

Central Montana Resource Advisory Council

Meeting Minutes

March 29, 2017

I. Opening

Clive Rooney called to order the regular meeting of the Central Montana Resource Advisory Council at 12:10 PM on March 29, 2017 at the Cottonwood Inn & Suites in Glasgow, Montana.

II. Present

John S. Schultz

Dan Kluck

Wayne Fairchild

Ralph Knapp

Hayden Janssen

Hugo Tureck

Mary Frieze

Damien Austin

Mark Wilson

Troy Blunt

Clive Rooney

III. Approval of Agenda

Agenda was reviewed and approved as distributed.

IV. RAC Travel Vouchers

Travel vouchers were distributed to members at 12:15 PM.

V. Election of Chairman

Clive called for election of the chairman at 12:20 PM. Ralph moves to re-elect Clive; Hugo seconded the motion; motion carried.

VI. Public Comment

Floor opened for public comment at 12:30 PM.

- Paul Tweten, representing the Valley County Commissioners

- Read resolution passed by Valley County Commissioners on March 22, 2017. Resolution opposed to BLM grazing permit changes to include bison in response to a proposal submitted by American Prairie Reserve (APR).
- Leonard Swenson, rancher and member of a Montana Cooperative State Grazing District
 - Concerned about APR buying more land to use solely for bison grazing. Mr. Swenson quoted that one of APR's goals is to have a bison herd of 10,000 – Mr. Swenson expressed concern about the potential for uncontrolled bison populations and their potential associated negative impacts.
- Three letters were submitted to the Resource Advisory Council (RAC) and were read aloud by Jonathan Moor, BLM North Central Montana RAC Coordinator
 - Diane Dirkson, representing multiple Montana Cooperative State Grazing Districts
 - Questioned feasibility of land management practices utilized by the BLM and local ranchers if the BLM permits were to include bison and if interior fencing were removed as in APR's proposal. Potential consequences to biodiversity, overall land health and the local economy were some reasons given for opposition to APR's proposal.
 - Franceen Cummings
 - Raised concerns about liabilities associated with the proposed removal of interior fencing and consequences of roaming bison.
 - Badlands Cooperative State Grazing District
 - Opposed to APR's proposal to remove interior fencing and permitting for year round grazing of bison.

BREAK 12:42 – 1:00 PM

VII. Sweet Grass Hills Mineral Withdrawal, Stanley Jaynes, Havre Field Office

Presentation began at 1:02 PM.

- The previous 20 year withdrawal (1997 – 2017) was met with strong public support during the HiLine RMP process. The withdrawal will extend to April 9, 2037.
- Outcome of RAC Q&A
 - Less than 1 m. of disturbance is not considered entry.

- There have been 6 claims of valid discovery, but no known well defined ore body.
- Minerals classified as either: saleable, locatable (property right), or leasable (agency discretion).
- During homesteading in the 1860's, surface and belowground rights went together. Since the rise of combustible engines and gas demands, circa 1912, surface rights are now left with the homestead, but the government retains the mineral estate.
 - Split estate and Reverse split estate

VIII. EA for APR Bison Conversion Proposal, Tom Darrington, Malta Field Office

Presentation began at 1:15 PM.

- APR submitted an official proposal to convert permits from cattle to bison and to remove interior fences on public lands managed by the BLM in January 2017.
- The Environmental Assessment (EA) will be prepared and analyzed using a third party contractor.
- There will be a public scoping period, which will include meetings in Glasgow, Malta and Lewistown.
- Outcome of RAC Q&A
 - There are no definitive dates set for the public meetings at this time, but Tom is hoping they will occur sometime in April and/or May.
 - There will be a press release of the proposal and it will be emailed to the RAC once completed.
 - Suggestions for making public meeting beneficial for all parties involved, such that enough information is collected to make informed decisions:
 - Give the public a brief overview of an EA, including what the analysis entails and how alternatives are defined and analyzed (Hugo)
 - Have a combination of an open house followed with comment and Q&A periods (Mark Wilson)
 - Have a short presentation, solicit alternatives to be addressed, and a Q&A session (Hayden)

- Smaller settings provide opportunities for individuals to speak and for specific concerns to be discussed (Clive)
- Other non-profit entities have leased lands managed by the BLM.
- All allotments will be held to the same land health standards.
- The EA is projected to be completed by 2018. Permits would still be issued for 10 years. If additional lands are leased that are not in this EA, then there will most likely be a separate analysis. Whether an EA or EIS is required will probably depend on the spatial scale. Fence removal responsibility and associated financial obligations will be addressed in the EA. Public access won't be limited due to this EA.

IX. WA, WSA, LWC: Definitions and History, Travis Rixford, Lewistown Field Office

Travis disseminated maps for presentation reference at 1:35 PM.

- Wilderness vs Wilderness Study Area (WSA) vs Land with Wilderness Characteristics (LWC)
- The primary goal for managing a wilderness is to preserve character while the goal for managing a WSA it is to ensure that there is no impairment to character. Wilderness and wilderness study area are designations given by Congress and are under Congressional authority for actions taken.
- Designation and management of lands with wilderness characteristics are described in BLM Resource Management Plans (RMP).
- Some wilderness characteristics include: untrammeled, natural, undeveloped, solitude/primitive, and provides for unconfined recreation.
- Outcome of RAC Q&A
 - Idea of “unconfined” depends on the geographic scale.
 - There have been no appeals in response to HiLine RMP.
 - Wilderness lands have already been designated and must be managed accordingly- the BLM manages these lands similarly to other agencies under congressional direction. The BLM decides whether or not to preserve lands with wilderness characteristics (LWC).
 - There is no objective size for classification of LWC.

- Currently, there are no studies being conducted on the wilderness study areas in the HiLine/North Central Montana District; studies stopped in 1993.
- Area of Critical Environmental Concern (ACEC) may be designated through the RMP process.
 - Hugo mentioned “Manual 6330- Management of BLM Wilderness Study Areas” and raised the question of management of the Bitter Creek WSA as an ACEC.

X. Travel Management Planning, Travis Rixford, Lewistown Field Office

Presentation began at 2:11 PM.

- HiLine RMP is complete. Travel management for the HiLine is currently being conducted.
- Clive stated that road use should depend on the location of a road, road connections to other roads, and adjoining land uses and land ownership.
- The overarching objectives of Transportation and Travel Management Plans are to promote safety while facilitating greater recreational opportunities and reducing associated impacts to natural resources.
- Route Inventory for the HiLine should be completed this year, 2017, with Evaluation and NEPA completion projected for 2019. Public scoping meetings should occur after the inventory and evaluation process. Travel management plans will be based on preferred alternatives.
 - Petrolia – June 2018
 - Public scoping on May 9th and 10th in Winnett and Lewistown
 - Crooked Creek – June 2019
 - Judith Mountains – June 2020
 - Judith River/Headwaters – December 2020
- Travel management plans DO NOT apply in emergency operations (e.g. fire, security concerns, etc.). Only safety issues would limit public access to public land (e.g. mining reclamation area, hunting season, emergency operations)
- Suggestions and questions raised by the RAC
 - Is there a map of available routes for various wilderness study areas? (Mary)

- What is the baseline and decision scope of roads available for public use?
(Clive)
- TMPs should be on the following agendas as decisions are made. (Hayden)
- If able, RAC members should pursue involvement in the TMP process as individuals, as coordinating a sub-committee did not seem feasible.

XI. Expected Future HiLine Precipitation, Tanja Fransen, NOAA

Presentation began at 3:23 PM.

- Weather vs. Climate
 - Weather – occurrence at a point in time
 - Climate – trend occurring over time
- Great Plains region: 16% heavy downpour increase
 - Previously, weather analyses included all states in the Great Plains. In the future, analyses will separate states into Northern and Southern Great Plains, such that Montana will be in the Northern Great Plains region; thereby providing more accurate trend data.
 - Current trends consisting of: greater snowfall, increasing temperatures, and an increase in cooling degree days.
- Suggested resource: water.weather.gov/precip/

XII. Presentation on Lek Field Trip, Pat Gunderson, Glasgow Field Office

Presentation began at 4:00 PM.

- There are about 75 – 80 leks in Valley County, with roughly 20 – 30 males per lek.
- Studies on leks in Valley County have been conducted since 1954, but more intensively since the 1990's.
- BLM staff will pick up those interested in viewing a lek site at the Cottonwood Inn & Suites at 6:00 AM on March 30, 2017.

XIII. District Manager's Update, Mark Albers

Update began at 4:03 PM.

- Sweet Grass Hills Mineral Withdrawal was part of the decision to keep Sage Grouse off the endangered species listing. A public meeting was held on February 13th in Malta and little public interest was shown. There are 5 alternatives being analyzed in the EIS, and the record of decision is expected to be released in late September.

- Bentonite is locatable and the only mineral that may be of interest in the HiLine region at this time.
- Keystone XL Pipeline
 - Approximately 1,800 miles
 - 875 miles in U.S.
 - 45 miles through Montana/Dakotas BLM lands
 - During 2012 – 2014 an analysis was done
 - Executive Order allows for things to move forward quickly
 - Right-of-Way (ROW) grant may be signed as soon as March 31, 2017
 - Construction projected to start in 2018
- Power lines north of the Missouri River
 - Phillips County: 64 miles long, 30 miles on BLM land
 - Valley County: 51 miles long, 4.8 miles on BLM land
 - ROW is required - currently working on an EA for ROW
- District consolidation from HiLine to North Central Montana District made official in October 2016, but the district is still working on consolidation of information and duties.
- Outcome of RAC Q&A
 - There has been some discussion of how to handle any potential protests on BLM lands. There have not been any issues of protest in the HiLine area thus far, although there were some protests on the Ft. Peck Reservation.
 - There have been estimates of 10-12% cuts in the budget, but no specifics for 2018 yet. The federal budget year starts on October 1st. The current hiring freeze has slowed operations down; however, there is an exemption when hiring for fire and other safety/security personnel.
- Pending RAC questions to be addressed
 - Can the RAC have contact information of BLM staff?
 - Are companies required to give documentation of chemicals/ingredients used when extracting natural gas on BLM lands?

XIV. Roundtable

- Hayden
 - Extraction on BLM lands, Wilks brothers
- Ralph
 - Burnt Lodge WSA
- Troy
 - Sage-grouse, bison, arrowhead collection and displays for museum
- Damien
 - Travel Management Plans, pipelines, bison
- John
 - Bison, negative easement, Range/Wayne Hage Lawsuit
- Mark Albers
 - Negative easement
- Dan
 - Bison
- Mark Wilson
 - Bison, hunting permits in the Breaks
- Hugo
 - Farm bill, Secretary of Agriculture, weather and predictability, bison, cottonwood planting and BLM cooperatives
- Wayne
 - Boat ramp in Coal banks, Sandy Coal, river fees and collection
- Mary
 - Friends of Missouri Breaks, lime kill on road, 2.0 planning killed
- Clive
 - 2.0 planning killed, states allowed disturbance on Sage-grouse habitat, negative easement, APR leases/bison, zebra mussels, state indemnity

XV. Adjournment

Meeting was adjourned at 4:38 PM by Clive Rooney.

RESOLUTION NO. 12-2017

**RESOLUTION IN OPPOSITION TO AMERICAN PRAIRIE RESERVE APPLICATION FOR
CHANGES IN BLM GRAZING PERMITS**

WHEREAS, the American Prairie Foundation (APR) is applying to change their BLM grazing permit to allow year round grazing, move from cattle to bison, remove fences within boundaries of BLM land, and build a new electric fence boundary; and

WHEREAS, the stated intent of APR is to have a vast Reserve that includes BLM land; and

WHEREAS, there is serious concern in the region as to adverse effects of Reserve and its wildlife on the local agriculture community and economy; and

WHEREAS, APR does not seem to have a domestic bison land management plan for BLM land in place, if their request is granted; and

WHEREAS, it is long stated BLM policy to advocate multi use and grazing rotations; and

WHEREAS, granting year-long grazing would be invitation for other grazing permittees to request same, to the detriment of the range; and

WHEREAS, there is serious lack of data on the effect of APR's requested changes; and

WHEREAS

, there is definite possibility that change in grazing permit could cause damage to BLM land, to include wetland and riparian areas; and

WHEREAS, if the change produces adverse results to the BLM land the cost of tearing down fence and then replacing them would be large; and

WHEREAS, the electric boundary fence would be serious impediment to public use, to include hunting; and

WHEREAS, if the request from APR is presented as an attempt to be a data gathering trial it should be known that such data can be gathered from their privately owned land; and

WHEREAS, the BLM's polices reflect the Taylor Grazing Act and Federal Land Management and Policy Act which require multiple-use management, not exclusive use by wildlife.

NOW, THEREFORE, BE IT RESOLVED that Valley County is opposed to granting the requested change to the APR grazing permit. While recognizing the APR owns land and they have right to create a reserve on said land, be it known that Valley County is opposed to any plan that would establish a Reserve on BLM land.

Valley County therefore requests that BLM denies the grazing permit change from APR.

PASSED and ADOPTED this 22 day of March, 2017.

BOARD OF COUNTY COMMISSIONERS
VALLEY COUNTY, MONTANA



Bruce H. Peterson

Bruce H. Peterson, Chairman

Paul Tweten

Paul Tweten, Member

John Fahlgren

John Fahlgren, Member

ATTEST:

Lynne Nyquist

Lynne Nyquist, Clerk

BADLAND COOPERATIVE STATE GRAZING DISTRICT

P.O. BOX 422
GLASGOW, MT 59230

March 29, 2017

Resource Advisory Council Committee:

Badland CSGD would like to go on record as opposing American Prairie Reserve's request to eliminate interior fences on their BLM Allotments as well as changing the season to year around use.

The Grazing Districts have worked for many years to improve the BLM grazing allotments by setting dates and rotation of pastures with the objective of improving forage and soil conditions. Allowing APR to make these changes would be a step backwards and set a precedent that other ranchers may want to follow.

We request you deny APR's change of use application and fence removal.

Sincerely,

A handwritten signature in black ink that reads "Loran Albus". The signature is written in a cursive style with a large, looped initial "L".

Loran Albus
President

WITTMAYER – SILVER DOLLAR GRAZING ASSOCIATIONS

**P.O. BOX 1168
GLASGOW, MT 59230**

3/21/17

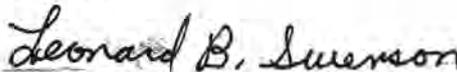
Resource Advisory Council Committee

Wittmayer and Silver Dollar Grazing Associations consist of 30 families. Both of these Associations would like to go on record as opposing the removal of interior fences as well as the change of season of use on American Prairie Reserves BM allotments. The classification needs to remain listed as domestic livestock, not changed "indigenous bison."

The Bureau of Land Management, Wittmayer Grazing Association, and Silver Dollar Grazing Association set up a management plan with the help of Gus Hormay in the early 1970's. The plan uses rest rotation and deferred rotation, plus in and out dates. By managing the dates and season of use, the native rangeland condition has improved noticeably. By turning "livestock" out with no interior fences and no season of use, you are not managing the resources. It would be simpler and cheaper for the Associations to do the same as American Prairie Reserve – remove all the interior fences and have year around grazing. But the members of our Associations are conservationists and know that is not healthy for the rangeland.

Please give this applied for "change of use" careful consideration. Precedents will be set and it could very well affect many other grazing allotments and the BLM in the future.

Sincerely,



Leonard Swenson, President
Wittmayer Grazing Association
Silver Dollar Grazing Association

I would like to submit comments to the RAC committee on changing the class of livestock, use and management of American Prairie Reserve's BLM allotments.

The American Prairie Foundation and later the American Prairie Reserve is a legal scam to persuade people from the United States and anywhere else in the world to donate money to buy land from farmers and ranchers and anyone owning land in Montana. By doing so, the money would be a tax deduction for them as it is a nonprofit business. This doesn't help our out of control national debt.

Free roaming bison or wild bison is a fallacy. There are bison in every state and Canada, and they are out of control in Yellowstone Park. We don't need any more. There are ranches that raise bison and sell them for a business. There are state parks, tourist areas and bison ranges for everyone to see. Bison need to be considered livestock, not wildlife and follow the same rules and management practices ranchers follow to be good stewards of the land. Bureau of Land Management and Natural Resource Conservation Services know year around grazing is not a good option. They also know grass needs a chance to grow and a change of pasture use is good management practice. If interior fences are removed between Bureau of Land Management and private lands, a change of seasonal use is hard to accomplish.

BLM has always supported multiple uses for many people. Snowmobiling, trapping, hunting, prairie dogs, hiking, fishing, coyote hunting and the list goes on for recreation and sportsman.

The word "indigenous" is a fancy name. It was used in support of wild mustangs before, which must not be the same as native horses because they were imported from Spain.

The time Indians depended on bison for food, they ran them over a cliff where they killed or crippled several, but here was a surplus of bison to control all the grasslands. It was part of the management plan at that time. Lewis & Clark noted on their journey they documented what a spectacular sight it was to see hundreds of dead bison hung up on the falls when they reached Great Falls. This was another part of the management plan back then. Watering livestock from a river in the winter is not too profitable.

People that sell out to the APF or APR find it hard not to take the money and leave because it is hard to face their neighbors who want to continue ranching and help feed the people who support the APF or APR idea.

Taxes on livestock are important to our economy but more so is the business ranchers do with agriculture related businesses.

*Leonard Severson
Glasgow mt. 59230*

3-29-17

Some additional comments I have are.

People who live here and help manage BLM allotments should have preference to how the (RAC) resource advisory council makes decisions on removing interior fences and allowing year around use of BLM land for the APR.

I would ^{like} to see with the new administration a letter sent to Secretary of Interior Zinke to put a stop to a tax credit to the people contributing to the APR.

Further more, stop allowing donated money to be used to buy more land for Bison. There needs to be a stop made on additional purchase of land. Already there is a shortage of grazing needed for the ranches. The APR has a very polished marketing plan with no sunset time in their plan. The APR had a goal of 10,000 bison, but once that is reached, in two years they would have 20,000 bison and need more land. It has to be stopped and maybe President Trump can help.

Leonard Swenson
Glasgow, Mt. 59230.

BLM advisory committee,

There are 2 things that I feel need to be address while considering Bison (buffalo) on the allotments and or year around grazing.

Safety: With the public using the allotments while Hiking, cycling, hunting, camping or anything else that a person has in mind (with in the law) bison (buffalo) will become a very huge concern. Out on the prairies there is no place to go for safety, no trees to climb, no barers to protect someone. When someone gets hurt where does the liability lie, the animals owners or the department (BLM). The safety issue also includes neighboring ranchers and their help when they have to remove the bison (buffalo) from their allotments.

Fencing: Through the years the BLM has developed guide lines to protect the environment, fencing of the riparian areas, grazing rotations, to keep areas from becoming over grazed and trampled. The APR wants to remove all of these fences, and graze year around. If the guide lines are not meant who will then pay for the replacement of the fences and can it be enforced. Beings as bison (buffalo) have a flight issue who would be responsible for the repairs to the fence that has been torn down on the surrounding allotments, the APR or would MT law have to be followed.

Francine Cummings, *FC*
Saco, MT 59261

March 29, 2017

TO: Resource Advisory Council Committee:

I would like to comment on the proposed change of use on American Prairie Reserve's Bureau of Land Management allotments.

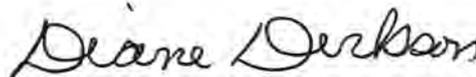
I have worked for the four Valley County Cooperative State Grazing Districts for 30 years and in the past few years, I have archived all their records. These records go back to 1936.

There are many monitoring reports, letters, etc. in these records showing that fencing, rest rotation and deferred rotation have improved the range conditions. Therefore, I do not comprehend how you can consider removing fences on BLM allotments and going to a year around grazing season. Ranchers are required to follow set dates and pastures moves, which benefits native rangeland.

American Prairie Reserve's requested change goes against sound range management, something the Bureau of Land Management (formally the Grazing Service) and Grazing Districts have strived for 75 plus years to achieve.

I hope you will deny this change of use request as you will be setting a precedent and others will follow.

Sincerely,



Diane Dirkson

Attachment:
Questions for thought

Questions for thought:

Quotes from American Prairie Reserve's official website

"As a private non-profit organization APR does not have the authority to reintroduce species to the area, even if those species were historically present. Species reintroduction falls under the jurisdiction of Montana Fish, Wildlife & Parks (FWP) and/or the United States Fish and Wildlife Service, and any decisions regarding the reintroduction of wolves or grizzlies in the region will need to be made by these agencies augmented by the will of the general public."

"The current situation in Montana, in which bison are considered livestock by the Montana Department of Livestock, is working fine for APR. APR is required by the U.S. Bureau of Land Management to pay the same Animal Unit Month (AUM) fees as any other producer to graze its livestock on public lands. If Montana Fish, Wildlife & Parks was to someday, even decades from now, succeed in reestablishing free roaming wild bison in some areas of Montana, including in the six-county area around American Prairie Reserve, APR would be fine with that arrangement as well. If it doesn't happen, APR will continue to operate under the current conditions described above."

How then can American Prairie Reserve request the Bureau of Land Management to change the grazing permit to read "indigenous bison" when they, themselves admit they are livestock?

"As a free-standing non-profit, American Prairie Reserve receives the vast majority of its funding from private contributors. About ten percent of our funding comes from private foundations interested in land conservation; about 90% comes from individuals. To date, we have received contributions from 50 states and 12 countries, and 17% of our donors reside in Montana."

If so many people are in favor of removing taxpaying families who are raising cattle to help feed the world and who are supporting the local schools, stores, churches, etc. why are so few of the contributors from Montana? A good share of these people donating money have never been here and will never come here. What will this do to the economy in Phillips, Fergus, and Valley County?

"The region possesses unique characteristics that make it an ideal location for a fully functioning prairie reserve. First, there are unusually large tracts of public land in the region, and by buying small amounts of deeded land, APR can glue together existing public lands in order to create a seamlessly managed wildlife complex. Second, due to good stewardship by local landowners, northeastern Montana holds one of the largest areas of intact prairie in the country. Habitat restoration is far easier here than in other parts of the Great Plains where much of the native sod has been plowed under. Third, numerous scientific studies have identified this region as having some of the greatest plant and animal diversity anywhere in the Great Plains. Most animal species that existed here two hundred years ago are still here, and the region is known for its diversity of prairie birds, from golden eagles and ferruginous hawks to Sprague's pipit and Baird's sparrows."

The plant and animal species that American Prairie Reserve want to "protect" have been well managed in the past and will be in the future. By looking at American Prairie Reserves pamphlets, one would believe the only reason we have the plant and animal diversity is because they have come to save the prairie. With the exception of domestic bison, nothing else has changed. The land has been well managed by the Bureau of Land Management and the ranchers. How is removing interior fences and changing the permit to year around going to improve the rangeland?

Quote from Bureau of Land Management's Mission Statement

"The BLM's multiple-use mission, set forth in the Federal Land Policy and Management Act of 1976, mandates that we manage public land resources for a variety of uses, such as energy development, livestock grazing, recreation, and timber harvesting, while protecting a wide array of natural, cultural, and historical resources, many of which are found in the BLM's 27 million-acre National Landscape Conservation System. The conservation system includes 221 Wilderness Areas totaling 8.7 million acres, as well as 16 National Monuments comprising 4.8 million acres."

If American Prairie Reserves vision of owning/managing 3.5 millions aces in Eastern and Central Montana comes true, what happens to the Bureau of Land Management's mission statement supporting multiple use? I can't imagine hunting being allowed if this becomes the "American Serengeti."

Eastern Montana is beautiful country. I have spent time in both South Phillips and South Valley County, land that American Prairie Reserve has or wants to acquire, and I love it. BUT – when it rains or snows the roads can become impassable. When the mosquitoes are thick or the temperature is extremely hot or cold – it is probably one of the last places you want to be. I cannot fathom how "tourists" are going to increase the economy of these communities. Once the ranches are gone, so will be the schools, stores, churches, etc. that they support.

North Central Montana Resource Advisory Council Meeting

Date 30 Mar 2017
Late 10:35 AM

Comments to be addressed to the council:

Your Name: Joe Yeoman
Address: 6147 Hwy 24 S Glasgow MT 59230
Phone (optional): 406-263-0080
Email (optional):

Do you wish to address the council ORALLY or IN WRITING (Please circle).

Comments:

Dept of Interior. Designed a way to protect our
grasses and land with cross fences to stop over grazing.

If you allow year round grazing what will keep
animals from roaming else where? Then who pays
for damages to people's homes when the are damaged
and who return them to pasture.

I am a huntersafety instructor what do I tell
12-14 yr old kids. When they shoot a deer and
a buffalo smells the blood and goes crazy what do
you do

Let's keep America. American !!

What will keep our tax bases of all non profits,

Joe Yeoman