

CENTRAL MONTANA RESOURCE ADVISORY COUNCIL

OCTOBER 7 & 8, 2014

Grand Union Hotel – Fort Benton, Montana

The Public Comment Period started the meeting, with Connie Jacobs introducing Randy Morger of the River & Plains Society. Randy stated the Society's goal is to preserve and interpret the heritage of this area to visitors. The three major venues the Society is responsible for are: 1) The Old Fort (1847-1865) and the fur trade era, 2) the Museum of the Upper Missouri and the steamboat era, and 3) the Montana Ag. Center and the era of homesteading, continuing through three generations. These venues, which also include Homestead Village, the Hornaday/Smithsonian Buffalo Gallery, the Joel F. Overholser Historic Research Center & Schwinden Library & Archives, together form the Heritage Complex. Mr. Morger stated that he was extremely pleased to partner with the BLM and has supplied artifacts for the Missouri Breaks Interpretive Center, as well as providing attendants to assist with projects at the Center.

Clive thanked Randy for his presentation.

Clive read over the agenda item scheduled for discussion. RAC Members absent included Jason Birdwell, Dave Reinhardt, Dana Darlington and Ron Poertner. A motion was made and passed to accept the May meeting notes.

Roundtable – What have you heard? How are we doing? What can be improved?

Mary Jones – Had dedication of cement bench and plaque in honor of Kris Moser. Mary read a thank you note from Kris's wife & family. Have been hearing some discussion on bison, sage grouse, comments on the "War in the West" article regarding the Bundy situation and strategies worked out.

Ralph Knapp – Discussions on bison, sage grouse, dissatisfaction with state ideas and hoping "feds" will do better. Bullwhacker Road and unhappiness that it's not being handled better, and lands with wilderness characteristics.

Nick Schultz – It's been pretty quiet. 8 ½ inches of rain and fixing what was wrecked has kept people busy.

Troy Blunt – Same. Really busy in the ag world since the rain. Coffee shop visitations consisted mostly of, "Have you got any combining or haying done?" Some mention of bison, Bullwhacker and sage grouse.

Wayne Fairchild – Outfitters have been busy, with use numbers up. A big concern is the "put in" at Coal Banks. Outfitters totally support fees for using the river. Volunteer Campground Hosts at Coal Banks were wonderful and very helpful. Tommy Thompson, former Governor of Wisconsin was on the River. He loved the Missouri and enjoyed the Lewis & Clark history. We had a Florida school group on the River also, that ended up getting snowed on. It was a good season.

Damien Austin – Rain and being super busy were the main topics. The agenda covers most everything – bison, sage grouse and Bullwhacker.

Jim McCollum – Primary focus on access, i.e., Durfee Hills. Questions about bison issue, but mostly what's gonna happen as opposed to what should happen.

Dan Kluck – Rain, behind in ag work, sage grouse & bison.

Hugo Tureck – Hunting season is upon us. Calling ahead for Block Management access is a big issue. Some talk of bison and CMR - Have heard both sides – more against bison on CMR. The selling off of Public Lands has been discussed, with an overwhelming saying – No! What, if any, difference is there between grazing allotments IN the Monument, versus out of the Monument? (Will be discussed later in the meeting.)

Clive Rooney – The Durfee Hills and allegation of road building & fence building on public lands, as well as the Wilkes Brothers are items of discussion. Still continue to beat the drum on BLM Planning Process. I sat in on part of 2.0 Denver Meeting on Planning. BLM has its work cut out for it to remove layers of planning instead of adding layers. Bullwhacker is a chance for the RAC to really do something. Feeling a lack of accomplishments. There seems to be an inability for completing RAC appointments in a timely manner. Some discussion about salt cedar work on the river.

Discussion of items that came up during Roundtable:

In regard to Mary's comment on the Bundy situation, Mark Albers said, the FBI is handling this and there are prosecutions coming. On the heels of the Bundy case, Recapture Canyon in south Utah, an area closed to ATV use, was in the spotlight due to 50 participants trespassing in protest. Charges came out against 5 people and the U.S. Attorney's Office is reminding citizens, there is a legal way to protest.

Clive asked where we stand with wilderness characteristics. Mark responded that the lands were inventoried and a great amount of it is protected by other designations. BLM does not "stack" designations.

Clive asked Mark and Stan to comment on flood damage. Stan responded that they had experienced their third "100 year flood" in four years! There was damage to Musselshell Road, south fork of the Judith, and they dealt with some upset bow hunters. They worked with the counties on repairs. At Woodhawk, they have ordered a concrete culvert, but it won't get in until spring.

Mark stated that south Phillips and Valley had damage to culverts. The counties did a great job of responding. There were some lost dams and road crossings, but they were able to use some emergency funding to get things fixed. There are a few things that will have to wait until spring.

Stan noted that lands with wilderness characteristics and the process of moving Lewistown RMP forward are hot topics. The number one item of interest has been lands with wilderness characteristics. Geoff Beyersdorf commented that they had received comments from Montana Wilderness Association. Their staff will be making recommendations. Three commissioners attended the meetings so they had great collaboration.

Boat Ramp at Coal Banks – Mark & Mike will address during the Manager's Update tomorrow.

Jim McCollum asked if the Wilkes Brothers fenced the entire area of the Durfee Hills. Stan replied that they had fenced some of it. He also stated that BLM has been out on the ground to see it. People have questioned if it's a "legal fence" regarding type/construction. It "appeared" they build roads, fences, etc. on public land. The fence looks like most others in Montana. They can do whatever they want on private land.

Hugo Tureck asked if there were any illegal airplane landings? Stan replied that they are to only use existing 2-track. They used smoother area next to the road, but were reminded to land only on the 2-track.

Regarding the Durfee Hills, BLM couldn't find an exchange opportunity that would benefit the public. This has been going on for three years.

Bullwhacker – We do not want to build a road, but if we have to, we will.

Four RAC Resolutions have been sent forward – Why hasn't there been a response? This doesn't seem very respectful. Why haven't nominees been vetted yet? This process goes all the way to Washington, DC. Jim McCollum stated there is a lack of responsiveness, etc. where we don't get a response. There is local agency responsiveness but whenever it goes beyond there, it causes problems.

Ralph Knapp responded that things flow downhill very well, uphill not so much.

Hugo Tureck responded that he gets the same statements about the State Government.

Nick Schultz stated that it's mostly federal problems.

Jim McCollum said there's more focus on Forest Service issues as opposed to BLM. Jim also said with all the rules, laws and regulations, BLM can't get anything done. Nothing they do is straight forward. Seem to be more worried about what kind of appeals they are going to get, rather than focusing on the work that needs done.

Clive Rooney replied that the BLM still gets things done on the ground.

Mark stated that the Forest Service coined the phrase: Analysis – Paralysis

Troy Blunt responded that bureaucratic work doesn't get things done on the ground.

Geoff Beyersdorf distributed a handout - Lewistown Field Office RMP Update – Fall 2014

LUNCH BREAK 11:30 – 1:00

Jeff Berglund and Jodi Bush of the USFWS in Helena presented "Potential effects of a Sage-Grouse endangered species listing." They are working on the Federal aspect of a potential sage grouse listing.

The U.S. Fish & Wildlife Service Mission is to work with others for protection, including all DOI – 8 Regions. We are in Region 6.

Sage grouse listing decision will include species overview, general bio. background, range (historic & current), threats, mitigation framework.

General Facts About Sage Grouse

- Currently occur across 11 states and 2 Canadian provinces
- Range: 165 million acres, 257,000 square miles (Loss of 56% from historic range)
- Sagebrush dependent
- Long-lived, low reproductive rate, ground-nesting resident game bird managed by state agencies
- Can be migratory
- High fidelity to seasonal habitat

- Annual home range can cover 230 square miles or more

Biological Background Habitat

- Sagebrush is essential
- Long restoration times: 20 to greater than 50 years depending on species & conditions
- Fire kills sagebrush
- Seed banks do not persist
- We don't know how to restore or "fix" it

Leks form where females are abundant and are indicative of good nesting habitat. 85% are within 6 miles of wet habitat. Changes in leks, reflect changes in: habitat, female abundance, loss of recruitment, health of sagebrush.

Population Trends

Estimated decline of 80 to 90% from pre-settlement numbers? Decline of 30% since 1985.

Sage grouse Management Zones & Populations

- 7 Management Zones
- 47 Populations
- Montana has 3 Management Zones
- Montana has 7 Populations

Dakotas

Yellowstone Watershed

Powder River Basin

Wyoming Basin

Northern Montana

Belt Mountains

Southwest Montana

2013 conservation Objectives (COT Report)

- Identify Priority Areas for Conservation
- Identify threats by sage-grouse population
- Identify threat strategies within & outside of PACs, what has to happen & how
- Other components for successful conservation

By state, Wyoming has the most birds with 37%, Montana has 18%, Nevada & Idaho each have 14%, with no other state exceeding 7%. Habitat is 64% Federal ownership, 31% private and 5% state. Montana core habitat is 54% private, 37% federal, 9% state.

Primary Threats

- Loss & fragmentation of sagebrush

- Agricultural conversion
- Infrastructure: transmission towers, energy development, fences, roads, pipelines
- Urbanization, ranchette development
- Invasive plants: cheatgrass, pinyon-juniper encroachment
- Fire cycle
- Lack of regulatory mechanisms to protect sagebrush

COT Report covers local and widespread threats. Primary Montana threats include: energy development, agriculture conversion, infrastructure, invasive plants, mining and improper grazing.

Great Sage Grouse Range-Wide Mitigation Framework is our Guidance Document.

Jim McCollum asked, “Where does disease fall into the list of impacts?” Response was that it didn’t rise to the level of a range-wide threat.

The Listing Process Under the Endangered Species Act – Section 4 deals with “Listing”

Determine if species is endangered or threatened.

Species definition – includes any sub-species.

Threatened – “likely” to become endangered. Endangered – danger of extinction.

- Three Ways Species are Listed:**
- Grandfathered
 - USFWS initiative
 - Petition (usual way)

Anyone can submit a petition. They look at adequacy & reliability of information and review & evaluation all available scientific & commercial data. Listing factors include: habitat, overuse, disease & predation, regulatory mechanisms, and other natural or man-made factors. Need to meet only 1 factor to be considered for listing.

In 2010 the USFWS determined that the greater sage-grouse warranted protections under the ESA. This finding was based on two primary factors: 1)the present or threatened destruction, modification or curtailment of habitat or range, and 2) the inadequacy of existing regulatory mechanisms.

- Threat analysis:
- exposure & response
 - severity & immediacy
 - temporary evaluation of threat
 - consider how conservation efforts are addressing

BLM & FS are currently revising land management planning documents.

Threatened – Endangered – Warranted – Not Warranted ????? DECISION - September 2015

USFWS currently doing Initial Collection: Requesting initial data call responses by October 31st from all agencies.

Mary Jones asked, “How long have you been working on sage-grouse?” Answer: Since 2004.

Clive Rooney asked, “What is “Significant Portion of the Range?” Jodi/Jeff responded, they are required to look at a portion and what it means to the larger portion of the range. If part was lost, what would it mean to the rest of the area? Waiting for new guidance on this.

“Take” Under Section 9 of the Endangered Species Act

The ESA makes it unlawful for a person to take a listed animal without a permit. Take is defined as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct.”

Activities that Listing Could Affect Include: development, infrastructure construction, recreation activities, grazing and energy development irrespective whether it’s public or private land.

Critical Habitat – ESA requires designation of “critical habitat” for listed species when “prudent & determinable.” Critical habitat includes geographic areas that contain the physical or biological features that are essential to the conservation of the species and that may need special management or protection. Critical habitat designations affect only Federal agency actions or federally funded or permitted activities. Federal agencies are required to avoid “destruction” or “adverse modification” of designated critical habitat.

Shawn Thomas presented a description of the State of Montana Sage-Grouse Plan:

- 1) Background on the Executive Order
- 2) Need for a State Conservation Strategy
- 3) Creation of the MT sage Grouse Habitat Conservation Program & Implementation of EO
- 4) Relationship of State Plan to BLM Sage-Grouse Management

Background of Executive Order – Governor Bullock convened the Governor’s Sage-Grouse Advisory Council in February 2013. Makeup * Meetings * Recommendations, finalized and refined recommendations and the Governor signed Executive Order September 9, 2014.

The purpose and need was to reach implementation with answers to where, who, when, and what. The Governor’s office finalized and refined the GSGAC recommendations, creating the Executive Order. Requirements of the EO in the short term include: 1) guidance to MTDFWP on project comments and 2) establishes the Montana Sage-Grouse Habitat Conservation Program. Long Term goal is to Implement the Program.

Important Aspects

- Recognize existing land uses & valid existing rights
- When State regulatory provisions become effective
- Disturbance cap
- Noise restrictions
- Buffers

BLM Coordination

- State effort has had coordination & involvement from Federal agencies along the way
- Hope to have as much consistency a cross landscape as possible
- These issues are broader than Montana. Sage grouse conservation impacts huge areas of the west

Lewistown BLM Update on Sage Grouse Plan – Geoff Beyersdorf

- Not finalized
- Waiting on information regarding disturbance caps

Mary Jones asked, “Do you basically think going through this will keep the species off the ESA list? Save money?” Shawn Thomas responded, saying that this effort will be far better if it works with conservation efforts and keeps the sage-grouse off the ESA list. Adding anything to ESA makes life more difficult. It adds more cost to everything. These strategies are much less impactful. Nobody is clamoring to get sage-grouse listed.

Jodi Bush added, “If we don’t have to list a species, but can conserve it, we’re better off. It’s cheaper and better for the bird and the people involved.”

Hugo Tureck asked if 6/10 of a mile is an effective level for disturbance. Shawn replied that it looks like what Wyoming is doing is effective.

Jim McCollum asked if some populations were more threatened than others? Is it possible to list some and not others? Does it have to be a species-wide listing or can there be a divided population listing? Jodi Bush responded that they can look at individual, population or species. They look where threats are and how impactful. So, yes, that’s an option. We can do that.

Jim McCollum questioned what their role is after, if there’s a non-listing decision. Jodi replied that they would remain involved, but with no regulatory role and work toward best conservation measures.

Troy Blunted stated, “There are 3 impacts in my area: disease, predators and hunting season.”

Jodi Bush said there needs to be a balance. They are looking at factor analysis and what the issues are on a larger scale. When habitat is good, other issues are not as much of a factor.

DOI BISON REPORT – Floyd Thompson, MT/DK State Office

On June 30th of this year, the Department of Interior released, “DOI Bison Report: Looking Forward,” a comprehensive report on bison conservation and management. The report outlines plans to work cooperatively with tribes, states, landowners, conservation groups, commercial bison producers, agricultural interests and others interested in bison to restore the nation’s bison population to a proper ecological and cultural role on appropriate landscapes within its historical range.

The report covers conservation, trust responsibility to tribes and analyzing DOI lands for placement of bison. The report is available online.

When European settlers first arrived in North America, the bison population was estimated at about 40 million. By late 19th century, there were approximately 25 left in the wild. DOI lands currently support approximately 10 million bison over 4.6 million acres of Interior and adjacent lands.

Hugo Tureck inquired, "What is the process for determining complexity?" Floyd replied, "They looked at a series of issues to look at the level of difficulty for the placement area." As an example, CMR was considered to be "highly complex."

DFWP BISON – Lauri Hanauska-Brown – Status of Montana DFWP Bison EIS, Yellowstone Bison Transfer

Her work is mostly with non-game species. Primary focus is currently on statewide EIS.

The schedule of the EIS is to develop a comprehensive plan by this winter and finalize the document by spring. There is pressure to complete the EIS because 86 Yellowstone bison were moved to Ted Turner's ranch in 2010 and are set to be returned to the state in November 2015, so they will need a place for them to go.

There is no plan for bison like there is for elk, deer, etc. Scoping meetings are scheduled on bison management. State plan is under the authority of Dept. of Fish, Wildlife & Parks. Plan is land ownership based, as opposed to numbers based.

Where are we with free-ranging group of bison? We have found that this term is unacceptable and we've attempted to remove "free-roaming" and use "managed herd" with harvesting opportunity, viewing herd, tribal herd. The goal is to get a draft out for public comment this winter.

Preferred Alternative – ask for Proposals – Full Analysis (EA) – another Public Process

Programmatic EIS – no specific sites or numbers.

Jim McCollum asked when and where the next meeting is. Lauri replied that it will be in Great Falls at the Holiday Inn on October 9th at 9:30.

Clive questioned if there was a "no conflict" alternative? Need a place on the landscape to hold genetically viable herd (400-1,000) and little to no livestock conflict. Need to define definitions used.

Jim asked if containment/confinement is an option. Again, need definitions.

Turner Bison – Quarantine Feasibility Study

Where should they go? 10 proposals received, 4 being looked at. The 4 proposals are: Fort Peck Reservation, Utah-2 herds, Oklahoma Reservation (genetic diversity), and a consortium of zoos.

Troy Blunt asked, "Who bears the cost of the quarantine facility?" Lauri Hanauska-Brown replied, "APHIS & Yellowstone NP."

The EA is expected by the end of October and the statewide EIS this winter, with a final in July 2015.

Hugo asked if there is any concern that elk will contaminate bison? "Possibly." Lauri replied.

Stanley Jaynes asked, "Is it mutually exclusive to have genetically pure herd on the same landscape with cattle?" Most on conservation land now, aren't pure. Lauri responded that they would be looked at for separation.

Hugo asked, "How is it working out with the buffalo going to the tribes? "It depends who you ask." Lauri responded.

Clive Rooney asked Mark Albers if bison is addressed in the RMP. Mark replied that they are looked at as livestock. It has not been studied because there has been no one in the area with them.

RAC Reconfiguration Discussion

A meeting of the 4 **Resource Advisory Councils** was held and there was discussion to change the reconfiguration, terms, etc. of the RAC. Alternatives were mailed out and no decisions were made. Alternatives included:

- 1) Status Quo – same as we've done (Problems w/recruitment & SLOW approval process)
- 2) Keeping 4 RACs – but going from 15 to 12 Members each
- 3) Keeping 15 Members but increasing their term to 4 years
- 4) Having 3 – Western/Central/Eastern MT/DKs
- 5) 2 RACs – Montana/Dakotas
- 6) 2 RACs – East/West
- 7) 1 Statewide RAC

Clive commented that rather than fixing the problem of getting approvals done quickly, it's going backwards.

Mark felt it depends on the issues going on at the current time.

Jim asked if it was possible to redelegate the authority to the states for getting approvals completed on time. This was looked at, but should be revisited.

Mark suggested an 8th Proposal – Put RACs under the State Director and keep the process contained within the organization.

Clive commented that something has to change with the appointment process.

No Action was determined. It was suggested that everyone give it some thought and it would be discussed again.

Nick Schultz said, "I hate to sit on a Board and just wait. I agree with Mark's idea."

Mary remarked that she would like results from "sub-groups" come back to the RAC group.

Any motions on the RAC configurations?

Jim responded with: 4 people from 3 categories for 4 years. Mark said we need to stagger the years. Nick suggested that the State Director could change that. Having the state as the selecting authority would be a benefit. Jim suggested putting all ideas into 1 resolution and so made the motion. Only if it had national importance would it need to go past the State Director. Troy seconded the motion

THREE PARTS:

A) 4 Year Term

B) 4 People – 3 Categories

C) Answers to SD & Appointed by SD

Where would applications go? - To the State Director and District Managers

Cost to take out DC Level?

Stan asked if the RQC wanted to have Mark check into this alternative or wait 3 more months and take more time to do something? The RAC requests the Designated Federal Official (DFO) to check into recommendations and tabled the motion until the next meeting.

BOAT RAMP & FEES FROM IRON RANGER – Mike Kania & Mark Schaefer, Monument Staff

Fee for use of the River - \$5 use fee per boat. BLM has had significant cuts. We have 2 River Rangers but need at least 4. We tried the donation boxes and received \$3500 as of July 1st. Recovered \$700+ for July/August/September. This just isn't enough. We'd like to request to **charge \$5 by the boat + \$5 per day**. 1700 watercraft were reported over the season. An average stay is 3 days on the upper portion of the river and 4 on the lower. Approximate proceeds would be \$26-27,000. We'd be looking at needing a tag that can be seen from a distance.

Troy asked if this would be a day user fee, but not for outfitters. Is there a possibility for a season pass for outfitters?

Wayne Fairchild replied that outfitters don't mind paying a fee, but they are getting dinged twice – 3% outfitters pay. Mike Kania asked if perhaps they could have people pay BLM fee separate from payment to Wayne as an outfitter.

Mark Schaefer responded to Troy's question that he is not opposed to a season pass.

Discussion – per person/per day OR per boat/per day. Also discussed was possibly having a day use only boat launch fee of \$5 or a \$4 per night fee. Ralph agreed with Mike Kania, there are two different populations & times of the year being used.

Proposal: Day use - \$5/per boat launch

OR \$4/per person/per day

Hugo made the motion to pass this proposal, Troy seconded. The motion passes.

Regarding the Boat Ramp, the BLM is looking at purchasing land directly west of Coal Banks.

Jim asked what the cost was to use the dredging process. Due to pallid sturgeon use in this area, that option is not available. What is the alternative? Mike Kania replied, "Purchase is preferred." However, Mike, as Monument Manager, is prohibited by the Management Plan, to contact the landowner.

When Clive asked how many acres we'd like to acquire, Mike responded that three to five acres would be preferable. Troy asked about the possibility of a long-term lease. It is possible, but it's not a good deal for the landowner and it's unusual to do.

Clive questioned if BLM has the money to buy it? Mike replied, "No, but looking at possibly using an emergency fund because there is a dire need for this."

It would be a win/win to get this land to be able to work on a new boat ramp and to extend the camping area. Clive will look into contacting the landowner for Mike Kania, who due to rules written into the Monument Plan, is not allowed to directly contact the landowner.

DAY TWO – OCTOBER 8TH

District Manager's Update

Stan Benes stated that he still enjoys starting his day as a public servant and as the Lewistown District Manager. On an average Wednesday, after all these years, he's still anxious to get to work. He enjoys the community, customer service and common sense.

Four Priorities for 2015:

- 1) Sage-grouse EIS – this has taken a tremendous amount of work and time.
- 2) 5 Year Review of Montana's RMPs – final in a few weeks, recommendations for change, possible plan amendment.
- 3) Lewistown RMP –through the scoping process, on aggressive schedule, good team doing good work with target completion the end of the calendar year.
- 4) Litigation – 2 remedy assignments: a) Woodhawk Watershed allotment – No grazing/limited grazing alternative. b) Class III Inventory for Roads in Monument.

Current issues continue with Buffalo Wallow and a couple rancher litigations. Four to five years ago, we didn't see much of this. Now we see more challenges, there are budget limitations, less staff, having about 1/3 of the people we had, sequestration is not dead, and will affect us. We need a warehouse for storage of boats, mowers, etc. and need funds for this.

There's a challenge for BLM being relevant with discussions of federal lands going to the states. Our job is to let the public know we ARE relevant. So when they ask, "What have you done for me lately?" we need to remind them of the habitat for hunters, AUMs for the ranchers, trails & rivers for the recreationist, energy for the general public. For every \$4-5 made, we get \$1 and the rest goes in the coffers.

Mark Albers gave an update on the Hi-Line RMP. We are in a holding pattern due to sage-grouse – otherwise, we are ready to go. The "drop-in" language from the Department, is not an easy change. Sage-grouse on the Hi-Line consists of 2 subgroups, estimated at 10-18,000 birds, mostly in Phillips and Valley counties. Montana includes 18% of the population on 1.4 million acres of priority habitat. Regulatory certainty – BLM is doing "this" throughout the range. Priority habitat is closed to geothermal. There are 289,000 acres of general habitat. No Surface Occupancy has been reduced to 6/10 of a mile of leks. The CSU has been replaced – domestic habitat 2 mile CSU with timing restrictions. We are almost 8 years into this and continued changes keep coming from Washington. The Record of Decision for sage-grouse, will be signed in 2015. May be moving signing up the line. Usually it's Mark, but may be moved to Jamie.

Mary Jones asked, "Do you have oil and gas up there?" Mark replied that the Hi-Line District includes the oldest field that's been there since the 1920's. There hasn't been much expansion. Bear Paw South – leased but not developed. There has been a lot of drilling on the hi-line – speculation that the Bakken extends over, but it hasn't panned out.

Clive asked if there are any gas wells. There is one on the Blackfeet Reservation just completed last week. A number of APD's have tanked. Great Falls Field Office staff is assisting on the Bakken.

Clive questioned if there was any activity on bentonite claims. Mark responded that there is 1 in Valley County, but there is not a huge interest.

The Hi-Line District has experienced a lot of turnover in the past year, i.e. 2 range positions in Havre, 2 positions in Malta, but we've had pretty good lists of prospective employees.

Hugo asked how allotments inside the Monument are treated differently than those outside the Monument? Mark replied, that there was no difference from his perspective. Mike Kania replied that the rules are no different. Stan Benes responded that he didn't recall that there's any difference.

Mary stated that some of the campgrounds were over-run with weeds and asked if the camp sites are cleared or mowed. Mike Kania answered that Kenny Keever, Monument weed specialist, spent a lot of time on weeds. The risk of tamarisk, or saltcedar, posed more of a risk so there was less time on spraying. Mary asked if there would be any more spraying before winter. Mike responded that it was too late to spray any more.

Bullwhacker Access Proposal

Stan Benes gave the RAC an overview: Dan and Farris Wilks, two Texas brothers, bought the 62,000 acre N Bar Ranch in Fergus County for \$45 million. The Wilks brothers made their money when they went into oil & gas, starting a company called Frac Tech. In 2011, they sold their company in a deal, reportedly worth \$3.2 billion. Stan said that he met with Farris Wilks and the brothers took all the allotments that were tied to the land they bought. Mr. Wilks asked if the BLM ever considered land exchanges. Stan responded that BLM would like to consider that. BLM owns about 2500 acres in the Durfee Hills that are landlocked within the N Bar Ranch, with no road access. A list of 6 places was put together, with Anchor Ranch on the list. The Wilks Brothers bought Anchor Ranch.

With islands of private within large area of public land AND large area of public land within large area of private – it's worth looking at an exchange.

There had been historic public access on the Bullwhacker road since 1912, but a judge ruled against us leaving 60,000 acres cut off without access.

Options sent to BLM, from the Wilks, offered to exchange 23 units. Stan informed them that they needed to come with a formal proposal and if there wasn't historic public access, don't even bother. The formal proposal made it to the Billings Gazette. Restoration of access was the whole purpose from the start.

The last land exchange took seven years and consisted of exchanging 80 acres for 80 acres.

Rocky Mountain Elk Foundation with 200,000 members – didn't want to give up land with second largest elk herd. No public support. Want to restore access as soon as possible but what started out with access, moved to elk, then to rich people buying up Montana.

For three years we tried to get the Wilks to entertain offering land attaching Big Snowy's & Little Snowy's, but nothing worked. Now we are looking at other options. We do not want to build a new road. Stan still thinks if the right people were around the table, we could get a win/win.

We are looking at 4 Options:

- 1) East of Bullwhacker parcel
- 2) West of parcel – Red Coulee
- 3) Spencer Ridge – cross private – Square Butte Grazing Association
- 4) No Action

Hugo stated, there has been so little accuracy about this. A hunter had a petition for people to sign. There's no way BLM should give up land to get access. Didn't know a land trade was involved. So much misinformation. Hugo said he wouldn't have signed the petition, if he'd had all this information.

Mike Kania – This is a very large project and a very large landscape. The original road was put in the right place, down the spine and has held through all these years. There are coulees cutting to the east & west, which makes a physical challenge.

Spencer Cow Camp Trail – Private land issue, through ACEC, cross Cow Creek, very large drainage with huge difference in flows, physical limitations.

Not much room to the west.

East side has a lot of coulees running through it, steep badland gumbo

Each route is approximately 5 miles.

East route looks reasonable, but wide open. Some issues include physically crossing 2 coulees, sage grouse issues, visual resources impacted, readily visible.

Existing routes – shadows of bygone past trails. Just 2 tracks, so anywhere would be virtually new construction. Encumbrances of resources. Monumwnr Proclamation notes, wildest area on the plains.

First step is the EA – looking at all physical alternatives and if it's feasible from an engineering standpoint. The West alternative is heavily timbered, the East is open and includes coulees and the third option runs parallel to the property line on the east side. Flagging of all 3 routes will be completed by mid-November. Three Public Meetings are scheduled: December 2nd – Great Falls, December 3rd – Chinook and December 4th – Lewistown.

The road needs to be designed well, we want a road that lasts. Analysis will take as long as it takes.

Mary asked if there wouldn't be walk in? Yes, but we are looking to restore motorized access.

There is a long list of opinions. We are looking at "no net gain", i.e. build 3 miles of road, close 3 miles of road.

Troy Blunt asked, "Of all 4 options, do you have a feeling which would be the most sustainable?"

Mike replied that it would be a toss up between East side and West side. No matter which one, it will be expensive....several hundred thousand to a million dollars.

PUBLIC COMMENT PERIOD

Beth Kampshire, Executive Director of Friends of the Missouri, a non-profit that supports the Missouri, was the first to address the RAC. Their organization planted 50 cottonwood trees at Dark Butte, cleaned the White Cliffs area of the River, helped clean campground areas and were able to fund a staff person to manage volunteers. They raised \$20,000 for PPL Montana to hire MCC crew to identify salt cedar and pulled 500 plants. Beth commented that if they raised the money and had volunteers, they could get a good handle on the weeds infestation. She commented that next year they will do the same, pulling weeds, building fences, etc.

Randy Knowles of Great Falls addressed the RAC next. He has done research, primarily on access. He has an economics degree from Montana State. He showed the "Guide to Montana Pronghorns – come to Montana and Hunt" saying that the average person hears "public lands" and things it's a dream come true, with no fees to pay, etc.

Randy said that the Great Falls Tribune had an article stating that when it came to "Who pays taxes" it showed the city with 47% and the country with 6%. He said it's a hobby to see how big ranches offer their places for sale. If you read the description, it looks like they are selling wildlife & public land. When making decisions on a map, some don't look at lines, they think about where the animals live.

Usage of motorboats is down – going to canoes & kayaks instead.

Great Falls is adapting to bicylists. More people are vacationing with their bikes. They drop 3X more money than hunters. Recreation is a big deal.

Access – he's hunted everywhere north of the Missouri River. Took his Dad hunting the last two years by pickup. He has a great appreciation for people who can't do the stuff they love due to being handicapped.

In 2003 15% quit hunting due to lack of public lands. He feels we are underutilizing eminent domain in Montana.

Loves the analogy – what if we hadn't built a road through Glacier Park?

Lincoln said – The greatest good for the greatest number. Habitat is sportsmen's #1 and access is #2.

NEXT MEETING DATE & AGENDA

Next meeting was scheduled for January 21st & 22nd in Lewistown.

Items on the agenda include:

- 1) Bullwhacker
- 2) RAC Structure – Mark
- 3) Lewistown RMP Update
- 4) Follow up on Boat Ramp & Land Acquisition at Coal Banks