Resource Waters if the permit would result in any adverse change in water quality, including only a temporary change.

**Fiscal Statement:**

I-191 will result in increased costs to the state of approximately \$40,000 per year and require additional state employees. Denial of DEQ permits under I-191 may result in local fiscal impacts from inhibited or stopped construction, maintenance, improvements, or other activities requiring a DEQ permit.

YES on Initiative I-191  
 NO on Initiative I-191

Voters are urged to read the complete text of this initiative, which appears with this sheet. A signature on this petition is only to put the initiative on the ballot and does not necessarily mean the signer agrees with the initiative.

Voters are advised that either an interim committee or an administrative committee of the legislature in accordance with 5-5-215 or 5-11-301 reviewed the content of this initiative and did not support the placement of the proposed text of this initiative on the ballot. The columns of the vote are 2 in favor of placing the measure on the ballot and 8 against placing the measure on the ballot.

**WARNING**

A person who purposefully signs a name other than the person's own to this petition, who signs more than once for the same issue at one election, or who signs when not a legally registered Montana voter is subject to a \$500 fine, 3 months in jail, or both.

Each person is required to sign the person's name and for the person's address or telephone number in substantially the same manner as on the person's voter registration form or the applicant will not be counted.

Signature	Date Signed	Residence address on Post Office Address or Home Telephone Number	Printed Last Name and first initial Middle Initial	No. of times this name has been used
1				
2				

READ AND SIGN THE PETITION

### Review And Sign The Document I-191 Petition Form

5 Fields Remaining

Decline Request

Finish Signing

#### Signers

Jessie (You)

jess.lynn21@hotmail.com

Waiting for Signature

The Attorney General of Montana has determined that the proposed ballot issue will likely cause significant material harm to one or more business interests in Montana.

#### PETITION TO PLACE INITIATIVE NO. I-191 ON THE ELECTION BALLOT

Subject to applicable laws and deadlines, if 5% of the voters in each of 34 legislative representative districts sign this petition and the total number of voters signing this petition is 30,180, this initiative will appear on the next general election ballot. If a majority of voters vote for this initiative at that election, it will become law.

We, the undersigned Montana voters, propose that the Secretary of State place the following initiative on the November 8, 2022, general election ballot:

##### Statement of Purpose and Implication:

"I-191 declares portions of the Gallatin and Madison Rivers north and west of Yellowstone National Park to be "Outstanding Resource Waters." The stretches of water that I-191 would designate run from Yellowstone National Park to the confluence of Spanish Creek on the Gallatin River and from Hebgen Lake to Ennis Lake on the Madison River.

I-191 bypasses the existing review process for such a designation, including the local government consultation, review of social and economic impacts, and environmental impact statement that would be involved.

I-191 also prohibits the State from approving a permit for any new or increased discharge into Outstanding Resource Waters if the permit would result in any adverse change in water quality, including only a temporary change."

##### Fiscal Statement:

I-191 will result in increased costs to the state of approximately \$60,000 per year and require additional state employees. Denial of DEQ permits under I-191 may result in local fiscal impacts from inhibited or stopped construction, maintenance, improvements, or other activities requiring a DEQ permit.

- YES on Initiative I-191
- NO on Initiative I-191

Voters are urged to read the complete text of the initiative, which appears with this sheet. A signature on this petition is only to put the initiative on the ballot and does not necessarily mean the signer agrees with the initiative.

Voters are advised that either an interim committee or an administrative committee of the legislature in accordance with 5-5-215 or 5-11-105 reviewed the content of this initiative and did not support the placement of the proposed text of this initiative on the ballot. The outcome of the vote was 2 in favor of placing the measure on the ballot and 8 against placing the measure on the ballot.

##### WARNING

A person who purposefully signs a name other than the person's own to this petition, who signs more than once for the same issue at one election, or who signs when not a legally registered Montana voter is in violation of the law.

Each person is required to sign the person's name and address in substantially the same manner as on the person's voter registration form or the signature will not be counted.

Font Size - 10 +  
Clear

	Signature	Date Signed	Post-Office Address or Home Address Number	Printed Last Name And First and Middle Initials	Co. Election Dist. or Precinct	Leg. Rep. Dist. #	Ward
1.	Signature*	Date*		Text*			
2.							

Powered by Signeasy





Signers  
Jessie (You)  
jess\_lynn21@hotmail.com  
Waiting for Signature

YES on Initiative I-191  
 NO on Initiative I-191

Voters are urged to read the complete text of the initiative, which appears with this sheet. A signature on this petition is only to put the initiative on the ballot and does not necessarily mean the signer agrees with the initiative.  
Voters are advised that either an interim committee or an administrative committee of the legislature in accordance with 5-5-215 or 5-11-105 reviewed the content of this initiative and did not support the placement of the proposed text of this initiative on the ballot. The outcome of the vote was 2 in favor of placing the measure on the ballot and 8 against placing the measure on the ballot.

**WARNING**

A person who purposefully signs a name other than the person's own to this petition, who signs more than once for the same issue at one election, or who signs as another voter is subject to a \$500 fine, 6 months in jail, or both. Each signature must be accompanied by the person's address and list the person's address or telephone number in substantially the same manner as on the person's voter registration card to be counted.

Edit  
Clear

Signature	Date Signed	Residence Address or Post-Office Address or Home Telephone Number	Printed Last Name And First and Middle Initials	Go. Election Dist. Prec. Only	Leg. Reg. Dist. Prec.	Ballot Dist. Prec.
Signature*	Date*	Text*	Text*			
2.						
3.						
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10.						



PETITION # \_\_\_\_\_ COUNTY: \_\_\_\_\_ Text\* Initials of Petitioner for Signatures on This Page: \_\_\_\_\_

Review And Sign The Document  
I-191 Petition Form

Fields Remaining

Decline Request

Finish Signing

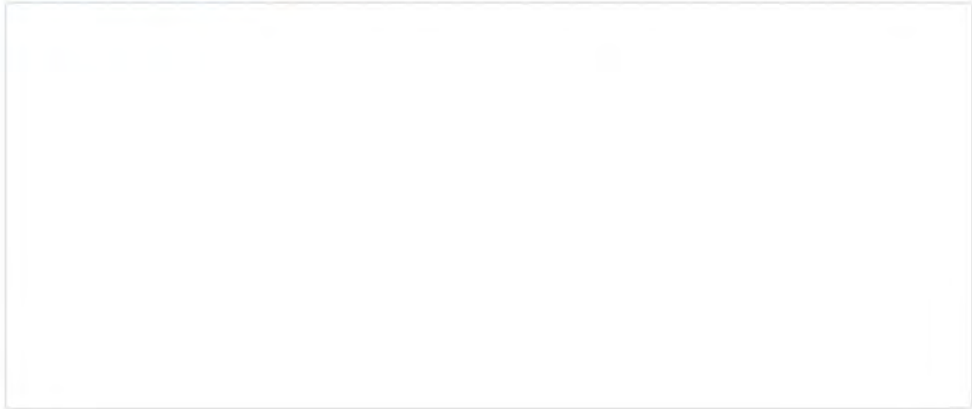
Signers

Jessie (You)  
jess.jess@lamm.com

Waiting for Signature

### Your Signature

Draw Type Upload Saved



✓ ● ● ● ↶ 🗑️ Draw on mobile

Cancel Use

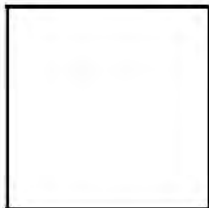
PETITION # COUNTY

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**From:** Cottonwood Environmental Law Center <john@cottonwoodlaw.org>

**Sent:** Tuesday, May 10, 2022 4:03 PM

**Subject:** [EXTERNAL] I-191 Makes Front Page News



# **NEWS FROM THE FRONT LINES**

-

**Cottonwood's I-191 work made the front page of the Bozeman Daily Chronicle this Sunday. Don't forget to sign the petition to put I-191 on**

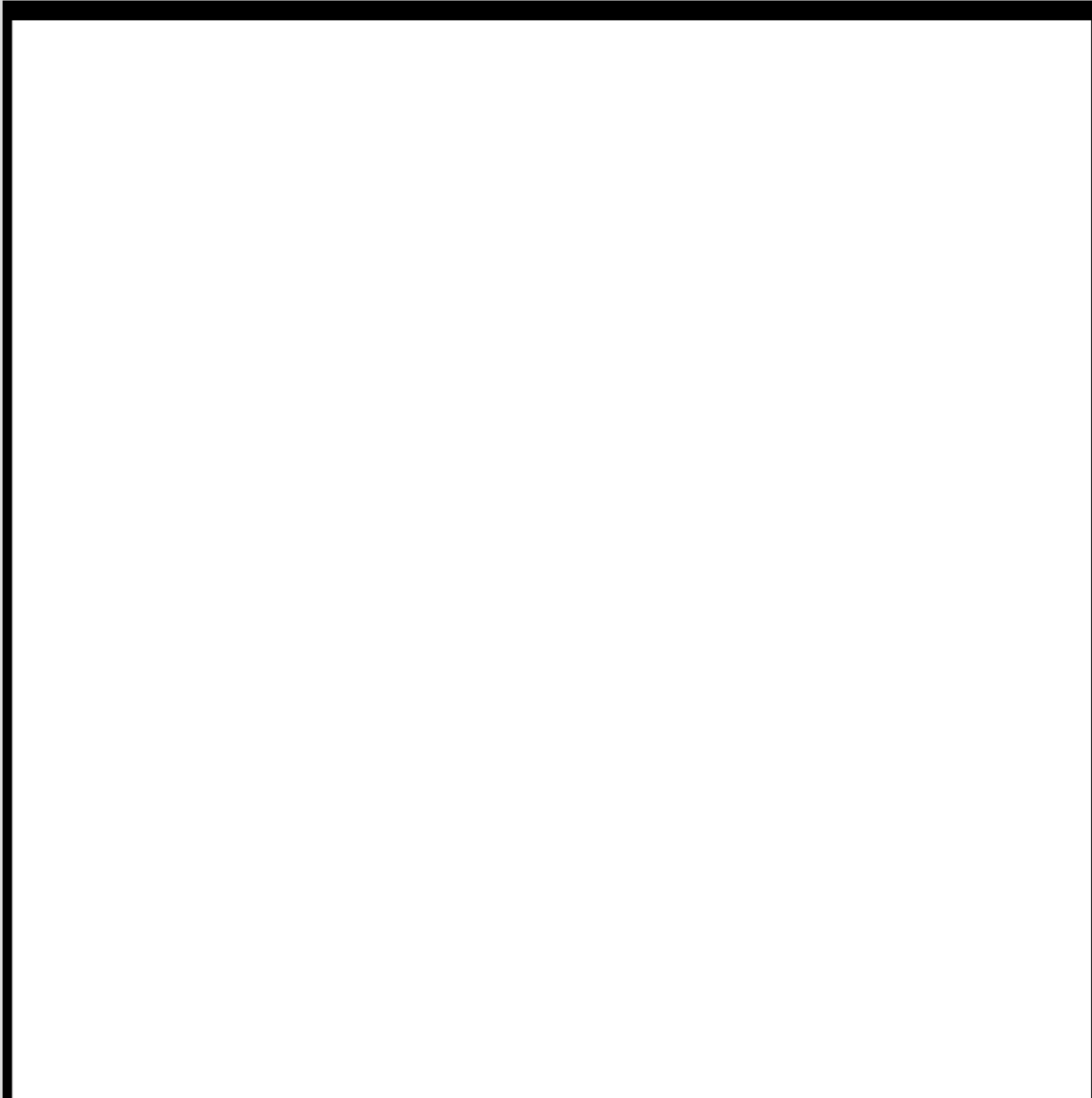
**the November ballot If you haven't already.**

**Today we filed our last brief in the Montana Supreme Court that explains why the Montana DEQ must prepare a supplemental Environmental Impact Statement that analyzes the impacts of pharmaceutical pollution on the Gallatin River. This is one of the first lawsuits in the United States to tackle the pharmaceutical issue.**



Learn More and Sign the Petition.

Donate.



Learn More & Sign the petition.

Cottonwood Environmental Law Center | Cottonwoodlaw.org

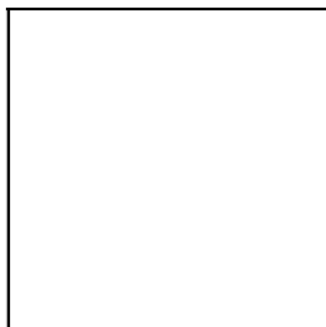


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