

**Central Montana Resource Advisory Council
Minutes of January 15-16, 2003 Meeting
Chinook, Montana**

The meeting commenced at 1:00 p.m. in the Chinook Motor Inn on Wednesday, January 15, 2003. Present were Bob Doerk, Glenn Terry, Darryl Seeley, Arlo Skari, Charlie Floyd, Bill Cunningham, Art Kleinjan, Joy Crawford, Jim McDermid, Larry Ostwald, Francis Jacobs, Stan Meyer and Dale Slade. Absent was Randy Gray.

Present for the BLM were Dave Mari, Bruce Reed, Richard Hopkins, Lou Hagener, Jodi Camrud, Gary Slagel, Chuck Otto, Kaylene Patten and Kay Haight. Also visiting were Valerie Kopcsó and Jill Houtzel.

Public Comment Period

Three members of the public offered comments, which are attached to these minutes.

Welcome/Chairperson Synopsis/Meeting Minutes

Kaylene noted that a letter was sent to the chairpersons of the other Montana RACs, per discussions at the last RAC meeting, urging that the Off-Highway Vehicle EIS/Plan Amendment record of decision be signed.

Minutes of the previous meeting were approved and signed. Dale Slade welcomed everyone to the meeting. No response has been received to the December 17 correspondence with congressionals.

Bill Old Chief has resigned from the RAC. The nomination process will be opened up to replace his spot in Category 3 (public at large, state and local government, tribal interests, universities). A Federal Register notice is being prepared to begin the nomination process. The replacement will complete the balance of Old Chief's term, which is about two years.

National RAC Meeting

Stan Meyer reported on his attendance at the first national RAC meeting, held at the BLM National Training Center in Phoenix. Kathleen Clark, Director of the BLM, was very involved in the meeting, as was Tom Fulton, Assistant Deputy Secretary of the Interior Department. Stan reported that Kathleen emphasized community-based conservation and the 4 Cs: cooperate, consult, communicate, in the name of conservation.

There are 26 RACs in the west, and all were represented at the national meeting. The off-highway vehicle EIS, which has been on hold in the Washington Office for two years, was discussed.

Tom Fulton stated that Interior would set up a RAC coordinator office in DC. A national web site will also be established in the near future.

Stan voiced his concerns at the national meeting about the political aspect of appointments to the RAC. If a RAC member comes to the table with a hardened point of view, it is impossible to reach consensus with other RAC members. Another concern he voiced was the RAC's willingness to deal with particularly controversial issues such as the Monument boundaries, and in retrospect the RAC should have made boundary recommendations.

Sage Grouse Management Plan

Bruce Reed, Malta Field Office Manager, reviewed the history of sage grouse discussions and recommendations by the RAC over the past two years, as well as the long-term objectives stated in the draft plan. It was noted that RAC members have not received copies of the draft sage grouse management plan.

Parties in the plan are MFWP, DNRC, USFS and BLM. When project decisions are made, the management plan will be one of many, but not the only tool that BLM will use to make Federal land management decisions. Two

handouts given to RAC members were Frequently Asked Questions and a Montana Sage Grouse Work Group Fact Sheet.

John Lacey

John Lacey spoke from a landowner's perspective on seven issues related to the draft plan:

- Landowners appreciate the work of the Sage Grouse Work Group
- Landowners support the concept of local working groups
- The sage grouse plan misunderstands and/or ignores range science
- The sage grouse plan is a land grab
- The sage grouse plan ignores the threat of predators and hunting
- WAFWA guidelines are inappropriate for eastern Montana
- Literature review is inadequate

He concluded that, because of these concerns and major deficiencies, the plan is flawed and recommends it be rewritten.

Questions from the RAC:

Is a four-inch height acceptable? Yes, for big sagebrush.

Who is behind the land grab? Means whoever is pushing philosophy that sage grouse needs protection and the way to do that is to nurture every sagebrush plant in Montana.

What is the timeline? A public comment period is ongoing under MEPA/NEPA.

Who did the Wyoming study? Holleran. Will e-mail address and phone number to Kaylene.

Is this draft so bad we should throw it out and go for endangered species listing? We want it to stay out of the courts and hope this can be rewritten in a timely manner to avoid a court procedure.

In the overall MEPA management process, is it possible to write a regional plan with guidelines varying by region? Yes. There are climate and vegetation differences across the state.

How are sage grouse doing in south Valley County compared to years ago? The older ranchers and others say there were far greater numbers in the past (30s through 70s).

What do you attribute changes to? In south Valley County, no large herbicide applications, no conversion to cropland. Habitat fragmentation has had no impact. The changes are caused by predators (raptors, seagulls, Richardson ground squirrels, etc.)

Fire causes loss of sage grouse habitat, according to Dr. Wambolt. Do you agree? Would not make any blanket statement that it takes big sagebrush a long time to come back after a fire.

Jeff Herbert

Jeff was unable to attend, but his prepared remarks were read by Darryl Seeley. Highlights include:

- Sage grouse conservation strategy is very important but we need to think more broadly.
- We have an opportunity to initiate efforts that focus on a landscape approach, considering not just one species but a cross section of wildlife and human uses that are rolled into this diverse part of the state.
- Need to develop plans that are effective in conserving the plains ecosystem.
- We need to recognize that while developing plans for individual species such as sage grouse is an important exercise and accomplishment, it is a defensive strategy.

- It cannot be an agency-only effort.
- We need to keep agribusiness at the table.
- It would be well to get a holistic planning process afoot.
- To begin it would be best to start with bite-size chunks, something more manageable where progress can be tangible.
- The “Blackfoot Challenge” group is a model of success for this type of program.

Questions from the RAC:

Is the cooperative approach he is talking about being taken care of by local working groups? To some extent it is, but what he is referring to is taking a cooperative approach on the entire ecosystem, not just for specific species.

Mark Goetz

Mark Goetz, a private consultant on grazing issues/ruminant nutrition and not affiliated with the National Wildlife Federation, participated in a sage grouse working group from an agricultural perspective.

- Most of the complications and disagreements occurred between agencies, not individual participants.
- As a result of the working group, people now understand that grazing can be very beneficial to the land.
- The goal of the working group was an implementable plan. The Connolly paper (WAFWA guidelines) was recognized by the group as state of the art and for that reason was included in the draft plan, although the group recognized that it did not apply to all regions.

Questions from the RAC:

Are you saying that the seven-inch understory is not a mandate? Yes. Those numbers are in the draft plan, but are not the whole picture and are not listed as mandates.

Couldn't the working group use these guidelines just as guidelines in an area that can never have seven inches of growth, modify it to what is feasible for the area? Yes, the working groups will put that together.

If it says in the document seven inches, and five inches is all that is possible, doesn't that open it up to lawsuits? Without a legal background can't address that. The expected issuance date for the final is May, and only five days are left in the comment period. The draft can be changed if comments warrant.

If enough comments are adverse to what the RAC recommends, our wishes won't matter? That's probably true.

If the plan comes out in the final form saying, for example, that predators and hunters are not having any effect on sage grouse habitat, does that mean that agencies will simply eliminate predators as having any effect on sage grouse habitat? Local working groups will still be able to work on predator issues, even though predators are not identified as having an effect on habitat. We do not have the science to back up a statement that predators are a major issue.

What agencies are going to sign off on the plan? Fish and Game, BLM, Forest Service, State Land Board. The power of the document is in the local working groups.

Where did the 27million acre figure come from? Is there scientific data to back up that number? It is a fuzzy number from surveys, GIS map plots. Include that in your comments.

Is it true that without sagebrush, you won't have sage grouse? Yes.

Jim Knight

Jim Knight, a professor at MSU, was the next to offer comments.

- We must address both the biological and social implications of wildlife management decisions.
- This plan was put together because it was a necessary step to keep sage grouse off the endangered species list.
- When you have a group putting a plan together, you look for win-win strategies. That is flawed because the right thing may not make it into the plan.
- What we have in each separate site may not be the same for all areas in Montana. The seven-inch stubble height maybe should say four to eight inches. It leaves a lot of room for interpretation, but the plan allows for some flexibility.
- Currently we have the highest numbers of birds and cattle/sheep, etc. in Montana right now, so why is the plan so focused on the livestock grazing; maybe this would be a benefit to the cattle industry.
- We know that the golden eagle is the highest predator for sage grouse of chicks, and we can't ignore the predators. We have to find a solution.
- We need to look at the real cause and not look at the symptom (i.e. predators). You need to enhance the habitat.
- Without a doubt sage grouse depend on sagebrush habitat, but you need to look at the sage grouse nutrition that they need. Forbs are very important during certain times of the year.
- We could make better sage grouse populations if we looked at the chick mortality rate and their protein diets. 63% of chicks are dead by the end of the summer.
- Sage grouse must have the forbs to survive.
- Nothing says we have to remove cows from nesting areas, but we need to leave forage enough for the screening of nesting habitat.
- 15% is needed for nesting habitat.
- We need to talk more about how to stimulate sage grouse habitat.
- We need to concentrate on having forbs available for pre-nesting hens. Dense, ungrazed vegetation is avoided by broods, as are overgrazed meadows. They look for patches of brush.
- When hunting sage grouse, it is not possible to see the difference between males and females (unlike pheasants). We should encourage hunters to not harvest more than 30% of any one covey.
- We need to have smaller management areas for sage grouse in order to better control hunting harvests.

Questions from the RAC:

Did you work on the plan and were you consulted? No, I went to a couple of scoping meetings and have provided information to anyone requesting it.

Do you think the plan could be revised as suggested today? The plan could be revised to address some concerns, although not everyone's can always be incorporated.

Would it take another two years to revise the plan? No, concerns could possible be addressed in a couple of weeks worth of work.

Would you comment on this? I sent a letter in after one of the meetings. I would be willing to look at any ideas and comment on them.

What is the name of your book? Wildlife Management for Montana Landowners. It should be out this summer.

Your presentation has brought together some of the far-reaching views heard today.

You commented on the relationship between livestock grazing and sage grouse habitat. We somehow need to knock down old, decadent grasses. What is the best way to get rid of old sagebrush? Use bush hogs to mow, burn, chaining, all in patches. Livestock grazing is a cheaper method. Grazing takes old decadent grasses and allows forbs to come up. It does not occur in patches, however.

Brendan Moynahan

Brendan Moynahan is a PH.D. student from the University of Montana biology program. His focus is on research taking place in south Phillips County, on the fundamental assumption that habitat is tied to population issues in terms of increasing/decreasing survival and introduction rates.

- Sage grouse is North America's largest grouse. They are sagebrush obligates, in migratory and non-migratory forms. Most birds stay within 4-10 miles of leks.
- The main suspected culprit for decline in population is loss of sage grouse habitat.
- Estimated existing numbers are 40-60% lower than historical numbers.
- ESA petitions were filed in summer 2002.
- Information limitations include narrow focus of studies, and a lot of variation in terms of space and time (migratory vs. non-migratory, varied conservation pressures across regions, etc.)
- No current understanding of interaction between population affected by management actions and habitat we are managing.
- Current approaches to monitoring and conservation are: population-based (lek counts, listening routes), demographic studies; habitat-based (telemetry, sagebrush mapping, sagebrush/shrub-steppe conservation).
- Trends in habitat selection research: correlative models, density-dependent models, models that question "ideal" and "free," and incorporation of habitat and demography into conservation planning
- Questions for his research are: What are the relationships between detailed population dynamics and landscape-scale habitat condition? Do these relationships change as habitat varies at the landscape-scale?
- Study site selection was based on information on hand. Lek locations were identified, 5 km buffers were placed around the leks. The areas which had overlapping buffer zones were determined as using the same habitat (within 10 km of each other).
- Current study sites are a mixture of BLM, CMR and private lands.
- Habitat measures are sagebrush canopy cover, grass height and density, and forb canopy cover.
- Access permission from over 30 private landowners. Bulk of funding for research comes from congressionally appropriated fund. Also receive money from Boone and Crockett, MFWP, CMR, BLM.
- The population decreased in 2001 and increased in 2002. Clearly precipitation has a huge effect.
- His e-mail address is moynahan@selway.umt.edu.
- Adult sage grouse survival is very high. The bulk of predator mortality on adult birds is in the springtime when birds are sitting in the leks. Could be crows, magpies. Most egg losses due to predators are from avian predators.

Questions from the RAC:

Are hens nesting close to leks? Most of hens being tracked are nesting 3-5 miles from the lek. Birds nest in a variety of areas.

What is dry winter doing to the populations? Once they get past two weeks of age, survival rate is extremely high. They are well adapted to dealing with harsh winters.

Is a lek the center of activity? Males continue to use the same lek year after year, and females will move from lek to lek.

Scott Cassel

There is an outline of formal criteria that must be met to preclude listing as an endangered species.

Deliberations

In response to a question from Kaylene, the RAC agreed to deliberate now, rather than in the morning.

Jim McDermand: Section 2, page 10 statement. If the RAC endorses the BLM statement, that would be sufficient. Key items are provide meaningful framework, use local groups.

Bill Cunningham: Page 11, 'should not be mandatory.' May elevate, place in bold print and move to the front of BLM verbiage.

Stan Meyer: This is a workable statement that BLM has prepared. I would like to add two or three statements that strengthen flexibility, community-based conservation and deal with questions raised by John Lacey.

Art Kleinjan: What if the work group changes something in the plan? I would like to see habitat enhancement in the plan. If there are changes and we have endorsed this plan, what happens? Will BLM endorse the changes?

Jim McDermid: By endorsing this, we would have the flexibility because of the statement “none should be construed as mandatory.” Even if we endorse this, BLM would be flexible enough.

Francis Jacobs: I would like to hear what Dave and Bruce have to say.

Dave Mari: Our State Management Team had discussions on the plan, including concern with WAFWA guidelines. Groups have sometimes viewed guidelines as mandatory actions. That was the reason for language the managers insisted be included. If putting it up front emphasizes it even more, that would be great. While this plan satisfies MEPA, it does not fulfill BLM obligations under NEPA. Further analysis would be needed. Also, the Washington Office has formed a team to provide guidance at a national level to provide consistency between states. Would suggest habitat enhancements come through the watershed planning process, or whatever process is used to deal with Standards and Guidelines.

Bruce Reed: This is a meaningful framework and is also a toolbox. This is only one of an array of tools. As we go through the planning process, we must look at the entire area of conservation planning. We don't want this plan to be the thing that drives us, but simply one consideration.

Arlo Skari: (To Jim McDermid) From the permittee standpoint, would it be voluntary and not mandatory?

Jim McDermid: The plan would keep it off the Endangered Species list, but gives flexibility that people were discussing. .

Arlo Skari: Who would be in working groups?

Bruce Reed: Any affected parties. FWP, BLM, ranchers, etc.

Art Kleinjan: One of presenters said 43% of nests in Grand Teton were destroyed and there was no grazing. If anywhere near a true statement, there has to be something in the plan (scientific data) that predators do affect habitat.

Bob Doerk: In Section 5, page 1, hunting and predation are considered as a risk. Grazing is viewed as both positive and negative. Overgrazing is not good, but a certain amount of grazing is positive. If we can go along with idea that this is just a guide and the local working groups will be dealing with the specifics, we should make it so nothing is absolutely mandatory. The language in the plan covers all the bases. The goal is to keep it off the endangered species list.

Francis Jacobs: In our area, we have the Judith-Valley-Phillips Resource Management Plan. It is a good management plan and we don't have to alter it at all for sage grouse. The numbers are coming back.

Darryl Seeley: If this is a guideline and can be overridden by local groups, a reason to support this guideline is to avoid having them listed. If I were in favor of a listing, I would not support the plan.

Charlie Floyd: Is it a realistic expectation to have local working groups tailor plans to each area?

Dave Mari: From the working groups we will not get something like Standards and Guidelines, but they will have consistency.

A motion was made by Stan Meyer and seconded by Dale Slade to endorse the BLM statement in Section 2, pages 10 and 11 of the plan (the entire statement). Consensus was reached.

The second part of the motion was to add three sentences:

- 1. “Local work groups must have decision making authority to adjust plan guidelines in accordance with the area’s environment.” Consensus was reached.**
- 2. “Sage grouse recovery is dependent on community-based conservation; it is impossible to write one set of guidelines that are applicable to the widely varying conditions of the western states.” Consensus was reached.**
- 3. “The impact of climate, drought and predators shall be considered.” Consensus was reached.**

Discussion: This would not change Standards and Guidelines. It adds another “tool.” All comments need to go to Fish, Wildlife and Parks, with a copy to BLM (Dave Mari and Montana State Office).

The meeting adjourned for the day at 6:40 p.m.

**Central Montana Resource Advisory Council
Minutes of January 15-16, 2003 Meeting
Chinook, Montana**

The meeting commenced at 8:00 a.m. on January 16, 2003. Present were Bob Doerk, Glenn Terry, Darryl Seeley, Arlo Skari, Charlie Floyd, Bill Cunningham, Art Kleinjan, Joy Crawford, Jim McDermand, Larry Ostwald, Francis Jacobs, Stan Meyer, Randy Gray and Dale Slade.

Present for the BLM were Dave Mari, Bruce Reed, Richard Hopkins, Gary Slagel, Chuck Otto, Lou Hagener, Jodi Camrud, Wade Brown, Craig Flentie, Shannon Iverson, Bob Bahr, Kaylene Patten and Kay Haight.

Public Comment Period

Five members of the public offered public comments, which are attached to these minutes.

Sage Grouse Management Plan

Kaylene asked for a clarification on language in the RAC's comment letter on the draft plan. Regarding the language that local work groups must have decisionmaking authority, Stan Meyer expressed two concerns: that the local work groups must have respect and some level of authority so they will cooperate; and that they have muscle so we don't encourage an endangered species listing.

A motion was made by Stan Meyer and seconded by Jim McDermand that the first sentence be dropped and the last two be retained. The motion was withdrawn following discussion.

A motion was made by Francis Jacobs and seconded by Bill Cunningham to remove the word "authority" and replace it with "input." It would read, "Local work groups shall have input into decision making to adjust plan guidelines in accordance with the area's environment. A second change is to revise language at the end of the second sentence ("of the western states") to "within Montana." Consensus was reached.

The letter was revised to reflect the changes.

Field Managers Updates

Dave Mari gave an update of activities in the Lewistown Field Office.

- A graduate student has requested a list of RAC members who would be interested in participating in a telephone interview. She is working on a Master's thesis which focuses on the effectiveness of RACs as a means of getting the public involved in public land management and decision making. RAC members agreed to participate.
- Blackleaf update. No funding commitment has been made to date for preparation of an environmental impact statement. We are working on a contract for a wildlife inventory. The new team leader for the Blackleaf project is Lynn Ricci.
- Dog Creek Wilderness Study Area. A discussion took place at the last RAC meeting about a potential trespass road. The road was GPS'd and determined to be on private property, so no trespass occurred.
- The Wilderness Society met with the National Landscape Conservation System office in Washington and brought up three concerns which BLM will be responding to.
 - Maintenance on Knox Ridge Road.
 - The power plant ferry road, which was bladed by Phillips County.
 - Cow Island Road.
- A trespass issue has been ongoing for several years that involves a grazing permittee, and a notice of impoundment will be issued later this month that will be valid for one year. A decision will be made later this month on whether to cancel the permittee's grazing preference. BLM has contacted congressional, state and local officials and key groups on this situation.

- Interpretive Center at Fort Benton. BLM is currently at an impasse on the issue of locating Monument staff in Fort Benton in turn for deeding over the property for the Interpretive Center. The new State Director will be meeting with the mayor and Fort Benton River and Plains Society to continue the dialog. Contracts are being held up until this is resolved. We have probably lost the opportunity to have a facility opened in time for the 2005 Signature Event.

Bruce Reed

- The new State Director, Marty Ott, comes to BLM from the National Park Service.
- The budget is not yet funded and BLM is operating under a continuing resolution.
- BLM is continuing to work with permittees concerning the drought.
- The Region 6 prairie dog plan is in the development process. It will be tiered off the statewide prairie dog conservation plan. The prairie dog mapping in Phillips County is complete and data being analyzed
- 21 ferrets were released on the 40 Complex in September.
- The Montana Shooting Sports Association filed suit against BLM last year. The BLM subsequently rescinded the shooting closure after state laws covering the situation were implemented. A judge's decision on the suit is pending.
- Fuels thinning projects around Zortman/Landusky have been completed.
- Mine reclamation is ongoing. Forfeited bond money will be used up this year. A shortfall of \$33 was identified in the SEIS. \$22 million was for reclamation, \$11 million was for trust fund to fund water treatment into the future. The RAC discussed addressing a letter to the congressional delegation supporting funding requests of BLM and Tribes.
- The lawsuit between the Interior Department and Fort Belknap on the violation of trust responsibilities is ongoing, and is scheduled for trial in March.

Evaluation of Future Subgroup Focus

Wade Brown asked the RAC if there are any projects or tasks the subgroup should take on. If not, the subgroup will continue to focus on finishing up standards and indicators, the allocation issue, and educational strategies.

A motion was made by Bob Doerk, seconded by Jim McDermand that the subgroup continue to focus on finishing up standards and indicators, the allocation issue, and educational strategies; in addition, assess the use of campsites along the river, and collect data on motorized vs. non-motorized use on the river. The subgroup will then develop a list of issues for discussion and recommendation by the RAC. Consensus was reached.

RAC Questions/Comments:

Would subgroup recommendations surface in the RMP? In general, everything done with U of M and the subgroup is making everything we do in the RMP easier. Everything will be carried into the RMP process at some point in time. For example, campsite monitoring system, standards and indicators will all be in place.

What about motorized and non-motorized recreation on the river? Can that be looked at in more depth by the subcommittee or integrated into other categories they are already looking at? They are mainly looking at gathering data and information and possibly recommendations to the RAC and, if appropriate, RAC recommendations to the BLM.

That is part of the RMP work that is going on. It may not be fair for the subcommittee to wrestle with that issue. They could look at data if you think it might be applicable, but it may be more than the subgroup should be looking at.

One of criticisms leveled against the RAC is that we have tended to avoid controversial issues. I think it goes to the essence of the kind of experience people are seeking when they are on the river along with a traditional use question.

Gary Slagel: When we go back to the public in July for meetings on alternative development, we may break into small groups to try to develop alternatives, also may use partnership series workshop partnerships to develop alternatives.

It would be useful from an administrative standpoint to have the subcommittee identify what the issues are, and bring that information forward to the full RAC. The subgroup has been more focused on management issues and may be better equipped to identify the issues the RAC should review.

Outfitter Moratorium/Subgroup Focus

Kaylene reviewed previous actions by the RAC on the outfitter moratorium issue. Several questions were fielded to Wade Brown.

Would an increase in number of outfitters have a negative impact on the resource? No one can say with certainty, but the potential is there. We currently have five new groups interested in applying for Special Recreation Permits if the moratorium is listed. Where we do have a problem is the first night campsite out of Coal Banks. An increase in the number of outfitters could increase impacts at Eagle Creek.

Did four permittees not use their permits? We have 21 river outfitters for this year. There is no procedure for lapsed permits.

The moratorium only limits number of outfitters not the number of trips the outfitters can take, and the permits are transferable if requirements are met. What are the requirements? The process works this way: If Outfitter A decides to sell their business, they write a letter to BLM documenting that the business is for sale. We tell them to let us know when they find a purchaser, and we will meet to review the procedure and criteria that must be met for a permit. Before the transfer takes place, we must have a bill of sale. That is hard on the purchaser because there is no guarantee to the purchaser before the sale is made. If the sales agreement is not in line with the amount of money they are asking for the business, the permit will be denied. For example, if an outfitter has 5 canoes and sells the business for \$400,000, the permit will be denied because a value has been placed on the permit. If we think the permit is being sold, will deny the transfer. No third-party agreements are allowed. However, if Outfitter A has been in business for 30 years and that many years of return-client business base has built up, a large portion of the sales price can be good will.

If another commercial outfitter is going to work through an outfitter's permit, the other commercial operator has to pay the permittee the full documented price for one of his trips and must use his guides and equipment. The outfitters cannot sublease their permit. We have had one outfitter with his business for sale for two years, and no prospective buyers yet, which dispels the K-Mart-type outfitter myth. The logical thought is that he would have more success selling an outfitting business.

A motion was made by Art Kleinjan and seconded by Francis Jacobs that we retain the moratorium until the RMP is completed. The motion failed and more discussion followed.

Two things that prompted concern about the number of outfitters were that the RMP should consider an outfitter moratorium and concern about a spike in use during the Bicentennial. If we recommend continuance of the moratorium, we should say through 2006.

Art: Didn't want to tie the hands of BLM by stating a completion date.

Stan Meyer: Government-imposed moratoriums are not a good thing. We started with a two-year moratorium to gain hard data. We agreed to extend it for one more year because that was what outfitters wanted. We talked about gray areas. This indicates the futility of making a moratorium "fair." It is logical and good that the local government of Chouteau County is behind local businesses. The bottom line is we are looking at a government-imposed moratorium that is not needed. There is no overuse of the river. The moratorium only addresses 25 percent of the people who use the river.

Bill Cunningham: Government-imposed moratoriums can be appropriate when dealing with a public resource. Why not get ahead of the curve, rather than simply reacting to problems. If there is an extension now, at least it is based on rationale (completion of the RMP) that is logical and defensible, not an arbitrary date.

Bob Doerk: Other areas have limits on outfitter numbers. The key is to provide a quality experience. As far as the economic component, it does not just affect farmers and ranchers. The storefronts that outfitters have, vehicles, supplies, food stuffs are literally keeping local businesses open. As long as there is a precedent in place and there are trained, efficient guides available, there is a way other outfitters can hire what is available and local.

Francis Jacobs: Local outfitters know the river and as far as the safety part of it, would be more capable of keeping accidents from happening.

Glenn Terry: I'm here representing outfitters. I agree with Stanley that moratoriums are against what is right. If I want to be an outfitter and I live on the river, I should be able to do that. The bottom line is I don't believe in moratoriums.

Arlo Skari: Sometimes I compare moratoriums to franchises. Deregulation of the power industry has been a disaster. In this case you are supporting local businesses. If they are providing a good service and are competitive with each other, let them do it. The moratorium should be kept in place. I would like to see a policy established for permits that are unused. Someone coming in should be given an opportunity to apply for a vacated permit. We have a duty to support the moratorium.

Randy Gray: I concur with Stan that creating another monopoly on a public resource is not the way to go. The perception on the part of outfitters is that this RAC is anti-outfitter, which is not the case.

Kaylene called for the question, to continue discussions or fallback vote. It was agreed to go to fallback.

Category I (Dale, Francis, Larry, Joy, Glenn):	3 up, 1 sideways, 1 down
Category II (Stan, Bob, Bill, Jim, Arlo):	4 up, 1 down
Category III (Darryl, Charles, Randy, Art):	3 up, 1 down

According to the charter, the motion passed with a majority in each category.

Art: I probably would not have made the motion without the documentation from the people of Fort Benton.

Bill Cunningham: It was very impressive and persuasive.

Bruce Reed: A clarification is that your motion is a recommendation to BLM to retain the moratorium. The process from here is that it goes to the DFO in the form of a letter.

Bill Cunningham: What about the timeframe? We are coming up against the March 15 deadline and BLM has to make a decision on it soon.

Dave Mari: We will shoot for next week, with the understanding that the State Office and Washington Office have the right to be involved. The RAC will be notified of the decision.

A motion was made by Bill Cuningham and seconded by Arlo Skari that BLM establish a procedure for vacant permits to be issued to qualified applicants. The motion reached consensus.

Pending Questions

Zortman/Landusky Mine Reclamation Funding

A motion was made by Bob Doerk and seconded by Bill Cunningham that the RAC send a letter to the congressional delegation, with copies to the Interior Department and BLM, to support funding the \$33 million needed to complete reclamation at the Zortman/Landusky Mines (\$22 million for reclamation, \$11 million for the water treatment trust fund). The motion reached consensus.

Trespass Issue

Art requested that he be excused from the trespass discussion due to a conflict of interest. Following consent by the Chairperson, he left the room during the ensuing discussion.

A motion was made by Bill Cunningham and seconded by Arlo Skari that the RAC show its unqualified support for the BLM to enforce the applicable laws and regulations to enforce the grazing trespasses per the briefing from the Lewistown Field Office Manager. The motion reached consensus.

Discussion: This motion shows citizen support for BLM in an extraordinary case in a climate that is often adverse to government. From a due process point of view, we cannot comment on the merits of the case. However, a generic statement in support of BLM is appropriate.

Lewis and Clark Bicentennial Update

Bob Doerk gave an update on the Lewis and Clark Bicentennial.

- The 15 signature events are national events that will bring national publicity to local areas. A national meeting in April will be held in Great Falls.
- A volunteer group composed of over 100 members is holding many meetings on every facet of the Bicentennial.
- The Lewis and Clark Honor Guard already has an agreement across the country that they will be the official, authentic group recreating the Lewis and Clark encampments from the mouth of the Judith River to the Gates of the Mountains. They control Bicentennial actions on that section of the river.
- Over 50 events are planned for the Great Falls area.
- The Legacy Campaign is a centralized fundraising activity for improvements/ expansions along the Lewis and Clark route.
- The Montana commemoration kicks off Saturday morning, January 18, in the Capitol rotunda.

Yearly Meeting Dates

June Meeting

Discussion was held during the November meeting on touring the Rocky Mountain Front. Don Judice advised that a tour in June would be less likely to encounter snow. The intent would be to show oil and gas from cradle to grave. It would be an all-day trip. RAC members would need to bring high-profile vehicles and lunches.

Bill Cunningham said that the closest private landowner to the proposed drilling sites is willing to grant the RAC access through their property and would like to accompany the tour.

The tour was scheduled for Tuesday, June 17, with a RAC meeting on Wednesday and Thursday, June 18-19. RAC members will meet in Choteau at 10:00 a.m. on June 17 and travel together to the site. The meeting would begin in Choteau at 8:00 a.m. on the 18th and end at 1:00 on the 19th. RAC members would be authorized to stay in Choteau (or Great Falls) the night before the tour. Public comment would be 8:00 to 8:30 on the 18th and 8:00 to 8:30 on the 19th.

Agenda items: Oil and gas tour
Energy legislation update, particularly on the Rocky Mountain Front
Trespass issue update
Sage Grouse Management Plan update
Subcommittee work update
RMP update
Wade Brown to give update on reissuance of vacant permits

Budget report
Lewis and Clark Bicentennial update
Dale Slade to report on April national RAC meeting

September Meeting

The fall meeting will be held on September 23-25. The meeting will include a weed/grazing allotment tour (a day-long boat tour of exclosures from Coal Banks to Judith Landing) on the 23rd. The meeting would begin on the 24th at 8:00 a.m. If rooms are not available at Fort Benton, Great Falls or Lewistown would be the backup site. The tour should include an hour for a short tour of riparian work on the PN Ranch if it can be arranged.

Agenda items: Mark Albers from American Rivers to give a presentation on cottonwood regeneration
Missouri River Stewards to give comments on building roads in WSAs

Project List

Bruce Reed reviewed the Malta Field Office project list, which includes reconstructing dams in Phillips County and south Valley County, replacing cattle guards, grading roads, five miles of pipeline to gravity feed water from a well, fencing, weed identification and spraying, radio communication towers for BLM use, campground maintenance.

Dave Mari gave an overview of the project list for the Lewistown Field Office projects within his jurisdiction. Items include Blackleaf wildlife inventories, Arrow Creek watershed plan and Judith-Moccasin Landscape Analysis. The Bearpaw to Breaks watershed is in the final stages. When it is completed, Standards and Guidelines will cover all public lands within the Monument.

Monument Resource Management Plan

Gary Slagel gave an update on the scoping process. The key point in the Scoping Report is the planning criteria discussed on pages 27 and 28. A newsletter will be going out soon that will ask for public comments on planning criteria.

Another round of public meeting will be held in July and August. BLM is committed to involving the public as much as possible in developing alternatives. BLM would be open to the major constituencies developing their own alternatives (e.g. landowners, conservation groups). Ideally, small groups would meet on their own, perhaps with BLM invited to listen in.

Land Adjustment/Land Exchanges Update

Chuck Otto reviewed the background of pending land exchanges in the Lewistown Field Office/Havre Field Station area. Isolated tracts of public lands make management difficult. Many such tracts have been identified for disposal in the central Montana area. By law, lands may only be traded for lands of equal or greater value. Lands cannot be exchanged across state lines without congressional approval, but can be exchanged across county lines.

Six exchanges are in the works, and are listed in order of priority:

1. North Chinook Reservoir (4,650 acres public lands, 3,280 acres private acquisition)
2. Surenough Creek (160 acres public lands, 161 acres private acquisition)
3. Sun River (1-2 acres to resolve trespass from cabin built in 1944, 1 acre along Sun River private acquisition)
4. Porphyry Peak/Lincoln Canyon pooled land exchange (11,800 acres public lands – scattered tracts of low public value, 1,475 acres private acquisition)
5. PN Ranch/Reed Hill-Wagon Box (80 acres public lands, 80 acres private acquisition)
6. Musselshell Trail (320 acres public lands, 320 acres private acquisition)

Other exchanges that have been proposed, but have not been screened for suitability:

1. Maynard Ridge Road (200 acres in Big Snowy Mountains)
2. North Moccasin (60 acres in Fergus County)
3. Sheep Creek (unknown acreage where Sheep Creek enters the Missouri River at Hardy)
4. Biggett Coulee (240 acres in Petroleum County)

Fire Program Update

Bob Bahr and Shannon Iverson gave an update on the fire program, including prescribed burns. Other items covered were:

- Interagency dispatch center in Lewistown
- 46-person staff for fire suppression during the fire season
- Fuels program includes resource enhancement, wildland-urban interface, and restrictions coordination.

Travel Vouchers

Travel vouchers were distributed to RAC members.

The meeting adjourned at 2:00 p.m.

**Central Montana Resource Advisory Council Meeting
January 15, 2003
Public Comments**

Scott Cassel

Since this meeting is going to be designated pretty much for the sage grouse technical committee and the sage grouse plan, I would like to address that plan. I was involved in that effort. I have been for the last 15 months along with John Lacey. We stuck it out and we're going to stay all the way through that process. He is going to be giving a presentation to you guys later, and I hope that you do pay close attention. John is able to give his honest opinion because there's nobody that signs his paycheck. He's an independent operator and he's done a really good job of bringing some range science into that process.

I still have some definite concerns in the document. There's been a selective use of science that's prevalent through that document. There's the Connolly and Braun guidelines that are still intact in their entirety in the appendix to the document. I don't know if you guys even read it, but those guidelines were developed in the Great Basin of Nevada and Utah and really are not that relevant to the northern plains and Wyoming, and the landscape and the climate we have here. It would be the equivalent to guidelines that were developed in Arizona for the desert bighorn and applying them in the Rocky Mountain Front.

There is also a table in Section VII of that document where they have taken direct guidelines from Connolly and Braun, put it in a table. It purports to say that any residual stubble height that's less than five inches tall in the fall doesn't qualify even for marginal habitat for sage grouse. I would strongly assert from a range science standpoint that on our short grass prairie, a five-inch stubble height every fall is unattainable. Our sage grouse population is healthier than anywhere else in the country and most of that is done with less than a five-inch stubble height. The Connolly guidelines promote a seven-inch stubble height, which the ranchers are really concerned with because they are afraid the federal agencies will come in and mandate a seven-inch stubble height in the fall, which means probably no utilization or ten percent utilization of the range.

There is also in this document, it lack a definitive definition of what sage grouse habitat is and how much sagebrush you need in a landscape to have something be declared a sage grouse habitat. There is no defined acreage in the plan even. There's some big numbers in there that I know they don't have mapping materials good enough to really map out sage grouse from a BPS perspective, standpoint, and that really needs to be done before the plan goes forward.

Also in the plan, in the beginning of the plan in an overview -- I don't know what section it is, but it's in the beginning of the plan -- that predation is not even listed as a physical threat to the bird. It is part of the conservation actions and is addressed later, but we think that issue should have been put at the top of the, should have as much weight as the rest of the issues that affect the bird. Also, hunting is not considered a physical threat in the document.

As ranchers we're also very concerned with the ambiguity that is existing as this plan is adopted, or what parts of it are going to be adopted, or if any of it's going to be adopted by the federal agencies. The commitments are very thin, if any, and we've put a lot of time and effort in this thing and we still don't know how it's going to affect us on the ground. The last thing that ranchers need out here now with what's going on in the economy and the world situation and resource production is another added weight to add some more uncertainty to the environment that they operate in. I'd ask you to take that into consideration. With that I would like to end my comments.

Curt McCann

I'm a local rancher and I also serve on the Blaine County Conservation District here in Chinook. I guess I was riding down the road the other day and I heard a thing on the radio station about this meeting. I guess that's the earliest I heard about it. I'm not as rehearsed as Cassel there. It sounds like he's pretty well involved. He knows his facts. From what I understand and from my history as a rancher out on the land, the one thing that really disturbs me, I guess, is there's a lot of emphasis put on habitat like the man said about grass stands, about this and that.

Another thing you got to understand up in this country is we've been through a lot of years of drought. Water's been a big issue on bird reproductibility. I can speak for a fact on our ranch alone we do not have any standing water anymore. It's all pumped. It's been that way for about three years. I don't know how far back in history you've actually went to look at this sage grouse issue, whether it started in the 70s, 60s, 30s, the 20s, to say that the population is increasing or decreasing. I haven't had a chance to read all your information. As a matter of fact, I haven't read any of it. I guess I'm just standing up here as kind of a local rancher, real concerned with some of these policies that are going to come down and whack us on top of the head.

As far as grazing, public land, state land, BLM, private ground, it's going to affect everybody. My big issue is that I know, I'm not real good at speaking but I spend an awful lot of time in the country, driving around, feeding cows, farming and this and that. But I can tell you one thing. The birds, the sage grouse problem right now, the majority of it I would lay in hand is related to predatory birds. We have so many eagles, hawks, falcons, owls, things that 20 years ago you would have a hard time seeing when I was a kid. It used to amaze us when we were driving down the road with my dad, and we'd look out the window and see an eagle. On our ranch alone you could probably see 30 eagles today. Those eagles have to eat. They're predatory animals. They eat.

Habitat. I feel ranchers and farmers are some of the most conscientious people out on the land. We don't destroy habitat for birds. We don't destroy habitat for animals. It's our life out there. Those animals are part of the structure. There's been some really adverse policies in the past since the Cain Commission in the early 70s on up to control predatory animals. With pheasants, we've seen the pheasants leave this country for awhile, but now they're returning. But I think that a lot of the past policies that have been established, whether they're environmental, animal protection policies, this or that, you've got to weigh just as much of that into play as habitat, or even more.

I think the most important issue out there is the predatory birds. Those eagles come out of the sky and they'll whack them little chicks just like nothing. That's the biggest thing in our country. We can see tons of eagles that we've never ever seen in the past. Hawks. You'll have four or five hawks flying around you when you're out in your tractors summerfallowing, or chemfallowing, or whatever you do nowadays. I really think that these things have got to be taken into account and habitat is important, but I don't think it's the most important factor sitting out here staring us in the face as far as sage grouse decimation. That's just my opinion. Thank you for letting me stand up and talk. By no means is this the view of the Blaine County Conservation District. This is Curt McCann's view.

J.R. Inman

I've been thinking a little about what we've been putting up with up in North Blaine. I've been secretary of the North Blaine Grazing District for pert near 50 years. That's a long time. One little thing I wanted to say about the, I don't know if the RAC committee can help us or not, is that we have a little problem up there with these hunters form the Kalispell area bringing them weeds over. We'd like this RAC committee to get behind us and come up with something that might work or some idea. The District themselves have been working on a big water thing like they get in some of the fancy drive-in places. We don't have one in Chinook here, but it comes underneath and washes the seeds out. If we could set one up here somewhere so when they come into Blaine County, because the whole north country is block management lands now. We started it after Bill Brown did down out of Grass Range or Sand Springs. We've been in the block management plan for a long time. We don't have many people up in the north country, but we need to see if we can put some rules in there that would help us, like these wash things. Give them a little dot, and if they're going to drive up there in the north country they can take ten minutes, or less than that, to drive over one of these spray things and try to wash these weeds out of here. We don't want what they got over there at all. If we don't do something about it, we're liable to have it. This looks like probably the best committee that would be here to help us.

We discussed this at our North Blaine Cooperative State Grazing Districts meeting. We're going to discuss it again tomorrow afternoon. We have it scheduled for a meeting tomorrow afternoon. We appreciate the county commissioners. They've tried to help us on this. We just need to have the hunter accept a little responsibility on this thing, and I'm sure they will. I'm sure they're looking for a way to be welcomed in here and take care of this thing.

Another thing is that they're having a development up here in the gas business. The gas company's been doing a lousy job. You can look and see every gas line for 20 miles. Well, not quite that long, but for a long ways. Their

weeds, they're just letting them get away from us. I think that if you people would get behind it a little bit and help us on it, do something for us, that's kind of what we're looking at.

I don't know nothing about sage grouse. I know we've got some in north Blaine and the guys that've talked to me they think that maybe they should shut down the hunting of them for five, ten years, whatever it takes to get them back. They're really against the endangered species. They think the state should be able to handle it themselves. I understand there might be a program the state's going to be working on.

I had one more little thing, and that's on the breaks. I've been hear for 50 years and I know what it's like down there. I've been looking at all these break maps. It looks to me like the biggest chunk of the land that they've taken out is Blaine County. Am I right on that, or am I wrong? By far the biggest. It looks to me like they're going to headquarter in Lewistown and Fort Benton, wherever they seem like they want to do it. I kind of like the way the Robinson, the Charlie Russell deal was handled down there. They've got them guys right out on the ground there. They're not very far from any town. They've got a couple of ways into the breaks there. One is across the reservation, just south of Hays. I think that they could put a nice little trailer there for the summer months and put one south of Big Sandy. Something like that. Because we're going to be cut plumb off. The south side is going to do everything and we're not going to have a lot of stuff in there. Someday I think they should consider, I think the BIA at Harlem would work with them. They could put a nice building there. That's what they have down south of the river. That's about all I can tell you guys. Thank you.

Art Kleinjan: I worked on this washing down for about two or three RAC meetings. There's nobody got any objection to it except how do you police it? You can have a wash rack, and how unless you've got somebody hired just to look under every car, and that's what ...

J.R.: We're not really concerned with, we thought we'd have little dots for the hunters. You could have a little green dot up there with some kind of a number on it, that if you came through you'd get that and away you could go. I don't know how you'd wash some of these big trailers. They've got four or six four-wheelers on them. I think it could work. Nothing's working now. It might be worth a try. That's all I've got to say.

Bill Cunningham: I was wondering if some of the problem on this spreading of weeds, is that related to sort of the indiscriminate use of ATVs and off-road vehicles that just go across the countryside?

J.R.: I would say partially. We get an enormous amount of "7" licenses in Blaine County, north Blaine. In fact, a few years ago they said, "Block management, go to north Blaine." And now they're getting a lot of block managements out south. We talked to the local, Al Rosgard, about it. I think probably let's come up with some way to police it, I don't know. Unless you try to do something it might not ever get ...

Arlo Skari: Do they go cross country, or do they stick to the roads and trails with the ATVs, or are they just wandering all over?

J.R.: I think that they're probably all over to a certain degree. Joey _____ told me they're all over his allotment up here, and that's about 15 miles long. They go in there and park where they're supposed to and then they get these four wheelers.

Dale Slade: Is it something you could make a requirement to enter the block management, when you sign up for that, that they'd have to have a sticker before they could go in?

J.R.: Something that would be easy. Something like that would probably be pretty easy for them to do.

Dale Slade: I mean when you're signing up for it to open the acres up.

J.R.: This big one up north here is 123,000 acres. It's big.

Bill Cunningham: On that big BMA they have up there in north Blaine, is there a rule now that says that they're supposed to stay on established roads and trails? That's not enforced. That would help if you had Fish and Game or someone patrolling up there and ticketing people that are violating that.

J.R. I'm sure that's not enforced. We've had some years that they've had campfires up there and stuff. I'm not sure what the answer is. That's the reason I thought maybe you could think of something that we can do. A hunter likes to have the freedom to do these things, but he needs to take a little consideration for where he's allowed to hunt. If they could do something or some way, I don't see where it would be too big of a problem. I just felt that maybe there was something I needed to tell you before I retired. Something needs to be done on it.

Stan Meyer: I'll contact the guys in charge of block management for FWP. I don't have any more authority than anybody else. FWP has it in their range to establish a requirement for entering a block management. If they want to do it they can. They've made weeds a major issue. They've got a full-time weeds man now. There should be some funding for this. This is a big thing, obviously, with you guys, and I think they need to put someone in touch with you. I'll make sure the correct people hear about that.

J.R. I think they should, and I appreciate that. Thank you.

**Central Montana Resource Advisory Council Meeting
January 16, 2003
Public Comments**

Glenn Monahan

My name is Glenn Monahan. What I would like to address today is the issue of limits and caps on the number of outfitters operating on the river. On the handout that is coming around, I would like to begin with the page that says Scoping Summary. As you know, the BLM had a scoping process this summer to gain public input on the resource management plan. There's been a couple of different tabulations and analyses done on these scoping comment that came in, and I've summarized some of them on this sheet here.

BLM received 5700 comments. Again, I've highlighted some of them. I'm not saying that I think that these are particularly important issues one way or the other. I'm just using these to point out what the public thinks proportionally is important. Thirty-seven percent of the public that commented during the scoping process said that they would like to see cattle kept out of the riparian areas. As you jump down and look at no new roads, 93% of the public volunteered comments to that effect. If you look at the number of comments that were received out of 5700 BLM received about river outfitters, the number is six – one-tenth of one percent. The conclusion that I would make from this, actually, three conclusions.

First, there is no indication that the public feels that an urgent situation exists here that needs to be addressed immediately.

The second is to kind of examine the history of this issue with the RAC and ponder why so much time and energy has been devoted to this particular issue. It certainly doesn't seem as though there's a constituency out there that wants the RAC to push this agenda. It seems more to me as though one or two members of the RAC have a personal agenda, they're very emotional, have some valid feelings about this, but they're using this platform to forward a personal agenda rather than something that could be described as the public's agenda.

The third comment I would make is that it seems as though all of the time that's been spent on this, especially in light of these scoping comments, points to the fact that there is a certain degree of unfairness or unbalance in the amount of energy that's being put into this and the urgency that's being put into this particular issue by the RAC.

On the next page, actually the next three pages, I've been doing some research on directives that have come out from various groups, particularly the federal government, that's involved in managing this brand new national monument. One of the premises that I'm going to make here is that when the proclamation was signed in January of 2000 to create this national monument, all the rules changed as far as how these particular lands within the monument are managed. What has happened since that proclamation was signed, there have been a whole series of directives that have either come from Washington, D.C., from the state director's office, or from the BLM field office. It is my opinion that these are the directives that we should be using to determine how we're going to manage this monument.

The first one I have here is simply, I've labeled it exhibit No. 1, and that's the motion in front of this council last March. What I underlined was what you guys said, it will not be extended. That being the cap on outfitters. I think if we look at some of the other directives that have come out from the federal government, it refutes that that has to happen just because you guys took a vote on that.

If you look at exhibit No. 2, this came out of the state director's office and it's interim guidance. The first underlined section points out that, well, let's just skip to the second one. The director acknowledged that the moratorium exists. But he also acknowledged that it could be extended. His wording, "unless further extended," leaves that door open. It is not a done deal.

Turn the page. This is still from the state director's directives. The first underlined section there points out that the state director is saying that information gathered about use on the river will be used to develop a river visitor management plan. Notice those words, river management plan, RMP, resource management plan.

Down to the second underlined section there. "At such time the river visitor plan will be absorbed into the larger monument planning effort." Again, the rules have changed. This is a national monument now, and there are ways that the federal government is telling us it should be managed.

Jumping down to exhibit No. 3, this came out, I believe, out of Washington, D.C. The first underlined item I think is really significant, "maintain existing management policies." The moratorium was put in place in 1999. The monument was created in 2000. That's an existing management policy. This directive says it should be continued.

The second underlined portion I think is particularly significant. That has to do with the fact that an environmental impact statement is part of the BLM's RMP that's going to be completed, apparently in 2005. Outfitting and all other uses in the national monument are part of that resource management plan process and should be treated in the environmental impact statement, not among this group of people.

I'll try and wrap this up quickly here. Exhibit No. 4 on the back. This was the announcement that appeared in the Federal Register when the BLM announced that they were initiating a resource management plan process. If you look at the first underlined thing there, "The plan will fulfill the needs and obligations set forth by NEPA." The outfitting situation on this river is part of the environmental impact statement that will be produced as part of the resource management plan.

The second underlined section under supplementary information, "The creation of the Upper Missouri River Breaks National Monument necessitates the creation of an RMP for the Monument." Outfitting should be part of that process, not part of this process.

Third, "An interdisciplinary approach will be used to develop the plan." What this means is the BLM has a whole core management team of professionals who are gathering information from all over the country, from the public, and from the RAC, and they will make a decision in 2005 as to how outfitting will be managed on this river. It's not something that should be decided today.

So my conclusions, basically, RMP, RMP, RMP. When the monument was created, a process went into effect. It will make management decisions about how the river is going to be managed. That process will include the BLM, it will include the public, it will include interested parties, and it will include the RAC. But I don't feel that now that this is a national monument, it is the realm of this council to be making hasty decisions about something that will affect the resource if we encourage lots more outfitters to begin operating on the river. It should be a careful, well-thought-out process that's part of the RMP. Thank you.

Larry Cook

Good morning, everybody. It was a nice, foggy drive getting here. I also have some papers I want to hand out to everybody. These are from elected officials of Chouteau County. I will go through, I highlighted some of their comments for you. It should help in your deliberations as it makes pretty clear what our bipartisan, both our Democrats and Republican and independent official who have been elected to represent the people of Chouteau County, what they think. That's what we have here. While are being passed out, for the new members, this group set up a subgroup to study the resource issues on the river. We spent, one of our biggest issues that we spent more time on than anything else, was the outfitter moratorium. The subgroup voted to continue the moratorium and made that recommendation to this group. I still think that should carry some weight with your decision process.

I'll start with this. Our county commissioners. Before I do this, let me also say Chouteau County has over 80 percent of the river use. Over 80 percent float the river in Chouteau County, put-in and take-out. Also, over 70 percent of the non-vertical land in Chouteau County along the river is privately owned. If you take away the cliffs, over 70 percent of the land that is impacted and used is owned by private property. That's another thing that we in Chouteau County think is pretty important.

Okay, the commissioners. All three of them signed off. "The Chouteau County Commissioners are responsible for the well-being of our county and its economic development. Therefore, we are against lifting the moratorium on

outfitters. Many of the 23 outfitters are residents of Chouteau County, have business establishments, and are part of the tax base. They take great pride in being part of the community and taking care of the river resource. Again, we recommend leaving the moratorium in place.”

Here we have the Democratic senate minority leader, Jon Tester. “I strongly encourage all of you not to remove the moratorium on floating outfitters on the wild and scenic portion of the Missouri River. The current number of permitted outfitters is adequate and the program currently works. If it ain’t broke, don’t fix it. Keeping this moratorium in place is a decision that, simply put, makes the most sense.”

John Witt, who is our representative from House District No. 89. “It is my belief that the current 25 outfitters on the Missouri River, plus private use and other interests using the river is quite enough. If you truly believe in not destroying the river corridor, it is your responsibility to control usage and impact to the river from overextending commercial interests. Allowing commercial uses at this time seems risky and it is somewhat unknown what the river corridor can handle and allowing more traffic until it is known seems unwise. The wrong decision made today may have longstanding impacts on the river that you all may later regret.”

The president of the Fort Benton Chamber of Commerce. “It has come to our attention that a proposal pertaining to the outfitters on the Missouri River is currently to be reviewed. Fort Benton is a small town, still being nurtured by the Missouri River and the commerce that it still affords, in this case, the outfitters that are operating under the moratorium. The assistance provided, a very desired service, that being a knowledge guide for a beautiful and scenic river. In addition, these outfitters have chosen to purchase property and supplies for their expeditions here in Fort Benton and Chouteau County, thereby enhancing our economy with tax dollars and cash purchases. We cannot see the benefit in raising the outfitting moratorium. Fort Benton is very proud of its heritage and the Missouri River has become a huge factor in its very existence. To remove the moratorium that has developed into a dependable and accountable system would result, in our estimation, in chaos.”

Okay, from the mayor of the City of Fort Benton. “It is with strong convictions I oppose lifting the moratorium limiting the number of outfitters on the Missouri River. Keep in mind the resource management plan, currently being compiled, is two to three years from completion. It would seem the logical conclusion to wait for the management plan to be in place before making any decision concerning increasing outfitters.”

Lastly, the elected board that is in charge of conservation in Chouteau County, that is their sole reason for existence, which is the Chouteau County Conservation District. “As elected representatives for Chouteau County Conservation District, we request the RAC to continue the current moratorium on river outfitters. The system as it is today appears to be working. As you know, the number of outfitters increased from three or four, ten years ago, to the current 25. This trend, along with additional non-outfitted river use, has increased recreational numbers using the resource considerably. We need to now step back and interpret the incoming scientific data in a professional manner. We believe this should be a decision based on scientific resource management. The data to make informed decisions is yet to be collected and tabulated. Chouteau County Conservation District is extremely concerned that there will be adverse effects to private property owners. Eighty percent of the traffic is in Chouteau County, and 70 percent of the non-vertical acres in Chouteau County are privately owned. Please let the monument management plan develop in a credible and comprehensive manner. To change one of the constants in an equation halfway through the problem solving in our minds defies logic.”

The point is, Chouteau County is the county most affected by the river itself, by the usage, by the amount of private property. All of the people that are elected in Chouteau County in the key positions want the moratorium to stay in place. And I’ll repeat again, the subgroup that you set up to study this issue recommended the moratorium stay in place. It seems really hard for me to see how you could consider making any other decisions. Thank you.

Craig Madsen

I will keep my comments rather brief. Did everyone get a letter from Kelly Flynn? Just to reiterate, what I’d like to just focus on for a moment, is two things. One is the first paragraph that he said in his letter. I just want to read it to you, it will just take me a minute if you’d bear with me here. “The Montana Outfitters and Guides Association represents land- and water-based outfitters in the State of Montana. Our purpose in writing is to recommend that

you do not lift the moratorium on wild and scenic Missouri River outfitters. Our belief is by postponing the lifting of the moratorium until the resource management plan is completed is good judgment. Lifting the moratorium prior to that time seems a bit like putting the cart before the horse. Our recommendation is not to suggest how many outfitters are appropriate, but rather to suggest that the best means to determining outfitter numbers is through the management plan process. With crowding becoming an issue at some campsites, it does not seem like the time to add potential use on an already stressed resource.”

I just wanted to share that with you, because that’s essentially my feelings, and the feelings, I guess, I’d like to leave with you. If you believe that it’s the best interest of the resource to lift the moratorium, then I think you ought to recommend that. But if you believe that perhaps you should move ahead cautiously before you lift that moratorium and wait until the BLM completes their management plan, then I think you should extend the moratorium and wait until you see what the plan produces. Thank you for your time.

Terry Selph

Good morning, RAC. I am here to present three items that I either have a concern or a question with you this morning. The number one concern that I have, and I kind of hate to be kicking an old horse that comes back. You guys all remember me from the Lewistown adventure. But I’d like to come back and talk just a little bit more about the boat ramp at Stafford Ferry. I know that we’ve already talked about this once. But a couple of points. I tried to spend some time with some of you and other people visiting about that situation, both get your feeling about how things are there and also get the public’s feeling about it. One point that keeps being brought to my attention through this process is the way things are set up down there, we want to allow people to go down there and have the experience. On that river, part of that experience is the mud and the mess that you get into down there. That’s a great part of the experience for a certain number of people. But not everybody that goes down to that river is necessarily looking for that particular experience.

On my advertisement, the Hole in the Wall Educational Adventures, one of the things that I specify on there is I specialize in working with the handicapped and elderly people. During my process of 25 years of teaching in Hardin, one of the decisions that I have made was to get my master’s in health administration. During the process of getting that, I spent a lot of, my internship was done with Eagle Mount. Eagle Mount works on therapeutic recreation for handicapped and elderly people. During that process I spent a lot of time that summer working on getting quadriplegics, blind people from point A to point B, how are we going to do this, how can we make this a good experience for them.

One of the concerns that I have on the river, and I’ll be honest up front with you, this is my concern. I’m going to do a float trip from the PN down to Stafford Ferry. I have no problem getting people from a wheelchair into a canoe at PN. But when I get down to the Stafford Ferry, as I told you before, it’s kind of chaotic the way we’re getting canoes in and out of there. They’re using the ferry ramp, whatever the case happens to be. It’s muddy and to ask my crew to fireman carry a quadriplegic through four foot of mud up to the shore, you know, we can do that, but is that really the experience that we want that person to have down there.

When I bring that 80 year old lady from the rest home out of Lewistown and we go down there and we’re doing that one-day float through there, is it really important for her to get muddy up to her ankles or her knees getting out of the water? What’s wrong with that person being able to step onto a gravel bar right there and go get in their car or the bus, whatever we have down there to get them off the river.

If you want to go in the mud and they want to do that, that’s great. We’ll pull the canoe over there and get them off there. But I’m just saying that’s not necessarily the experience that everybody wants to have down there.

Let me just kind of get caught up here. Enough on that. Let me move to my second point here. The second thing that I want to bring to your attention, and this is more of a question than a comment, I have a question as to what your stance is going to be with the Lewis and Clark Bicentennial on the days of the actual event. There’s going to be a great number of people that are going to be wanting to follow that adventure upriver. As they follow that adventure upriver, they’re going to find themselves eventually to the wild and scenic Missouri River. The cap that we have on there as far as floating days allows only downriver travel during the certain part of that. That’s going to

conflict with the time that these people are going to want to be going upriver during that. If they're coming up through there June 1, they're going to want to be at the spot where Lewis and Clark were. They're going to be coming upriver. How are you going to handle that situation as a RAC? What is going to be your recommendation on that? Are you going to allow it? At this particular time, I would say it's not allowed. If that's the case, I would just kind of like to know that that's not going to be allowed.

My suggestion would be a possibility of having a two-day window. If they're there June 1, two days before, two days after, that we could allow some travel to go up. Because I'm not talking about my group particularly, but there's going to be people from St. Louis, wherever, they're going to be wanting to follow that river upriver. So I just would suggest that you make a decision on that one way or another now so that people that are making plans for that know what obstacles they're going to have to face when they get to that point.

The third thing that I would like to talk about briefly, of course, is the moratorium that you're going to be discussing later on today. It's real easy for me to sit here with a floating permit in my pocket and say that I support the moratorium. I've talked to a lot of people over the time that I've been in this business, trying to get this business started. I know that there are a lot of people out there who think that they may want to get into doing this.

I've been in Hardin the last 25 years. At one particular time the Big Horn River was closed. They opened the Big Horn River up to public floating when they got the high water mark. All of a sudden now, people can go float the Big Horn River and fish. The point I'd like to make on that is that that particular year when that happened, I believe it was '82, don't quote me on that, there were no guides on the river at that time, of course. Right now, guiding on that river, we have one local person that's on that river. Everybody else that's guiding on that river for the most part are the people that come in there for their four months out of the year. All their business is being taxed on a business tax. They're not paying a whole lot of taxes on that land. They're gone eight months out of the year to Belize, Canada, wherever it is that they live. Their dollars head out the door. They're not buying pickups there. They're not really buying groceries there for the most part. They're bring all that stuff in with them when they come. They may have somebody that's living there in their house, their \$250,000 lodge that they have built there and stuff, but for the most part those are all businesses. It really hurts the tax base that's going on there. All that land's been taken out of agricultural production.

The bottom line that I would like to make on that is that I do support keeping the moratorium where it is at this particular time. Thank you.

Dean Stiffarm

My name is Dean Stiffarm. I'm from the Fort Belknap Environmental Protection Office. I just came from a mine briefing at Zortman on the Zortman/Landusky Mines. I guess what I'm here for is that, we kind of understand your organization, but from what I think is that you guys pretty much advise BLM on their decisions and stuff. What I was here for is that last June of 2002, back in Washington, D.C., the senate told the BLM, because there's a shortfall at the mines out there, roughly about 33 and a half million dollars -- 22 million for their reclamation, and then 11½ for water treatment. The tribes' been trying to get this money appropriated from congress back there. As a matter of fact, at the present time they're back in D.C. meeting with congressional staff. We've been going all over, we've been hitting Blaine County, Phillips County, I think we talked to Art once about having the RAC write us a letter of support so when we do go back to D.C. that everybody's on the bandwagon so that we can get this money funded up there so that we can get the mines cleaned up there.

Anyway, I'd just like to come up here and see if we can possibly get a letter of support from you guys or something, advise the new state director that they've got down at the state office, Marty Ott, and just say that this money is needed. Because DEQ hired some consultants and they pretty much said that the water is going to have to be treated forever. This money is needed.

I've got a thing here from that senate hearing that was held last June for the chairman. I've only got one copy. Sorry about that. Anyway, like yesterday, BLM told us this what they requested from Washington, D.C. they requested 12.4 million for long-term water treatment, 4.2 million for short-term water treatment, and then they requested 6 million for dirt reclamation. So that only roughly adds up to 22 million. The letter that I gave your

chairman here, the senate back there told BLM to find this 33½ million. They identified it in this record of decision here, and I'll leave this copy too, that there's a shortfall of 33½ million. They told them to find it in next year's budget, the 2004 budget, so I'm just here to see if we can possibly get a letter of support from you guys, and this new state director, if you ever get a chance to meet with, remind him that the mine's out there. That's all I have to say.

End of public comments.

**Central Montana Resource Advisory Council Meeting
June 17 and 18, 2003
Choteau, Montana**

On June 17, seven RAC members toured the Blackleaf area of the Rocky Mountain Front with BLM personnel. Those members of the RAC present on the tour were Bob Doerk, Bill Cunningham, Arlo Skari, Stan Meyer, Francis Jacobs, Charles Floyd and Dale Slade. Several members of the public accompanied the tour, but did not interact in discussions between the RAC members and the BLM during the formal tour.

On June 18, the RAC meeting convened at 8:00 a.m. at the Stage Stop Inn. RAC members in attendance were Bob Doerk, Darryl Seeley, Jim McDermand, Art Kleinjan, Bill Cunningham, Joy Crawford, Arlo Skari, Charles Floyd, Stan Meyer, Larry Ostwald, Francis Jacobs, and Dale Slade. Absent were Glenn Terry and Randy Gray.

BLM personnel in attendance were Dave Mari, Bruce Reed, Mike Stewart, Chuck Otto, Don Judice, Paul Wages, Lynn Ricci, Kaylene Patten and Kay Haight.

Public Comment Period

Eight individuals offered public comments, which are attached to these minutes.

Welcome/Chairperson Synopsis/Meeting Minutes

Kaylene Patten welcomed everyone and reviewed the meeting agenda. Minutes of the January meeting were approved as corrected and signed.

Dave Mari introduced Mike Stewart, the new Associate Field Manager in the Lewistown Field Office.

Chairman Dale Slade stated that the RAC needs to address the initiative on sustaining working landscapes during the next meeting.

Bruce Reed stated that the RAC letter requesting funding for reclamation of the Zortman/Landusky mines was sent to the congressional delegation. The responses were recommendations that funding should come from the BLM's budget.

The RAC will be sending a letter to subgroup members to thank them for their work.

Discussion of Tour and Energy Development

Don Judice, BLM Great Falls Field Station Supervisor, updated the RAC on the status of proposals to drill wells on the Rocky Mountain Front. He noted that BLM's role is to follow the law and analyze the proposed action through a NEPA process. The BLM is neither pro- nor anti-development, but is mandated to manage multiple use lands and evaluate proposals by holders of valid existing leases.

Don gave a PowerPoint presentation that highlighted Montana Thrust Belt oil and gas leasing availability; surface and mineral ownership; 1992 forecasted development and current proposals; aerial photos of proposed drill sites and access roads; issues that will influence the EIS; the Subbelt I thrust sheet; and the reasonable foreseeable development scenario.

Lynn Ricci, BLM Lewistown Field Office, reviewed the process that will be followed to prepare the Blackleaf EIS, and emphasized the process will involve continual collaboration with other agencies. The U.S. Forest Service will co-lead development of the EIS, with each agency providing approximately 12 members to the interdisciplinary team. The role of the BLM/FS team will be oversight in writing the EIS, which will be prepared by a private contractor.

The schedule for the Blackleaf EIS was reviewed. Public scoping for the Blackleaf Environmental Impact Statement (EIS) will be held in the fall of 2003. Lynn emphasized that comments are needed from the public that are specific to actions to be taken. A simple vote of whether or not development should take place is heard by the agencies, but is not helpful to the process.

The expected time until a Record of Decision is 75 weeks, or 19 months. Formal preparation of the EIS will begin when a Notice of Intent is published in the Federal Register (approximately the end of September 2003); a draft EIS is expected to be out in June 2004, and the final in 2005.

A web site will be developed and managed by the contractor to keep the public current on the Blackleaf EIS process. The BLM and the Forest Service will provide the information for the web site. Newsletters will also be sent out periodically.

RAC members posed several questions about the Blackleaf EIS, as follows:

Q: Will the EIS assess what the public is exchanging on behalf of potential gas development? What are the trade-offs?

A: Under NEPA, the BLM is required to lay out the options. Under each option, resource values, issues, and concerns are addressed, including social issues and attributes of a specific area that are important to the public.

Q: Who is the decisionmaker?

A: The field office manager, or possibly, the State Director. The Washington office is keenly interested in this project, and they will be apprised throughout the process.

Q: Where does the funding for the EIS come from?

A: The funding is partially by the BLM and partially by the Forest Service. To date, there has been no funding from the applicants.

Q: Is there any concern that BLM receiving partial funding from the applicant might bias the process?

A: None whatsoever. This is done bureauwide, and is almost a standard in some states because of the workload involved.

Q: Has any other company approached BLM besides Startech?

A: There are only three leases in this study area: Startech, Grizzly Resources, and the Dorothy Tripp Rudder Trust. No other leaseholders in the area have expressed any interest.

Q: Will this reach into the Startech development west of Calgary?

A: No, this is a similar play (type of deposit and geologic setting), but they are separated by dozens of miles and Glacier Park is in between, where no development can occur.

Q: If this development does not occur, what happens to the leases?

A: If we have a Record of Decision and the document lays out a scenario under which development could occur, the suspension would be lifted and the applicant could either develop the lease or lose it for nondevelopment.

Q: What about revenue generated?

A: Of any royalties received from federal minerals, including minimum royalties on lease rentals, 50 percent goes to the State of Montana. Of the 50 percent, half goes to the county involved.

At the request of Stan Meyer, Teton County Commissioner Mary Sexton addressed the RAC. Her comments are attached with the other public comments.

A motion was made by Stan Meyer and seconded by Bill Cunningham that the RAC urge adoption of the legislation being proposed by Sen. Baucus, which would fairly compensate the companies who own leases and would protect the Rocky Mountain Front, and perhaps most importantly, would prevent this extremely contentious debate that is obviously going to go on for several more years.

Further discussion included the following verbatim comments:

(Darryl Seeley) "Can anybody fill us in on what the opposition, what the argument, the counterargument on Baucus' bill? I suppose there's opposition to it. It's probably from the gas companies. It would be interesting to hear what they're, I don't know if there's anybody here that can do that or not."

(Bill Cunningham) "I will make a comment. It would be strictly voluntary on the part of the lessee to do that. In other words, there's nothing in the Baucus bill that requires the leaseholder to sell or trade out their lease holdings. They are entitled, certainly, to fair compensation, and they would have the option to consider that. There would be some incentives, certainly, within the bill because the mechanism for that would be established in the legislation. So it would be an incentive kind of thing. It would seem to me that again, given the fact that the lessee would have that option to accept or to reject whatever incentive there is, that there wouldn't be an awful lot of opposition to it."

(Darryl Seeley) "What's the status of the Baucus bill in the Congress?"

(Don Judice) "The bill has been proposed, and whether or not it has gone to committee is something I'm not familiar with. I can tell you that the very exact legislation was posed in the previous, the 105th or the 106th Congress, and it never got out of committee. And personally, what I'm hearing and what I've read on the internet was that it's anticipated that with a similar political division within Congress, that it will probably result in the same status of not getting out of committee. But that's just what the speculation is about it, based on what happened the last time."

(Darryl Seeley) Are you conversant with the arguments that keep it from getting out of committee

and that are in opposition to it? It sounds like a slam dunk to us here today, but for some apparent reason, not everybody thinks that. Can you update us? Can you enlighten us a little bit on what that opposition is?”

(Don Justice) “The only thing I can tell you is my views on the arguments of saying that there’s only so many days or so many months worth of production. I think that is very narrow focused, because all you are doing is looking at one. I use the analogy that then that means, Darryl, that your vote doesn’t count. That you, as an individual, you’re only one and you shouldn’t even be voting in the election process because you’re only one. It’s the culmination of that. Because if we say that there’s only four months there, and there’s four months of production over there, and there’s another four months over here, and there’s that many in these little pockets. Individually, they don’t make a significant—it’s the group. You have to take them all as a group. That is the argument that says that if you take, you can take whatever it is that’s being touted at what’s in the Rocky Mountain Front. It may be small. Four months worth of production to supply the United States in its current use, to me, is huge. I see it differently. A lot of individuals look at it in time. I just look at it as that’s enormous, to run everything. But if you just take that and you add it with that, and you add it with that, that I believe, is the argument. It’s my opinion. I believe that is the argument that is looked at within the group, within the industry, that says you need to consider it as a group and not as a piece.”

(Bill Cunningham) “Just a comment, and that is when we’re looking at a number which is highly speculative anyway, whether they call it four months, six months, two months, whatever it is. I think we get back to the point Stan was making earlier about weighing that against the tradeoffs. At what cost to the values that we heard about today would that four months of production, or whatever it is, be at? Of course, that’s obviously the process, Don, that you and your staff are engaged in here with the EIS. I respect that. But I think we’re really looking at some broader issues, and I guess I go back to this legislation of Senator Baucus that again, it’s simply an option available to the government and to the applicants that they can voluntarily participate in or not. But it does set up a process. I think from the standpoint of the applicant, they have got to be looking at it in terms of time invested, delays, it’s already been, this proposal for gas development as you know has been going on for decades with no end in sight. So just looking at it from strictly a pragmatic standpoint, in terms of the cost of development as measured in time and public resistance and the whole political arena versus getting into a less controversial area that they can either trade into or whatever that exchange process might be. Just looking at it pragmatically, it may be a very cost effective move for an energy company should they wish to take advantage of that, and that has to be a calculation that they make relative to the pros and cons. But again, I would think that Stan’s, I would urge the RAC members to consider Stan’s motion because I think it’s inherently reasonable, as Mary Sexton said. It could provide a win-win for everyone involved. So I think it’s something to really look at.”

(Don Justice) “I am in favor of it. I believe that that is something that would work. We are following the law. We are following a course, and however it comes about, it will be taken into consideration. If it comes into law, then those are great options that we will look at. It’s a voluntary thing, as you said. We will look at that and move on with it. It is a thing that, and again, I don’t want to make it sound like, and I brought this up earlier. We all love it. We all love the Front, the way it looks, what it does for us, a part of our soul in Montana, and we want to keep it that way. We’re going to let the document make decisions that say, ‘Can we do this and still make us all feel that way? Can we have that kind of development that we’re anticipating in doing those things and have the mitigation, and still have that feel?’ That’s what the challenge is, and exactly what the Commissioner brought up is that’s what we are challenged with.”

The motion failed. The RAC agreed to table further discussion until the September meeting. Stan Meyer requested a fallback vote so the voting would be recorded.

Category I 2 up, 1 sideways, 1 down.
Category II 4 up, 1 sideways
Category III 1 up, 1 sideways, 1 down

A motion was made by Bill Cunningham and seconded by Art Kleinjan that the RAC appoint a RAC gas subgroup, with members of the RAC and others, and that one RAC member be on the ID team to work closely with the team on the EIS.

Discussion included the following points:

- Would it be appropriate to have the RAC involved more extensively, instead of having a subgroup? The RAC could meet six or seven times, rather than having a subgroup do the work.
- RAC members are all pressed for time, but they could attend all the subgroup meetings they want to.
- The timeframe is so short, there would not be time to form a subgroup and do all the work involved.
- An ID team member could be designated in the September meeting.
- The RAC needs to make the meeting schedule conducive to what we need to do in order to be involved in this process.

Bill Cunningham modified his motion to have a representative from the RAC on the EIS interdisciplinary team, with the person to be decided upon at the September meeting. **Art Kleinjan agreed** to the amendment. **The motion passed.**

Upper Missouri River Breaks National Monument

Resource Management Plan (RMP) Update

Jerry Majerus, Monument RMP Project Manager, gave an update to RAC members. The RMP team is currently drafting alternatives. A schedule for the July open houses/alternative development workshops was given to RAC members. The format for the workshops was reviewed:

6:00 – 6:10	The Monument Manager will welcome everyone and review the meeting format.
6:10 – 6:40	Four stations will be set up for the public to visit with team members and ask questions: Health of the Land and Fire; Visitor Use, Infrastructure and Services; Natural Gas Exploration and Development; and Access and Transportation. Cards will be available at each station for the public to write down suggestions for managing the monument.
6:40 – 8:30	Everyone will gather with a moderator, who will review all the cards and lead a group discussion.
8:30 – 9:00	Concluding statements will be made and the public will have another opportunity to visit each station and ask additional questions.

All workshops are scheduled from 6:00 p.m. to 9:00 p.m. Even if the group discussion only lasts one-half hour, the team will stay for the full three hours at each open house.

Rehberg Legislation

RAC members asked several questions about Congressman Rehberg's bill to withdraw all private property from the Monument boundary.

Q: What is the status of the bill?

A: Mike Waite, of Rep. Rehberg's staff, said that no hearing date has been

scheduled.

Q: If it passes, is private land automatically not in the Monument?

A: Yes.

Q: How would that affect management of the Monument?

A: It would not. The RMP only addresses management of public land within the Monument boundary. The one area where it may have implications is dealing with split estate subsurface minerals.

Jerry Majerus noted that if Congressman Rehberg's bill passes, the BLM would not be able to acquire land from willing sellers without legislative action. Congress must appropriate money for land acquisition or fee title. If the Rehberg bill passes and the BLM were to purchase land from a willing seller, that land would not become part of the Monument and would not fall under the resource management plan. A new presidential proclamation or legislation would be needed to include it within the monument.

RAC Role in Open Houses/Workshops

Art Kleinjan, who has been attending Monument RMP team meetings as a county commissioner, suggested having RAC members as moderators at the open houses. He volunteered to do this at four or five of the meetings and requested that other RAC members also participate. The following RAC members agreed to serve as moderators:

<u>Moderator</u>	<u>Open House/Workshop Location</u>
Art Kleinjan	Chinook, Cleveland, Hays
Bill Cunningham	Great Falls
Charlie Floyd	Havre
Francis Jacobs	Malta
Bob Doerk	Big Sandy, Fort Benton
Larry Ostwald	Billings
(Unassigned)	Winifred, Lewistown

Jerry stated that Gary Slagel, Craig Flentie, and he would be more than willing to have a conference call with the participating RAC members prior to the open houses.

Lewis and Clark Bicentennial Update

Bob Doerk gave an update on the Lewis and Clark Bicentennial activities. Fort Benton is seeing a lot of RV caravans following the Lewis and Clark trail. Bus tours are not all filling, but that use is expected to rise. Next year, seven key signature events will be held in the area, two will be held in 2005, and one in 2006 in Billings.

The Discovery of the Big Sky Committee, the umbrella group overseeing Lewis and Clark-related events in Montana, has adopted criteria on what constitutes an "Exploring the Big Sky" event and what does not. Things are progressing, and refinement of details continues to be worked out.

National RAC Meeting

Art Kleinjan gave a briefing on the national RAC meeting he attended on May 21-23 in Washington, D.C. The big concern at the conference was weeds, including uncontrolled fires causing cheat grass to grow and force out sagebrush. Other items of interest: the annual meetings will continue, and BLM will have a national RAC coordinator.

Concerns expressed by attendees:

- A mediation team is needed.
- Managers need to work together.
- RAC appointments and charters need to be done in a timely manner. In the event this does not

happen, alternate RAC members can fill in to reach a quorum; or RACs could hold over outgoing members until the new members are appointed.

- On a national level, BLM doesn't use the RACs enough in annual work plans.
- All the RACs within an individual state should get together for an annual meeting.
- Sage grouse.

Topics covered included the following:

- Stewardship contracts – contracting with individuals throughout the west to do certain things. For example, hire a group/contractor/individuals to go to burned out areas and make wood chips to burn in schools. Another idea was using portable machines to harvest juniper to make ethanol.
- Money for weed control is available through grants to states and counties. Art recommended the BLM contract directly with the counties to eliminate one level of government. The money could be better used by going directly to the counties. Art stressed to Fran Cherry that the money needs to be guaranteed for a ten-year period.
- Land use plans are needed throughout the west, and the RACs can and should be used for those planning efforts.
- RACs in other states have been holding their own meetings without BLM involvement. The BLM is invited to attend, but does not take part in the meetings.
- Secretary Norton addressed the group on the final day of the meeting. She emphasized the four Cs: consultation, communication, cooperation, and conservation.
- Lynn Scarlett presented the President's management plan, the 3 Rs: results, results, and results. Topics she covered were recreation management, financial management, people plan, e-government, delivery of services, IT security, and the aging infrastructure. She said that fees would definitely go to the sites where they are collected, and that perhaps the counties should collect the fees.
- A new logo was voted upon.
- The national fire plan is not being looked at wholeheartedly. Needed are increased training; funding for volunteer fire departments; a pro-active 10-year management plan for fuels reduction.
- Mineral and energy development were discussed; drilling permits should be uniform between all states; bundle up APDs and do block surveys.

Thirty-three RAC members attended the national meeting. Feedback on the meeting was that there was too much BLM and not enough RAC; they didn't give RAC members enough time; the meeting agendas were too full; the response times for RAC requests are way too long.

Other items brought up were working with ranchers on the control of weeds and trading improvements for payments of AUMs.

All future national RAC meetings will be held in the west.

When asked where the comment originated about having meetings without BLM being there, Art replied it was one of the other states, and he brought it up strictly for information purposes. It came up several times that there aren't enough people out there that know who the RACs are and what they do. By holding meetings on specific issues, they might get better attendance. This could mean holding a public meeting to listen to the public's concerns.

Art thanked the RAC for letting him attend. Kaylene noted that the new RAC coordinator is Twinkle Thompson from the Phoenix BLM office.

RAC Subgroup Update

The final report of the Subgroup was previously sent to RAC members for their review. Harry Mitchell, Joy Crawford, Mark Good, and Jim McDermand (all Subgroup members) were present to answer questions from the RAC.

Harry Mitchell noted that the goals (page 3) are very well stated, and the group held closely to the goals.

The following questions were raised:

- Q: It states that if they were going to seek more campsites on undeveloped private land, the campsites would be primitive. It seems that it would be up to a private landowner as to the type of facility he wants.
- A: Correct. Also, BLM has no control over private land.
- Q: On page 9, the paragraph above Indicator 4, how did you define "floating season"?
- A: The no-wake restriction time period.
- Q: On page 9, the recommendation of a limit on camping of a "two consecutive overnight limit on camping at level 2 or 3 sites." Should that be expanded to level 4? Was it discussed?
- A: Couldn't recall the discussion on that point. The Subgroup didn't get too concerned because the expected crowd surge has not developed.

Harry Mitchell thanked the RAC for appointing the Subgroup and stated that this approach to contentious issues was the right way to address them.

A motion was made by Stan Meyer and seconded by Arlo Skari to adopt the Subgroup recommendations and generous thanks to the Subgroup for their work.

Further discussion included the following questions:

- Q: Are portable toilets required for any overnight camper?
- A: That is the recommendation.
- Q: Does Standard 7 apply only from Coal Banks to Judith?
- A: It applies from Fort Benton to Kipp. There is a dump station at Kipp, and one will be put in at Judith Landing.
- Q: If we adopt this recommendation, will it be discussed with the outfitters?
- A: Outfitters are currently required to have portable toilets.

Kaylene reminded everyone this report would be a RAC recommendation to the Monument resource management plan. If the report is agreed upon by the RAC, it would go into the whole mix for the plan and the public would have an opportunity to comment on it.

A motion was made by Darryl Seeley to amend the report from requiring a portable toilet to having a shovel. Discussion: Education is the key, and some people might not use a shovel properly. While shoveling is easier than carrying portable toilets, it is hard to dig deeper than two inches in August when the ground is dry. Dave Mari noted that the Missouri River is almost an exception. Most rivers already require portable toilets. **The motion failed.**

A motion was made by Bill Cunningham and seconded by Jim McDermand to amend the recommendation to stay up to two consecutive nights at any one location for level 2, 3, or 4 campsites. Discussion: If crowding becomes an issue, the BLM can take action. Camping should not be limited until it becomes a problem. The potential exists for someone to linger too long at developed campsites such as Eagle Creek. A different type of visitor (e.g. photographer) would be the one to linger at a level 4 campsite. **The motion failed consensus.**

A fallback vote was taken on the adoption of the Subgroup's recommendations, as written and presented to the RAC:

Category II 5 up
Category III 2 up, 1 sideways

The motion passed by fallback vote. The recommendations will be sent to the BLM as a formal recommendation of the RAC.

Fire Program Overview

John Thompson, BLM Montana State Office, presented the RAC with an overview of the BLM Fire/Fuels Management Environmental Assessment (EA) and RMP Amendments. The purpose is to have more intensive fire and fuels management on BLM lands where it is needed. Concerns include hazardous fuels buildup within one-half mile of 79 communities identified as at risk in 1999. Across Montana and the Dakotas, 1.3 million acres have been identified as beyond the normal fire cycle. The EA would amend existing resource management plans. A revised version of the EA recently went to the public and only four public comments were received.

RAC members asked several questions, as follows:

- Q: Is there a national long-range approach to people building houses where they shouldn't be built, and that people take on the responsibility for fire suppression in such areas?
A: The National Fire Plan and Federal Wild Land Fire Policy both emphasize working with communities to figure out what to do. We are increasing public awareness of the potential problems of building in such areas.
- Q: Is logging going to be part of it?
A: Logging will be part of mechanical treatment for fuels reduction. The objective for fuel reduction projects is to reduce fuels and protect life, property, and/or other resource values; while the objectives from a forestry project may be for more intensive management of forest products.
- Q: Are you telling people how to clear their property?
A: We have an information brochure that explains how to reduce risk to your own property, what to do if a fire is coming, the use of water, etc. The brochures (Living with Fire) should be available in every field office.
- Q: BLM ownership is mingled with others. Is there an overall coordinating set of guidelines or plan with the other landowners?
A: The Forest Service is responsible for fire suppression on federal lands in western Montana, BLM in eastern Montana. BLM identifies resources that qualify as an ACEC and where the use of heavy equipment may be more damaging than allowing fire to burn through an area, we would identify that and communicate with other entities that may be working fire in the area.
- Q: How long has it been since BLM has been around to the counties to talk about ACECs and not using heavy equipment? We have never heard anyone say this before.
A: The Northern Rockies fire group meets regularly. Every spring BLM meets with the dispatcher and talks about areas to be protected. Every field office must have a fire management plan. A fire management plan should be updated and available for every field office by September 2004. The group will take the information being gathered statewide and incorporate it into individual field office plans. When this is done, BLM will be able to go to each county and show identified fire polygons and a fire management plan for each. All ACECs in Blaine County will be identified in the Monument RMP and areas where heavy equipment is not desired should be identified.
- Q: Of the 1.3 million acres that are beyond the natural fire cycle, have you identified how much will require treatment?
A: These conditions exist on an estimated 6 % of BLM grasslands, 12 % of BLM shrublands, and 85% of BLM forestlands. We anticipate treating less than 500,000 acres with mechanical treatments and prescribed burns per decade- and this includes some re-treatments on the same acres. Much of this 1.3 million acres will not be treated because some of the acreage is within ACECs with unique resources or values that need special protection that limit our fuels treatments, and the BLM won't be able to get to some lower priority areas for a long time. Also, in interface areas mechanical treatment may be followed up in 5 or 10 years with prescribed fire. These re-treatments mean that some of the acres will be double counted. We anticipate that BLM will treat per decade less than

2% of the grasslands, 3% of shrublands, and 37% of forestlands that we manage.

Field Managers Updates

Bruce Reed, Malta Field Office

- Zortman/Landusky mine reclamation project. The Supplemental EIS stated that an additional \$22 million was needed for dirt work, and \$11 million for water treatment. The \$11 million is now at \$12.5 million, but the anticipated shortfall of \$22 million is now down to \$6 million. At the end of this field season, 95% of the Zortman mine site will be reclaimed, and Landusky is shortly behind that. A court case is still pending since the judge vacated the trial date.
- Prairie dogs and black-footed ferrets. In Phillips County we are just below the 1988 level, which is where we want to maintain prairie dog numbers. A survey last spring on the 40 Complex showed five ferrets still alive. Ferret recovery is difficult in Montana due to plague, and a three- to five-year study is in the planning stages.
- Two ACEC designations were protested two years ago and have surfaced again. We hope to be within reach of finalizing the Bitter Creek and Mountain Plover ACEC nominations.
- Fire management. Two communities at risk are Zortman and Landusky, and fuels thinning projects were started this year on about 400 acres around each community. Funds are available for individuals to do fire management projects on their private property, but no one has yet come forward to request the funding.
- Oil and gas activities/seismic drilling, leasing are still active.
- The drought is lessened, but special care is still being taken.
- Staffing. A soils position was just filled. A wildlife biologist position will be filled in late July. A realty specialist position is being recruited. A wildlife biologist in Glasgow is transferring to Las Vegas, so his position will be filled.

RAC members had the following questions about black-footed ferrets:

Q: How many ferrets have been released?

A: The first year 22 were released, and 2 or 3 survived. Last year 23 were released, and we have 5 this year. At least one is surviving from the first release.

Q: Is the BLM the only agency releasing them?

A: The U.S. Fish and Wildlife Service hasn't released ferrets in 4 years. If BLM does a dusting study with CMR, they will also do a release this year. Probably 300-400 have been released on the CMR, and only two have survived.

Q: Can ferrets develop the plague?

A: Yes. Their only food source is prairie dogs. We are curious if there is a low level of residual plague in this country that is hampering recovery. In South Dakota, where it rains more, they have never had plague.

Dave Mari, Lewistown Field Office

- The OHV protests were resolved by the Director about a month ago. On June 17, the Record of Decision was signed and in about 10 days the Notice of Availability will be published in the Federal Register and will be mailed out to the public that participated in the process.
- BLM Lewistown was recently recognized by the western section of the American Fisheries Society for the riparian work that has been taking place on the Upper Missouri River.

- Plans for the Interpretive Center in Fort Benton are going forward. One BLM employee will move to Fort Benton in August, and the other two or three sometime in the next two or three years. BLM has received approval to hire an Interpretive Center director.
- The Macum Environmental Analysis was mailed out on June 16.
- A trespass situation with a livestock operator in the Cow Creek area resulted in a notice of impoundment being issued earlier this year. A decision was issued recently to cancel that grazing lease. The decision is appealable to the IBLA.
- The BLM is still working on a draft sage grouse strategy. The working group is looking for the RACs to continue to be involved in the process.
- RAC nominations. Dave said he has had limited success meeting with editorial boards and requested feedback from the RAC on whether to continue efforts in this regard.
- Land and Water Conservation Funds. \$1 million was appropriated this year. The BLM submitted a proposal to use any monies received for four sites: Hole in the Wall, PN Ranch (a few acres in a minor exchange), Two Calf Ranch, and the Bar OK Ranch. The landowner at Hole in the Wall has since dropped out of consideration, at his initiative. We are not doing too much with the PN as they are interested in an exchange. The high priority is to negotiate with the Bar OK to pick up two parcels. If that falls through or if there were extra money, priority would turn to the Two Calf Ranch. All these lands are within the Monument boundary. The landowners have expressed an interest in either fee title or a conservation easement. The lands would be appraised, and by law BLM must pay fair market value.
- Sweet Grass Hills. A mining claimant has had numerous conversations with the BLM about buying out his interests. The State Office reviewed the mineral report and land values, and they are so far apart on the worth of the claims, negotiations are stalled at this point.
- Information was distributed to RAC members on RS 2477 and a summary of resolutions passed at previous RAC meetings.

Sustaining Working Landscapes

Bruce Reed discussed the Sustaining Working Landscapes initiative. It includes five concepts: conservation partnerships, reserve common allotments, voluntary allotment restructuring, conservation easements, and Endangered Species Act mitigation. Each RAC has been asked to hold a working meeting in August or September to talk about this proposal.

The draft Sustaining Working Landscapes policy should be mailed directly to every RAC member from the State Office in the next couple of weeks. It will be available on the internet, and a letter will be sent to all permittees advising them of the initiative. A news release will also be issued statewide inviting public comments to the State Office, which are due by August 1.

A schedule for the next RAC meeting in Fort Benton was distributed to RAC members. There will be two public comment periods during the meeting. The RAC is to deliberate on all the comments and provide advice and recommendations regarding the preliminary draft, which are due in Washington by October 10. This document will be crafted during the meeting.

Work Plan

The Washington BLM office is requiring a work plan be completed for every RAC as a way to insure that BLM is utilizing the RACs across the west. A draft plan for the Central Montana RAC was distributed by Kaylene.

A tentative meeting schedule needs to be set as part of the work plan. Kaylene asked for other action items which might need to be added. For the 2004 work plan, travel management should be added. Items to be

added to the 2003 plan include the Blackleaf EIS as an agenda item for the September meeting. Sustaining Working Landscapes is an action item. Ongoing items are Lewis and Clark information; the Interpretive Center in Fort Benton; sage grouse management information; and a river use update for the Monument (information).

With the consent of the RAC, Kaylene will make the changes noted and send it to Dale Slade and Dave Mari for signature.

RAC Membership

A motion was made by Art Kleinjan and seconded by Bill Cunningham that if new RAC appointments are not in place prior to September 23, outgoing RAC members will attend that meeting. ***Consensus was reached.***

A motion was made by Art Kleinjan and seconded by Bill Cunningham that Dave Mari continue to promote the RAC through editorial board meetings, public information, etc. ***Consensus was reached.***

Budget

Dave Mari highlighted budget priorities for the Lewistown Field Office in the 2003 fiscal year.

- Watershed Plans
 - Arrow Creek
 - Bears Paw to Breaks
 - Judith/Moccasin Landscape Analysis
- Monitoring
- Upper Missouri Watershed Implementation
- Oil and Gas
 - Blackleaf EIS
 - Lease Parcel Reviews
 - APDs/ROWs
- Monument Operations
 - Interpretive Center
 - Coal Banks Landing Improvements
 - River Operations
 - U of M Studies
 - Wood Bottom Road
- Office Space/Remodeling
 - Fire Dispatch Remodeling
 - New Field Office
- Range Improvements
 - Two Calf Pipeline
 - Knox Ridge Pipeline
 - Shaw Ridge Well
 - Two Crow Fencing
 - Weed Control
 - Riparian Work
- Other Projects
 - Limekiln Trial
 - Cabin Stabilization
 - WSA Monitoring
 - Fire Suppression/Fuels Reduction
 - Outfitter Permits
 - LWCF

Bruce Reed highlighted budget priorities for the Malta Field Office in the 2003 fiscal year.

- Whitewater Watershed

- Little Rockies Watershed Plan
- Black-Footed Ferret Reintroduction
- Fire/Fuels
- Fence Removal Work with the Matador Ranch
- Pipelines in Phillips and Valley Counties
- Hazardous Dams – Ongoing Evaluation Process

Bruce Reed reviewed the budget timetable for this year, and explained that a travel ceiling will probably be imposed for the next fiscal year. ***A motion was made by Jim McDermid and seconded by Art Kleinjan*** that RAC travel dollars be exempted from the travel ceiling. ***Consensus was reached.***

Presentations

Dave Mari presented gifts to Joy Crawford, Jim McDermid and Stan Meyer, the outgoing RAC members. Stan Meyer stated that serving on the RAC has been a tremendous learning opportunity. Joy Crawford expressed her pleasure at serving on the RAC. Jim McDermid stated that he enjoyed his two terms on the RAC, and that BLM's treatment of the RAC members has been superb. Jim also expressed disappointment at the lack of congressional cooperation with the RAC groups in funding efforts, including the lack of response to letters. The most rewarding aspect of his terms on the RAC has been the respect all have shown to each other in seeking commonality on difficult issues.

Meeting Agenda

September Meeting

The proposed tour on September 23 was discussed. RAC members are interested in seeing exclosures, cottonwood regeneration, weed management, and possibly the PN. A suggestion was made to put in at Coal Banks for a jet boat tour to Judith Landing and return to Coal Banks by 5:00, but BLM will determine the location of exclosures and finalize an agenda. The tour may be canceled if not enough members plan to go.

September 24 will be devoted to the Sustaining Working Landscapes initiative. The report will be finalized the morning of September 25, immediately following the public comment period. Currently the meeting is scheduled to be held at the Agricultural Museum in Fort Benton, Montana.

Bob Doerk suggested that available time on September 25 be used to plan the 2004 schedule. RAC members should think about it ahead of time and come prepared. Other items are a brief Lewis and Clark update, a sage grouse update, and two hours set aside for Blackleaf (a 15-30 minute update followed by discussion, including a brainstorming session on issue identification). A representative for the Blackleaf ID team will be selected. Lunch could be brought in to save time.

December Meeting

A one-day meeting will be held on Tuesday, December 3 in Great Falls, devoted solely to Blackleaf alternative formulation. The entire morning will be devoted to public comments and presentations (public comments from 8:00 to 9:00, formal presentations from 9:00 to 12:00. The RAC will deliberate from 1:00 to 5:00 with the goal of making recommendations.

Travel vouchers were completed.

The meeting adjourned at 5:04 p.m.

Central Montana Resource Advisory Council Meeting Public Comments June 18, 2003

Mark Good

Good morning, everybody. I just wanted to comment a little bit about yesterday, the tour and some comments about oil and gas in general, or the Front in general, I guess. It seems that often the discussions

on the Front center on oil and gas: how much is there; there'll be some process that's recoverable; how much money can be made; how to mitigate; and on and on. But I think what's usually missing there are some discussions about all of the other values and the resources that make the area unique. Oftentimes the attributes which make this such a special place are undervalued. It's almost presumed that oil and gas is somehow of greater public worth, and of course, as they become established they become the dominant use and diminish many of the natural characteristics and integrity of the area.

One of the reasons that there is so much passion in people to protect it are some of the outstanding natural characteristics of it. I mean, that's after all why the Blind Horse was designated as an Outstanding Natural Area. It wasn't designated as an outstanding natural gas area. Similarly with the adjoining Forest Service lands, they were all evaluated by the Forest Service back in the 70s and determined to harbor some of the highest wilderness characteristics of anyplace in the nation.

One of the problems, I guess, is that it is oftentimes difficult to quantify the value of wild lands, whether it's scenic views, a sense of solitude, or natural integrity, or some kind of opportunities for a primitive recreational experience, remoteness, opportunities to view wildlife. It's tough to quantify these things, and oftentimes it's treated, therefore, as though it has no value. But these values are real and they are important to people, and that's why there's so much support for protecting the Front that is overwhelming and growing, and I think it will continue to grow as there's more and more people and fewer and fewer places like this.

The motivations, I think, for people wanting to protect an area like this are varied. In some cases it's outfitters. It's people like Chuck Blixrud, who use the Blind Horse. This is where they take their clients. They are going to be displaced if there's a gas site right in the middle of the Blind Horse. But for others, it's just a more active involvement, whether it's hunting, fishing, hiking, birding, photography. Organizations like Back Country Horsemen, I mean that's the very point, to look for places that are nonmotorized and undeveloped. Certainly for others, it's just an appreciation of wildlife and the natural backdrop that some of these areas support. For many people, even though they may never visit them, they still want to know that places like the Front still remain, that there are places that diverse wildlife populations can be found. A place like the Front is considered maybe the top one percent of wildlife habitat in the whole United States.

Then there are others, such as Blackfeet, and others are more interested in the historic and cultural values associated with the area. For me, I think it's difficult to go to someplace like the Blind Horse and there's a well site in the middle of it, or go to Muddy Creek and to see a well site and developed road right before you enter the canyon and the big waterfalls, if you haven't been back there, or the South Fork of Dupuyer. All of these places are a day walk or horseback ride into there, but it could just as well be in the middle of the Bob Marshall, so it's become difficult to think of these places suddenly change like that, to see the roads and the well sites and so on in there.

I guess the point is that the Front serves many human needs, and I don't think they should be trivialized just because you can't attach a dollar value to them. That's why a lot of people live and work here. People care where they live and act on the preference for a higher quality of living environment. I think that also contributes to the vitality and stability of the communities around here. There are places for oil and gas development, but not everywhere. For over twenty years we've been debating about whether to develop the Front for oil and gas, and after twenty years of administrative challenges and ongoing public controversy, let's characterize most of these development efforts. I think that's not going to end. The Front has become a national issue. I think more energy should be put into looking at other avenues to resolve this predicament. The one option, I think, is to look at trading out some of these leases. There's legislation to that effect right now. Whether it's this body or any others, that's what I would like to see focused on.

Thanks for the opportunity to talk. I also wanted to have people, if you would like to get out to some of these places, there's a booklet here called "Wilderness Walks," and it's a way to look at some of the other values of this place.

Stoney Burk

Good morning. Thanks for letting me have the opportunity to speak. I think most of you have heard that I am a very, very strong proponent of preserving this Rocky Mountain Front as it is. I am fearful that through some administrative process we will lose something that is extremely valuable to our heritage and to our children. I have pictures back there that anybody can take the liberty to look at. I've hiked these mountains. I've slept in them. I have sat on the cliffs and listened to the wind talk to you, and it bothers me

greatly. Anyway, we talked about some of the things that we're looking at here. If you looked at this giant rug, and you looked at this little square, that's the Rocky Mountain Front, that little square in this great nation. There are all kinds of wells capped out here. There are all kinds of opportunities for solar energy and other kinds of energy, wind, that we as a nation simply have ignored because we have this great thrust for developing more and more energy.

People don't come here to smell hydrogen sulfide. They don't come here to see oil wells. They come here to see this majestic land, and it's growing exponentially every year. People are looking for solitude. They are not looking for something that can be wasted in one day in Las Vegas, or one day in Iraq. The amount of oil that is estimated to go out of here has, at the very most, been estimated at 15 years for four million homes. That's the vast wild estimate for the whole Front. There are discussions that this could last anywhere from one month to four months. Yesterday on the tour, we heard about possibly another strata. They don't even know. Are we going to take this beautiful, magnificent land and scar it for the speculative interests that might allow us to consume a few more days in Las Vegas or another excursion into foreign countries?

I say we ought to pay these oil and gas companies fairly, not take from them what they have invested, but pay them fairly for what they have. We're spending one billion dollars a day right now in Iraq. I don't think all of you know that. One billion dollars a day. Let's take one day from Iraq and let's figure out a negotiated fair way to get these people to look at other areas that are not this pristine.

This is the last remaining contiguous wildlife area in the lower United States. Think about it. We have the second largest elk herd. We have grizzly. We have wolf. We have wolverine. We have some of the most magnificent habitat remaining in the lower United States, and we're talking about going up here and scarring this and sacrificing it for this little window of use. When it's done, we saw up there yesterday, we saw the capped wells. We listened to the idea that there could be more, and there could be more, and there could be more. I know one thing that there will be – there will be scars on that land that will diminish its value for millions of people that are not here to talk. If they were all here, they would say "Do not violate it." The land and the animals cannot speak. They can't speak. But I know that if they could, they would say, "Please don't violate this land." That's all I have to say.

Gene Sentz

Thank you for giving me this opportunity to say a few words. I was here, I think it was a year or two ago when you had your last meeting here, and I think maybe I was the only one that talked that time. These two guys have already covered about everything I wanted to say.

I was going to try to focus on a couple of things. One, some numbers, and then balanced off against the values. What Stoney was talking about there between one month and four months, and he mentioned the Rocky Mountain Front. Actually, the way I understand it that's for the whole Montana thrust belt, Stoney. That includes most of the western one-third of Montana including the Bob Marshall, Glacier Park, and maybe part of the Mission Mountains and a whole bunch of other areas too. If we had full field development in that whole area, the latest USGS figures show that there might be as much eight trillion cubic feet of gas in that whole western Montana, including this little strip of the Front. Eight trillion cubic feet of gas is a huge amount, but when you balance it off against 22 trillion. Think 22 trillion is how much we consume as a nation per year. That's about four months of gas. Four months. Alan Greenspan the other day spoke to a committee in Congress and said that, admitted pretty much that no matter how much more production that we do on public lands we're not going to keep up with the demands that we're making as a nation. I guess what bothers me is the same thing Stoney mentioned there a minute ago, is that where is this gas going to go if they hit some up here. It's going to go into a pipeline and probably into a gas-fired generator, converted to electricity that's going to be sent to Las Vegas to run those lights 24 hours a day, seven days a week, 365 days a year.

Where are our values as Americans that we would sacrifice what you saw yesterday, which is some of the grandest country on earth, folks. There's nothing like that. With all due respect to the BLM folks who are obviously experts in their field in oil and gas, and I really respect you for that, just because you can't see this stuff down from the county road, that's my sole I'm hearing you talking about. I know that country. I know every inch of that country. I've been on every one of those mountain peaks, every knob, every coulee up there. I go up there all the time. Last year, two years ago when we met the oil companies up there we saw two grizzlies on our horseback ride back down to the ranch. I took my daughter up there two weeks ago and saw 17 bull elk right where Startech wants to put a well. Just south of there about a half mile.

Yesterday I guess it sort of blew my mind because I was thinking you guys were talking about three sites. I was thinking the Blind Horse and the mouth of the Muddy and then up on Dupuyer Creek on the Boone and Crockett. But from the sound of it, it sounds like there's going to be anywhere from one to two dozen wells possible now. That whole Blind Horse bench up there would be developed. It's just mind blowing because that is virtually untouched country up there. I know back in the 60s they dragged some thumper trucks up there and seismographed it, but other than that as far as industrial development, it's seen nothing. So you're talking about converting some of the finest remaining wild country on earth into really, basically, industrial areas. I don't want to sound too serious, but Don, I wish that you would just not do this EIS for another 20 or 30 years and let somebody else fight this battle besides me. Thank you.

Jim Cummings

Good morning. Most of you know me. I'm Jim Cummings from Lewis and Clark Canoe Expeditions. I guess from the first three speakers, I'm going to move you from the mountains to the river. I just wanted to come here. First of all, I didn't want to come here. I'd rather be on the river working right now, but I have nothing on the calendar as far as work. What we're seeing this year, and I've talked to a lot of other outfitters and some of the bigger outfitters who've been around a long time, is once again a downward trend in the numbers of people coming to the river. In fact, I don't know what the numbers at this point are from the Coal Banks launches, which is kind of the indicator where we see where we're at, but I do know that my calendar is still quite open, especially for the month of August, which is supposed to be the biggest time of the year.

Anything that comes up today with regards to the river, I hope that you keep in mind that all these trends back, I've been coming to these meetings for quite some time, and right now I'm supposed to be so busy that I haven't got even a free minute to breathe. All the trends are going up and up and up. We're just outside the bicentennial. So far I'm not seeing it. Keep in mind when you're making decisions about the river that if you feel that allocations are necessary or changes in the rule structure that are supposed to protect the resources are necessary, we don't have a crystal ball. We have no way of knowing what's coming. I certainly hope there is a crowd coming for the bicentennial or I may be out of a business here pretty soon because I haven't had a winning year in six.

Also, if you feel like decisions have to be made about the river with regards to the regulations to manage the people that are coming to the river, I would suggest a sunset clause on there, maybe in the year 2010, that that reverts back to perhaps 1990 rules or 2000 rules, because any decisions or recommendations that you make will carry long into the future and may not be appropriate after the bicentennial comes.

I don't know where we're going to be at. I certainly hope that the numbers come up on the river, but right now I'm really not seeing them and I don't see, the calls aren't coming in. Keep in mind when you're making these recommendations, please, that those recommendations affect me and affect the people that are out there.

I want to thank you for not putting a fee on the 76 or 77 percent of the boaters last year that didn't go with an outfitter as a guided trip. I don't think the fees are necessary. It's a river that a family of four, for example, can take a vacation on and do it relatively inexpensively if they know how to camp. They might have to rent boats or use a shuttle service, but for the most part it's a great resource that people should be allowed to experience, and experience at a cost that's affordable to them.

I also would like to say keep up the good work with regards to rejecting any additional fees that I don't believe are necessary to protect the resource. We're already paying fees at three percent on our shuttles, our rentals, our outfitted and guided trips, that actually is going back to the Lewistown office so that it can be spent in these areas. Thank you for your time this morning.

Brad Borst

Good morning. The rest of the country calls this spectacular landscape that you saw yesterday the Rocky Mountain Front. But to Montanans, we affectionately and with pride simply call it the Front. Montana's Rocky Mountain Front is a special place that defines Montana's tradition and greatness. Because this area is home to most of the historic native plants and animals, it is amongst the wildest country remaining in the lower 48 states.

I'm quoting from The Making of a Masterpiece by David Keller. "The Front is a seam of two entirely different ecosystems, the dry northwestern Great Plains and the moist, cooler Rocky Mountains, thus creating a biological gold mine. It is here that plains species mingle with mountain species, mule deer with mountain goat, antelope with bighorn sheep, and wolverine with the wolf. It is where the grizzly bear still wanders out onto the plains and is home to all the species, with the exception of the bison, which Lewis and Clark encountered on their journey west." Where else in this country can you say that?

It's also a place for where nearly a century Montanans have recognized the unique and rare character of this spectacular landscape and have established a tradition and history of conservation. This conservation has been anything but accidental. Rather, it has only been through the hard work and perseverance of highly dedicated people over the last century that land and wildlife are in the shape they are today.

It is where I go to hike, hunt, fish, and escape from the everyday noise and hustle and bustle of civilization. It is where I take my friends and my family when they come to visit from out of state. I don't take them to Glacier. I don't take them to Yellowstone. I take them to the Front, which I think is the true crown jewel of our state.

Think about this magnificent landscape you saw yesterday and then add oil and gas development and you can just wipe it all away. The industry may talk about small footprints and environmentally friendly drilling, but the reality is that the landscape will be changed forever. How do you measure the value of the Rocky Mountain Front, one of Montana's most defining places? What price tag do you put on the quality of life for your community and family?

Yesterday I heard a lot of talk about reasonable foreseeable development. What I didn't hear about is what the people of Montana want, which is to protect the Front. There is nothing reasonable about oil and gas development in such a unique landscape.

To close, I just want to say there's a sign when you drive into Choteau that says "Gateway to the Rocky Mountain Front." That sign doesn't say "Gateway to what once was" or "Gateway to a place that used to be unique before we ruined it with oil and gas wells." That sign says "Gateway to the Rocky Mountain Front." And today, the Rocky Mountain Front means something special, something special to all Montanans. It means a special place that defines Montana's tradition and greatness. Let's just make damn sure that's what it means tomorrow. Thank you.

George Widener

I just had a few words to say about it. I think it's inconceivable that you'd propose to cut a road through my property and switchback up the timbered face of Choteau Mountain to put in a gas well. I've heard different estimates of how much gas is up there, but it's not enough to make it worth the scars that you'd put on the mountain and permanently change the area. Other people that have been up here can explain it a lot more eloquently than I'm doing, but it's too personal to see the gas development go on out on Choteau Mountain and along the Rocky Mountain Front. I'm not sure what else to say about it, but I don't think it should go on. Thank you.

Jen Bannon

Good morning. I have some summaries here on oil and gas development on the Front. You're welcome to have a copy. If there's not enough to go around, I have more. Let me know. My name is Jen Bannon. The Rocky Mountain Front is a fairly new place to me. I live on the west side of the mountains near Glacier in the Flathead Valley, but I've been spending a lot of time here on the Rocky Mountain Front as of late. I have been deeply moved by the power of the mountains and the beautiful landscape.

One of the things that disturbed me yesterday on the tour was the lack of connection of the people who have been discussing the fate of the mountains to the land itself. I think that is a major problem in this decisionmaking process. That we are so disconnected with what we're actually doing here. I mean, to actually think about the long-term effect this will have on this area. The Rocky Mountain Front has been called America's Serengeti. Those words were echoing to me as we were driving around up there. I wish that we were able to hike together and everyone spend the night up in the mountains. I slept in the mountains last night and it's like a spiritual experience up there. It really is. For centuries it has been a spiritual experience there.

Reference to the Old North Trail was brought up yesterday, almost in a dismissive way that perhaps it was or was not used by Native Americans for years and years and years, thousands of years as a mode of transportation. This history of our land is disappearing rapidly. In 50 years from now, what are the generations going to look towards? They are going to look to this type of agency and say gosh, you know, look at what they've done. They ruined everything. Is nothing sacred anymore? I wish they would have saved some sacred places for us to be able to release and get away from modern civilization.

We're at the turning point here, folks. You have the opportunity to create that legacy for future generations, to stand up and say we're the people who got creative, got innovative, and came up with alternatives to keep the Front sacred and honor the tradition and the natural integrity of the land. Or, you can go down in history as being the folks who decided to not get creative, not get innovative, allow oil and gas industry to have their way, and permanently change this beautiful landscape for generations to come. So I encourage you to think very hard about the legacy that you intend to leave to people of Montana and the next generation, because it will be in your lifetime that you'll be hearing about this later on.

I wish you luck. There's opportunities to deal with this situation. It doesn't have to be just one set thing. We can work together to come up with the best solution for this public land. You are public land managers and that means everybody, not just the oil and gas industry. Thank you.

Nathan Birkeland

I'm Nathan Birkeland. I don't have much more to say than everyone else has said. I don't know what kind of sway the committee has with the BLM, but it seems that they have quite a bit of momentum behind them. You guys are set up to try and go through all the information and advise them, and I hope that you will, and I am sure that you will take the time to listen to especially the local people around here. I won't take anymore of your time. Thank you.

Roy Jacobs

Good morning. I grew up here, by the way, on the mountain front. It's a very, very special place, of course. Everybody has probably said as much as needs to be said. I mean, it can never be said enough. One thing I haven't heard. I was visiting with Stan yesterday. When he was on the Fish and Game Commission he and I dealt with a problem of too many elk up here on the river. It never got solved. I mean, it's a beautiful herd of elk, but it's living on private land. So yesterday I came up with a solution and Stan said to me, "The public will never go for that." Well, I think the public has spoken on the mountain front. I think it's time that the public comment does have some weight. It is as though the public has nothing to say about it. We comment. We work hard. Nothing is ever resolved. Right now, there is no doubt what the public comment is on drilling the mountain front. It's no, negative. We're working now on a travel plan for the Forest Service on off-road vehicles. They have 9,000 letters, and approximately 95 percent of them are saying "no." And that is exactly what should be done on the mountain front. No.

One other thing briefly. We talked yesterday about full field development. Has it ever been reclaimed? Well, there's never been a chance to have it reclaimed yet. Generally, these big companies that come cruising in and do all this, what do they do? They go bankrupt about the time it comes to reclaim the land. Leave it to the taxpayer of Montana. Do we want that? I don't think so. I could go on and on and on, but I'll just call it good here. Thank you.

Karl Rappold

Good morning. I just want to say I'm a landowner against this, with private land up there. My family homesteaded that ranch in 1882, which is 121 years ago. We've made our living running cattle all of our lives, and we don't need oil wells up there. We'd like it to stay just the way it is. It's a wild country, and that's the way we want it to stay. Thank you.

Mary Sexton

Thank you very much. I realize this is out of the ordinary. I really thank you for this opportunity. I didn't know when the public comment period was. I just wanted to make a few really general comments. I want to thank you for coming here. We appreciate the economic development in Teton County. Don't we, Art?

I was a member of the RAC, actually the original RAC, and we did look at this issue in 1997. I was not a

commissioner at that time. But we took the tour and I see some faces that I recognize from that tour, and other folks that I've known. I just wanted to make a few comments about this issue. It's a very contentious issue nationally, regionally, and locally, without doubt. There are a lot of pros and cons on both sides. We're certainly in need of energy development. But we're also in need of places that are very special and have particular habitats and scenic beauty and other things that are available. So it's a very difficult situation that you're looking at, and it's going to be a long process finishing the EIS.

A couple of points I would like to make. Just recently we finished a scientifically defensible survey. It was a land use opinion survey for our growth management policy in Teton County. It was somewhat surprising to me—it was done by the University of Montana, by a statistician at the University—looking at attitudes towards development, land development, different kinds of development, some of it was subdivision directed, but there were also questions in there that talked about oil and gas development.

Generally speaking, I think you could find 20 years ago that folks said hey, oil and gas development is where we need to go. It's going to help our economy, it's going to help Teton County, it's going to help our area. Actually, though, this survey that we did came out to be very mixed. In fact, it was about 50-50. There was an awful lot of interest in the local area. These are Teton County residents and again, it was a survey that was sent out about a year and a half ago, that showed about half of the people say let's keep it the way it is. We don't want to disturb the natural beauty that we have. We want to keep what we have. We want to maintain what we have right now. And then there's another 50 percent that say we need development any kind, shape, or form. So that's just kind of an interesting thing I wanted to share with you.

I guess in my opinion, that attitude has changed in the last 20 years. I think as we have gained more of a tourism economy in this area, this motel was built for the tourism economy. We have a museum down the road that's tourism economy. We have outfitters. We have an awful lot of use of the Rocky Mountain Front for tourism and recreation. As that has developed as a good alternative to ag—ag is not the strongest as it might be right now, and I think we all know that, those of us that live in rural areas—tourism is very much of an economic interest in all of Montana. I think it is particularly in this area. So I think that's one reason that people look to see that scenic beauty, habitat, having wildlife, having those things available are very important things.

I think because—and this is again, I am stepping back and saying my own personal opinion. I've lived in the Rocky Mountain Front off and on most of my life. I live 25 miles west of here along the Teton. I've ridden back in the hills. My folks have been involved in agriculture. I think I understand what this area is all about. This is an incredibly contentious issue. I think you all know that. I think one alternative to be very seriously considered, and I think you may as you ponder what kind of a recommendation you make or what you think in this issue, Senator Baucus has presented a bill that looks at studying buyout/tradeout potentials for the Rocky Mountain Front. In fact, it's part of the energy bill right now that's being considered in Washington, D.C. I think that is a reasonable alternative. It secures these areas, and they are very special areas, I'm sure you saw yesterday. I think that this is a very reasonable approach that Senator Baucus is taking.

I guess I'm going to mention also the grizzly bear population that needs secure habitat. We're looking at delisting. Quite frankly, in this area a lot of folks are interested in delisting. Number one, we need secure habitat. Senator Burns is sponsoring a study, a DNA study, an expensive study, to try and get a handle on the numbers of bears. That's an important part of it, but also having secure habitat where development does not hinder the quality of the habitat for the grizzly is very important.

So I think that's somewhat of a side issue, but there are so many issues that come together in this sort of a larger topic when you're looking at the oil and gas development, the needs, the impacts, the long-term repercussions with this development. I think these are a few important things to look at. The habitat security, the regional tourism economy, and also, I think, the change in public opinion right here in Teton County. So those are just some comments I wanted to make. I know you have a tough decision. We struggled in it in 1997, and this was at the time Gloria Flora, or I should say the Forest Service was looking at their decision, and I am sure Dave Mari does not relish the idea of looking at this decision either, do you, Dave?

I thank you for your time. I realize this is not normal. I would have come at 8:00 had I known, and I really do appreciate this. Thank you, Stan. I thank you very much, and I appreciate your hard work. Thank you for coming and spending your time for the betterment of us in this area and the betterment of our country. Thank you.

**Central Montana Resource Advisory Council
Meeting on the Blackleaf EIS
December 3, 2003**

The meeting convened at 8:00 a.m. in the Great Falls Holiday Inn. The sole focus of this meeting was the Blackleaf Environmental Impact Statement (EIS), which is being prepared under the joint direction of the BLM and the U.S. Forest Service (FS).

RAC members in attendance were Dale Slade, Arlo Skari, Bill Cunningham, Charlie Floyd, Glenn Terry, Jeff Sheldon, Larry Ostwald, Lisa Cowan, Randy Gray, Mary Fay, Francis Jacobs, and Bob Doerk. Absent were Darryl Seeley, Art Kleinjan and Dean Stiffarm.

Attending for the BLM were Marty Ott, Dave Mari, Bruce Reed, Chuck Otto, Don Judice, Jerry Clark, Jodi Camrud, Craig Flentie, Paul Wages, Kaylene Patten and Kay Haight.

Attending for the Forest Service were Vernon Cromwell and Rolando Ortegon.

Public Comment Period

Twenty-two individuals offered public comments, which are attached to these minutes.

BLM/FS Update

Don Judice advised RAC members that his October 28 presentation to the RAC remained current. He noted the latest developments, as follows:

- The draft Notice of Intent has been sent to the BLM Washington office for review and finalization. The Notice will be published in the Federal Register. Publication of the Notice will commence the 45-day scoping comment period and will include information on how to submit comments.
- The format and locations of the scoping meetings will be determined in the next few weeks, and that information will be widely disseminated to the public through news releases and web site information.
- The Blackleaf project web site is in the final stages of development. The public will be able to obtain up-to-date information from the site, which will also include a hot spot for the public to submit comments by e-mail.
- The inventories (old growth, Old North Trail, raptors, botanical, and visual) will be published on the project web site when they are completed and acceptable to the BLM/FS.
- The Blackfeet Tribe was briefed on December 2 in Browning. The Salish Kootenai briefing is scheduled for January 8 in Pablo.
- No pre-determinations have been made, and the analysis process will follow NEPA guidelines. The Blackleaf EIS will analyze the lease proposals of three corporations: Startech; Grizzly Resources; Rutter and Wilbanks.
- The timetable as presented at the October meeting remains the same. Based on a mid-December publication of the Notice of Intent, the public meetings would be scheduled for the last two weeks in January, and the expected date for the draft EIS to be available to the public is September 2004.

RAC members requested that an open house not be scheduled for January 28, as it would conflict with a scheduled RAC meeting.

Five presentations were made to the RAC, as noted below. Startech was the only Oil and Gas interest that responded to the invitation to make a presentation to the RAC.

Startech Energy (Kel Johnston and Murray Mason)

General Overview

The Startech prospect is a four-section area in the Blackleaf Exploration Unit. It includes 2,500 subsurface acres. A single 6-acre pad would develop the entire prospect. Three wells would be drilled from one site.

The resource in the Blind Horse location is estimated to contain 2.1 MMcf/d. The existing Blackleaf 1-19 is similar in size to the footprint planned at the Blind Horse location.

Production would be transported via buried pipeline to a site north of Choteau for processing into existing gas transmission lines.

While the gas in Canada contains 15-35% hydrogen sulfide, the amount in the Blind Horse area is less than .5%. Even though the percentage is low, some sweetening would be required. Sweet fuel would be piped to the site (in the same pipeline trench) so that the sour gas could be heated before transport in the pipeline.

A 40-foot flare stack would be used for periodic maintenance, but would otherwise remain unlit.

An unimproved road would access the Blind Horse site. The intent is not to make it a high grade road. Some portions would need no upgrading. For the purposes of drilling, the road would be traveled every day. The drill rig would be on site for 60 days.

In 1948 the first well was drilled in Blackleaf. In 1981 the latest well was drilled in the Blackleaf Unit.

Drilling Operations

Many drilling advancements have been developed since the last well was drilled in the Blackleaf area in the 1980s. A rule of thumb is 30% less time is required on a lease than 20 years ago because of new technologies. Drilling three wells from a single pad is less impactful to the environment.

Environmental Considerations and Facility Design

Environmental measures taken by the company include a pre-assessment of resources at the site. Soils are sorted by layers for future reclamation. Mud systems are hauled away from the lease site and disposed of in approved disposal sites. Computer instrumentation is used to get a quicker, better well with less risk.

Startech would minimize the imprint of a well site. New building designs would be used for a better aesthetic view and to reduce visual impacts. A pipeline would be used to transport all products. The pipeline could be run parallel to the road to minimize impacts. Corrosion and gas plant emissions would be managed. Monitoring would include air plume and air dispersion. Instrumentation could be used to monitor production.

Startech has never forfeited a performance or reclamation bond.

Reserves/Production

Montana proved reserves are 898 Bcf (12/31/2001 Source: EIA). Montana gas production was 82 Bcf in 2001 (Source: MBOGC).

At 250-550 Bcf of potential recoverable reserves and potential annual production of 11-22 Bcf, the potential exists to make Montana a significant gas producer.

Tax Revenues/Employment

At \$3 per Mcf, severance taxes paid to the State of Montana would total \$3-6 million per year. Royalties paid to the federal government would total \$4-8 million per year.

Startech's policy is to use local employment as much as possible. Production would provide permanent jobs in Teton County. No actual numbers have been determined as yet.

Cultural Resources/Consultation (Jerry Clark, BLM Great Falls Field Station)

Among the resources Federal agencies must consider in the EIS are archaeological and historic sites - cultural resources. The agencies must also follow specific procedures to comply with section 106 of the National Historic Preservation Act that requires them to take into account effects to historic properties and, where there is an effect, to allow the Advisory Council on Historic Preservation an opportunity to comment. Historic properties are cultural resources that meet at least one of four criteria for the National Register of Historic Places.

Currently, over half of the Blackleaf Study Area has been inventoried for cultural resources at the reconnaissance level and less than 5% of it has been intensively inventoried. About 40 cultural resource sites have been recorded, most of them prehistoric camp sites that include tipi rings and cairns (stone piles). A few historic sites that have been recorded include the remains of homesteads and logging operations. The area is also reported to contain segments of the Old North Trail. Two of the proposed well locations and access roads have been inventoried and no cultural resources were found.

The Old North Trail may be more than a single trail with corridors that are miles apart. One of these corridors may be along the foothills of the Front. The BLM has contracted with a firm to determine if the trail is in or near the study area. If significant segments of the trail exist, the agencies will then determine if the proposed gas field development would affect it and look at ways to mitigate effects, if any are anticipated.

Letters were sent to all tribes who historically may have resided in or used the area. Agency contractors are meeting with tribal members to determine if development has the potential to affect sacred sites or historic properties of traditional and cultural importance to the tribes.

No traditional cultural properties have yet been identified in the Blackleaf Study Area, but consultation with the

tribes is not yet complete.

Environmental/Recreation (Gloria Flora and Roy Jacobs)

Gloria Flora stated that the coalition to protect the Rocky Mountain Front requested her presence at today's meeting. She emphasized that the human dimension must be considered in a decision – a human sense of place.

The Forest Service Record of Decision on the 1997 EIS was based on two factors: the extreme ecological significance of the area, and the cultural significance of the area (both historic and current). The Decision stated clearly that a single exploratory well would not be devastating. The combination of multiple sites would have an effect.

As for the economic side and environment/recreation side; the Rocky Mountain Front meets none of the criteria for a business model. The public doesn't know about hidden costs or lost opportunity costs. What is it really costing the American public?

With the exception of bison, every native species present during the time of Lewis and Clark is still present today in the Front. Fourteen species of sensitive plants are found in the Front, some of which occur nowhere else in Montana.

Roy Jacobs stated that we must look at the values, and whether they are found in a short-term gas field or in having a place for the public to go and recreate in peace and quiet. Conservation in the Rocky Mountain Front started in 1913 with the Sun River Game Preserve. The area is special because of no development, and it is doubtful whether financial gains will benefit the counties or the local people.

Teton County Commissioner (Mary Sexton)

Mary presented various statistics for Teton County on population, economics, public funding, and local attitudes related to oil and gas development on the Rocky Mountain Front.

Population

6445 people (2000 census)	Workforce 3439 people
Median age 33 (1980) 40 (2000)	'80s net loss of 581; '90s net gain of 143 people

Economics

Employment includes 3300 full or part-time jobs, of which 23% are in the agricultural sector.

Personal income from farms decreased from \$48 million in 1970 to \$11 million in 1998. This figure may not include subsidies.

Mining (which includes oil and gas production) consisted of less than 10 jobs in 1970 and 11 jobs in 1987. During peak production in the mid 1980s, 7% of total personal income came from mining. From 1979 to 1998 mining was negligible as a percentage of total employment.

Public Funding

The county and school budgets total \$15 million. Revenues include property tax, grants, PILT payments, fees, state entitlement, licenses, oil and gas.

Recent average annual revenue from oil and gas was \$40,000, of which one-third went to the county and the rest to schools. In 1984, oil and gas revenue totaled \$400,000. In 1989, the formulation to calculate county revenue changed from mill value to a flat tax. The 9% now received is split with the State.

Local Attitudes

According to a recent survey of Teton County citizens:

- 45% feel that oil and gas development would be good for local communities.
- 26% feel that the RMF should be maintained in its current roadless state.

- 44% feel that environmental quality is extremely important for the county's future.

Teton County has not seen an objective cost/benefit analysis of development on the Rocky Mountain Front.

Montana Fish, Wildlife and Parks (Mike Aderhold)

Mike presented statistics on wildlife found in the Rocky Mountain Front. He stated that the Northern Continental Divide Ecosystem (NCDE) is defined by the contiguous distribution of grizzly bear over 7.2 million acres. The entire area will be surveyed this coming year using DNA technology.

The Montana Natural Heritage Program tracks projects through a database, and that information is available to the public on the Program web site.

Species found in the area:

- 409 species of birds in Montana. 106 are considered rare. 62 percent of all birds observed in the whole state are found in the NCDE.
- 10 species of big game animals.
- 32 species of fish, including 20 species of native fish.
- 7 of 14 threatened and endangered species.
- 77 species of plants exist in a six-mile transect of the area.

2000 square miles in this area contains the top one percent of wildlife habitat in the United States.

When asked if seismic activity 20 years ago impacted big game species, Mike replied that they don't have hard information on effects from past seismic work. The biggest concern is fragmentation from construction and roads.

Question and Answer Session

Following the presentations RAC members asked the panelists numerous questions, which are listed below along with the responses.

Question: (To BLM) Is Startech waiting for the EIS to be finished to determine if drilling will take place, or only how it will be done?

Response: The document analyzes the proposals for drilling. The decision of whether to allow the project to proceed or not will depend on the alternative chosen. A no action alternative is available.

Question: (To Startech) What is the size and depth of the pipeline?

Response: Assuming target rates of production, a 6-8" pipeline, and a 3-4" sweet gas pipeline alongside it. The pipelines will be buried under six feet of cover.

Question: (To Startech) Is one-half percent of sour gas an estimate?

Response: It is fairly accurate, based on an adjoining field.

Question: (To Startech) Will you be drilling 60 days for the three wells?

Response: Per well. The first well would be drilled and tested. If the window is an issue (because of wildlife), would come back the next year. There would likely be a year between each well drilling.

Question: (To Startech) If the first one came up dry, would you abandon the prospect, or no matter what, drill all three?

Response: If the first one came up dry, it's done. All activity is contingent on the success of the first well.

Question: (To Startech) Is this called wildcat exploration?

Response: Yes. The only thing that gives this more certainty is a well tested for gas on the flank of the structure.

Question: (To Startech) Is there a percentage of probability?

Response: 1 in 4 to 1 in 3.

Question: (To Startech) If you hit a producing well, is there a life of field expectancy?

Response: 20-30 years, probably over 30.

Question: (To Startech) At the end of production, would jobs end?

Response: Yes, other than reclamation.

Question: *(To Startech) Whose estimates are 250-500 Bcf?*

Response: Startech's. The thickness of the reservoir is known. Also known from well logs is the percentage of rock with holes, the pressures, and that is all combined with seismic information to calculate the reserve. The wide range occurs because there are two thrust sheets.

Question: *(To Startech) Roy Jacobs referred to the need for air compressors because of low pressure and noise impacts. Is that something required in full field development?*

Response: No. Compressors will be on the 1-8 site, which produced in the mid 1980s to 1991. That well is shut in but the compressor is still in place. The gas would free flow to that site where it would then enter the compressor. With respect to noise, in Alberta the requirement is less than 48 decibels at 1500 meters from the site, and less than 1500 decibels at the closest residence. This is equivalent to a quiet office. Startech would comply with the regulations.

(From BLM): The requirement would come through analysis in the EIS. Best Available Control Technology (BACT) would be required for any production facility, including the amount of emissions the compressor would release. On the well site, no compressor would be in place.

Question: *(To Startech) How would you manage the access roads?*

Response: It's a controlled road now, and that would continue. The road is locked and gated. The operator would have sole access.

Question: *(To Startech) When the rig is finished, what is left on site (in terms of light, powerlines, poles)?*

Response: When the well goes to production, there is a wellhead (or 3, if all are successful) that is about as big as the (flip chart) board. A pipe would run from each well to a building that would house separation and heating equipment. There would be a valve assembly (approximately 12 feet long) that is a pig launcher, put in once a month to clean out the line; a flare stack to allow maintenance of the equipment; and solar panels on a hill (all very little) to run various bits of equipment. Most equipment would be in the buildings. Normally, a chain link fence would be put around for security, but we realize it may be an issue. Other sites have barbed wire fence. There could be screening and berming using vegetation and/or rock.

Question: *(To Startech) Would the entire 6-acre site be maintained as a site, or would restoration be started?*

Response: The wellheads are separated by 25 meters, although not necessarily the whole thing would be needed. They need to have a large enough site for a maintenance rig to access the wells.

Question: *(To Startech) How long has Startech been a company?*

Response: Startech is the U.S. subsidiary of Impact Energy and has been going since 1993.

Question: *(To Startech) What is meant by well funded?*

Response: Next year Startech should have \$15-20 million (Canadian) in cash flow generated by production. The company has the ability to raise capital through equity issues because it is a publicly traded company. The company is funded through cash flow, debt, and public equity issues.

Question: *(To Startech) Is Startech any relation to EPS company?*

Response: No relation at all.

Question: *(To Startech) The road would be closed, so would Startech be responsible for road development and maintenance?*

Response: Yes.

Question: *(To Startech) At the end of production life, what happens to the site?*

Response: It is reclaimed. The pipe would be left in place, but would be cut off underground and filled with fresh water. Anything above ground is removed and soils and rocks are recontoured.

Question: *(To Startech) What is your environmental record in Canada? Have you ever been sued?*

Response: Environmental safety is used on fundamental basis. Quality assurance, quality control, pipeline integrity. When incidents do occur, an emergency response plan is implemented to

protect the public, environment, and property. The plan has been used. They have had incidents through history and have responded, remediated, and restored production. Currently, they have one outstanding issue. Startech was doing a well test because there was an odor complaint (a flare stack wasn't working properly). The fix was made, but they didn't contact regulators first and were cited for not contacting them. In the past, Startech had a pipeline break in the foothills due to a faulty weld. They implemented the emergency response plan and it was brought under control with no injury or damages. There was a lengthy investigation, and the asset was shut in for eight months while the investigation was conducted. As a result, Startech implemented a pipeline integrity program meant for sour gas, high volume applications.

Question: (To Startech) Where do you think the technology will be in 20 years?

Response: A lot of the initiatives taken over the last 20 years are from information flow. With the internet, information flow is much easier. Progress has been made on directional drilling. The industry is managing waste streams much more aggressively than 20-30 years ago.

Question: (To Startech) Do you anticipate hitting any layers of water?

Response: It is possible. There would be subsurface casing of groundwater. If water is encountered in the target zone, the drilling would be finished.

Question: (To Startech) What is the depth of the surface water?

Response: We're starting in limestone bedrock.

Question: (To Startech) Do you think you will produce any fluids?

Response: Yes. The other pools in the area have produced fluids. Condensate water will be sent to the pipeline and out to the compressor. This is done in most production areas today.

Question: (To Mary Sexton) If there are negligible tax benefits for the county, employment is not known, and no cost/benefit analysis has been done, what would be the purpose of allowing a Canadian company to drill in this pristine area in your neighborhood?

Response: Analysis was based on previous production. A concern is costs to the county even if no production is found. Even if in all three cases nothing is found, there are law enforcement and fire expenses, road expenses. In the 1980s, once the wells were drilled one person checked the wells. Once the well is in, there is not much employment.

Question: (To Mary Sexton) Why is the county only being funded 75% of PILT?

Response: The county was funded 100% until the mid-1990s and Alaska came in. Initially, there was an annual appropriation. When Alaska came in, everyone was cut back. Congressmen in the east don't see the funding as a priority. Efforts have been made by Burns and Baucus to make PILT payments a guaranteed appropriation.

Question: (To BLM) If Startech production is successful, what sort of precedent does this establish in the whole Rocky Mountain Front? If companies are allowed to have leases and have success, how do you shut that pipeline off from a precedent standpoint? Would you be flooded with requests? Or is it a case-by-case basis?

Response: Right now it's a finite look at the proposed action in the EIS. There are no other applicants, no other leaseholders within this area of study. It is a case-by-case analysis.

Question: (To Mary Sexton) The Montana Association of Oil, Gas and Coal Counties made a statement in a letter to Senator Baucus that their constituents are tired of the out-of-state environmentalists having their way in this state. What is their basis for that statement?

Response: Teton County did not belong to it at that time. They are an informal subgroup, not an official part of the Montana Association of Counties, made up mostly of eastern Montana counties. Mary recommended against a blanket statement because many in the group had never been to the Front. In many ways those counties are supporting development generally, without specific details on the Front. They are not speaking for all counties. Other counties have written letters in support of the Baucus bill.

Question: (To BLM) The other companies – R utter Trust, Grizzly Resources. Why aren't they here today along with Startech?

Response: They were asked but did not participate.

Question: *(To Startech) Are you going to unitize this entire thing? Will a pipeline connect all these wells?*
Response: Each of these prospects is a completely different potential gas pool. They are many miles apart. There wouldn't be any benefit in unitizing. If other companies had successful wells and moved the gas down to the plains, it would be normal to join Startech's pipeline at that point. Startech operates the Blackleaf Unit, about 25,000 acres. The Blind Horse location is the 3-well site. It is the only play they have. The unit was organized in 1980.

Question: *(To Startech) If successful, could Startech be drilling in other units?*
Response: No. The only prospect we see is the one we are doing.

Question: *(To BLM) Do you have any sense as to how serious the other applicants are? They have not been on any of the tours and we have not heard from them.*
Response: There is interest, but they are not being as timely in their response to us as Startech. A lot of correspondence has taken place to glean information to insure their application is complete. A Notice of Staking for Grizzly Resources was not received until October 2. On the same day, BLM was notified by the company of the change in location of the site on Muddy Creek, moving it off the forest and onto lands in the wildlife management area. Just within the past few months has the applicant solidified what they want.

Question: *(To BLM) Did Grizzly Resources use to be EPS?*
Response: Don't know, but believe one of the individuals involved in Grizzly was part of EPS. The Rutter and Wilbanks application has been received, although we still need some information. We must have all information to begin the analysis.

Question: *(To BLM) Does BLM have parameters on the construction of pipelines, stream crossings, noxious weed control (steam cleaning of equipment), reclamation of roads?*
Response: There are standard guidelines for road construction and all of the issues mentioned. Other issues (for example, noxious weeds) are analyzed through the NEPA process. The analysis determines if there is an impact. Construction has minimum requirements/parameters, including for stream crossings. The analysis will determine impacts, level of impacts, and if mitigation is adequate. If not, we would require additional mitigation.

Question: *(To BLM) Would the standard require road reclamation?*
Response: It would be looked at as part of the overall plan. The landowner would be consulted as to his wishes. Similarly, if the road is on the State game range, we would work with Montana Fish, Wildlife and Parks to determine the type of reclamation. There would be requirements. For example, sour gas (hydrogen sulfide) is managed under Onshore Order No. 6 with the utmost protection of the public. It includes parameters for a facility.

Question: *(To BLM) What about the public use of roads?*
Response: The Startech road would remain locked and closed to the public. The road is open to foot traffic only.

Question: *(To Gloria Flora) If production is allowed to proceed, how would that affect your decision in the 1990s?*
Response: It would have no bearing. This analysis is looking at specific leases. However, politics enters into it. If Startech is successful, would there be a political decision to overturn the 1997 decision to allow more leasing? It is a possibility, but is unpredictable.

Question: *(To Gloria Flora) In your experience with the Forest Service and dealing with extractive industries, are there degrees of reliability as to whether they follow the regulations or don't?*
Response: Definitely. This isn't big oil. These are smaller organizations. In the Forest Service we would prefer big because they have the history and the wherewithal. Smaller organizations have less capital. Communication and reliability issues can take place on the ground. Smaller organizations make the public agencies less comfortable.

Question: *(To Startech) At the peak in 1987 there were 11 employees total in the county on oil and gas. You can't predict precise numbers, but in broad parameters, would it be more than 5 and less than 20?*
Response: There is direct employment in operations. Operators would run the well and the plants in shifts. We are probably looking at 5-7 people, maybe 9 at the most. There is also non-direct

employment through severance tax (9%); \$1.5-3 million (based on successful production) to the county; goods and services.

Question: (To Startech) What sort of wages?

Response: Gas field operators are well paid. In Canada, wage for a gas plant operator would be \$80,000, for a field operator \$65,000. (Dale Slade: Salary would be around \$20 per hour.)

Question: (To Startech) Where would the sweetening plant be located? How big?

Response: It is not desirable to have a plant near the mountains. Therefore, it is totally viable to have the plant away from the mountains. It would be between the 1-8 compressor site and the main line, approximately 15 miles east of the well site. It would not be on public land.

Question: (To BLM) How many companies are applying to drill, and how many wells? Are there additional applications outside this area in the Rocky Mountain Front?

Response: Currently, three operators have asked to drill a total of eight wells from four pads. The proposal the agencies are carrying forward is one pad by Startech, two by Grizzly Resources, and one by Rutter and Wilbanks. An approved application in the Badger/Two Medicine is separate from this application.

Discussion on the Blackleaf EIS

The original intent of this meeting was to make recommendations based on the scoping report, but the scoping process has not begun.

The interdisciplinary team is scheduled to meet in Great Falls on December 8. Dale Slade, Dean Stiffarm or Bill Cunningham will be the RAC representatives on the ID team.

A clarification of earlier comments on road costs was requested. Don Judice noted that Startech would have to get authority to use a county road for its operations. Some roads were not meant to handle industrial traffic, and road maintenance would be required if semis are making frequent trips on a county road. Through alternatives in the EIS, Startech could be required to pay for the road maintenance. A suggestion was made to have stipulations that the companies are responsible for road maintenance and construction.

Process

- The scoping process will be open for 45 days. Opportunity exists to extend the scoping period. Such a decision would be made by the Field Manager.
- Advance notice (a minimum of 15 days) will be given to the public about the open house locations/dates/times. The web site will also list all this information. The intent of the open houses is to provide information and clarification. Open houses will be held in Great Falls, Choteau, Browning, and possibly Helena and Missoula. The RAC recommended that meetings be held in all those locations.
- The format of the meetings has not yet been decided. The contractor has a formal facilitator, so the RAC members would not be required to attend in that capacity (as they did at the Monument workshops this past summer).
- The draft EIS is scheduled for release in September 2004, based on the Notice of Intent coming out when planned. Throughout this time opportunities will be available for public comment. All analyses will be included in the draft EIS. A 90-day comment period will be held after the draft is issued. The draft will be available either by hard copy, CD, or on line.
- The current mailing list is based on the 1992 mailing list and will be updated. Libraries will be included on the mailing list.

Discussion Follow-Up

RAC members had additional questions for Don Judice, as follows:

Q: Do the eight wells on four pads take in all the leases out there, or could more proposals come

in?

A: Under reasonable foreseeable development (RFD), an engineering study has looked at the potential for future drilling. This is a Bureau requirement. BLM believes there could be five or six additional pads for that area. That will all be included in the EIS. The information will also be available during the scoping meetings.

Q: *Regarding a concern that we are apt to see an “all or nothing” proposition, could we think about innovative alternatives to give us more choices? For example, one of the key concerns is the possibility of new road construction or improving existing roads. What about an alternative that analyzes the possibility of long-range directional drilling without road improvement or new roads? Another alternative would be to compensate the leaseholders to forfeit their leases voluntarily (as was outlined in the Baucus amendment to the energy bill). This could be considered as a stand-alone alternative or integrated into the other alternatives.*

A: Looking at alternative means of access will be part of the alternatives. On the second point regarding compensation, the agencies will only look at those things within the document that they have control over. Authority for lease compensation is done at a different agency level and cannot be analyzed since we do not have that authority.

Q: *One purpose of NEPA is to make the EIS a full disclosure document. Perhaps lease buyouts could be some of the information presented to the public.*

A: The No Action Alternative is similar in characteristics and impacts to a lease buyout. Instead of being its own alternative, it would fall within the No Action Alternative. Another section where the discussion could be placed is under Alternatives Considered but not Analyzed in Detail.

Q: *What does the EIS cover? Just the Startech application?*

A: The EIS will look at the four pads proposed by three companies. Beyond that, the analysis will look at reasonable foreseeable development.

Q: *What economic analysis will be included in the EIS?*

A: The socioeconomic portion of the EIS will be analyzed fully. In the traditional sense, it would look at revenues generated, revenues lost, visitor days, etc.

Q: *The Forest Service EIS stated a 2.5% probability of full field development. Startech is looking at a 25-33% probability. What is new?*

A: The change is due to reprocessing old seismic data. Statistically, the Forest Service EIS looked at a much larger geographic area. The Blackleaf site is a clearly defined, site-specific structure.

Q: *Do you envision that because of the Startech site having a road and other sites not having access roads, the document could allow Startech to drill and the others denied because there are no roads? Would that give the other operators reason to protest?*

A: We can't forecast what the EIS will recommend. All proposed drill sites have a road a short distance away.

Q: *Gloria Flora made a comment on rules changing. Are there any instances where the regulations get less?*

A: The regulations are irrespective of an operator's wealth. She was saying that smaller companies operate on such a small amount of capital it is obviously more difficult to achieve compliance by a smaller operator. But the restrictions are not different depending on company size. The BLM Great Falls Field Station has no issues with smaller operators not being as compliant as larger operators.

Q: *Is Startech considered a big or small operator?*

A: There is no history in Montana. We do not know. Bonds that can be utilized to correct noncompliance are required from all operators.

Q: *Does BLM check the history of companies?*

A: When determining the bond amount, BLM looks at the size of a company, its operating history, and risk if the company were to leave suddenly. The bond amount is based on what it would take to plug the well, reclaim the surface, etc.

RAC members requested the opportunity to tour the proposed sites next spring.

Dave Mari gave RAC members further information on the December 2 meeting with the Blackfeet Tribal Council. The Council will establish a committee in the next week or so to provide recommendations on dealing with cultural issues. Their concerns include poverty issues, and employment or scholarship opportunities. The Council would like to meet with Startech sometime in the future.

Administrative Matters

Category 3 Opening

Dave Mari advised RAC members that Darryl Seeley has resigned from the RAC due to illness, and a replacement must be found under Category 3. BLM will review the list of people who previously applied for Category 3 in the last couple of years; two names will be forwarded to the Secretary of the Interior for appointment.

Miscellaneous

- The minutes from the October RAC meeting were approved and signed.
- A biographical sketch of RAC members was distributed for their use only.
- Bruce Reed, Malta Field Manager, announced his retirement effective January 3, 2004.
- A draft agenda for the January 28 meeting in Lewistown was distributed to RAC members.
- Kaylene asked the members to provide feedback on items they believed need improvement or went well.

Needs Improved

- Allow more time for public comment on Blackleaf
- Keep an open mind and allow the people to speak
- Keep focused
- RAC meetings are time consuming. Perhaps schedule two meetings overnight and two one-day meetings focused on one issue

Went Well

- Presentations
- Focus on EIS and RMP
- Planning
- Wide range of presenters/perspectives
- Focused meeting on one topic is productive
- Good information, discussion, learned a lot
- Question and answer session
- Everyone was respectful of other opinions

The meeting adjourned at 4:40 p.m.