

**Central Montana Resource Advisory Council  
Minutes of February 24-25, 2004 Meeting  
Fort Benton, Montana**

The meeting commenced at 1:00 p.m. in the Grand Union Hotel on Tuesday, February 24, 2004. Present were Bob Doerk, Francis Jacobs, Dean Stiffarm, Arlo Skari, Art Kleinjan, Charlie Floyd, Mary Fay, Glenn Terry, Jeff Sheldon, Dale Slade, Larry Ostwald, Lisa Cowan, Bill Cunningham and Randy Gray.

Present for the BLM were Craig Flentie, Rich Adams, Wade Brown, Kaylene Patten, Susie Brown, Gary Slagel, Chuck Otto and Dave Mari.

### **Public Comment Period**

**A motion was made by Bob Doerk, seconded by Francis Jacobs to extend the public comment period to one hour. Consensus was reached.** One hour both days will be divided between everyone on the list. Everyone will have 3 minutes today.

### **Public Comment**

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

### **Welcome/Chairperson Synopsis/Meeting Minutes**

Kaylene welcomed the group and discussed the agenda. Minutes of the previous meeting were approved and signed. Kaylene made introductions of new faces at the meeting. Dale Slade welcomed everyone and mentioned there was a lot to be accomplished at this meeting.

The election of officers commenced for this upcoming year. The current chairperson is Dale Slade and the current vice-chairperson is Bob Doerk. **Arlo Skari made a motion to nominate Bob Doerk for chairperson. It was seconded by Bill Cunningham. Consensus was reached. Bob Doerk nominated Art Kleinjan for vice-chairperson, seconded by Francis Jacobs. Consensus was reached.** It was decided to stay with the current chairperson and vice-chairperson today and start with the new chairperson and vice-chairperson tomorrow.

Bob Doerk will represent the Central Montana RAC at the Chairperson meeting to be held in Phoenix, AZ on May 11-13, 2004. If Bob is unable to attend, Art Kleinjan will attend for him.

Nominations for the new RAC members will be open until April 19. Current member's terms will expire on September 29, 2004. Nomination packets can be picked up at any of the BLM offices.

### **Overview of RMP Working Preferred Alternative**

The group asked Gary Slagel some questions and provided some comments before his Power Point presentation on the working preferred alternatives.

*Can you clear up the confusion on the sequence of the preferred alternatives and how we are to proceed?* The working preferred alternatives are a starting point for the RAC to begin analyzing the alternatives. The BLM is hoping the RAC will provide their version of the alternatives. Gary stressed these preferred alternatives are preliminary and are not final

*We heard comments on how things are moving too fast and more information is needed. How set in stone is the timeline?* The Washington Office set the timeline based on budgets and would like to stick to the existing schedule. However, the schedule might be affected by Jerry Majerus being gone.

*Seems to me the BLM has not been advising/consulting the RAC on the preliminary plan or preferred alternatives. I have concerns regarding the process that has taken place.* Gary Slagel: We have been following the schedule and procedures established by the Washington Office. Chuck Otto: The RAC needs to recognize the RAC voted a designated representative to attend all of the RMP meetings, so you have had a voice regarding the process and attendance at the RMP meetings.

*What exactly does the BLM expect of us and what kind of end product is expected?* Dave Mari: The BLM would like a recommendation specific to access and transportation and also the other three issues. The RAC

needs to remember this is an evolving document and it is getting a glimpse before the public gets to see it. Nothing is cast in concrete. The BLM would like to keep the process moving forward. We do have a plan spelled out for three years and we are adhering to that schedule. If you want to tackle the other three issues you should explore other ways to do that. Possibly schedule more meetings?

*I am feeling squeezed and conflicted by the timeframe to get some preferred alternatives by tomorrow.*

Kaylene: There is a lot of information in this meeting since it is combining the access and transportation information plus the information from the cancelled January meeting. The January meeting was cancelled because there would not have been a quorum.

*Art Kleinjan commented that if each RAC member attended the RMP meetings they would see all of the work the BLM is putting into it and that it's not being done in a vacuum.*

*Have invitation letters been sent out to the tribes?* The BLM has sent letters out to the tribes. A Fort Peck representative came to one meeting.

Gary passed out the most current alternative tables. He stressed these tables are very preliminary. He then proceeded to his power point presentation covering an overview of the RMP working preferred alternatives. Some questions were asked and comments were given throughout the presentation.

*How do you preserve the remote and scenic character with multiple uses? It seems to be the central issue that is a balancing act. It is impossible to get synchronized.*

*Gary Slagel stated, it is all in how you define the term multiple uses. There is a spectrum of definitions.*

*Do these preferred alternatives apply to deeded private acres in the monument?* No.

*Are existing roads open?* As far as we know.

#### Health of the Land and Fire (pages 1-13 of the Draft Alternative Tables)

*Is there a known bald eagle nest?* Two nests have been identified.

*Was Fish and Game invited to be a cooperating agency?* Yes, the BLM went through a process of inviting agencies to be on the RMP core team. Clive Rooney is the representative for the State Agencies.

*If an eagle nest is on private land within ½ mile of public land, does that have an effect?* Yes, if on BLM.

*How do you determine disturbance for lambing areas?* It depends on the activity.

Gary stated the RAC should realize they are getting just a thumbnail sketch of the alternatives.

*Can the RAC recommend "grass banks"?* Yes.

#### Visitor Use, Services and Infrastructure (pages 14-25 of the Draft Alternative Tables)

Wade Brown answered some questions from the RAC concerning Visitor Use, Services and Infrastructure.

*Will the "wild" sections of the river change?* No.

*Why is there now a river fee system recommended if the subgroup was opposed to the idea?* The budget. Fees collected would come back to this office and could be distributed to the county. The fees collected would be supplemental to our budget for the river.

*Do you have a rough idea of the net that might be collected from a river fee system under Alternative D?* We do not have these numbers now. Details will be worked out in the Business Plan.

*How will this fee system be enforced?* The fee system will be built around an online registration system.

*Do outfitter fees go directly to the office?* Yes, the fees are part of a fee demo project.

*Whose concept is this fee system?* Comments from public scoping, the Washington Office and the RMP team.

*Will the BLM offer members of a tribe a fee exemption like Glacier National Park?* The decision has not been made. The plan does not have specific details yet.

*Will folks be able to waive the fee with volunteer services?* That might be difficult to implement but it could be an option.

*On Alternative C under the recreational segments (page 20), the segment River Mile 0 to River Mile 3 needs clarification.*

*Will there be a fee for use launching and exiting on private lands?* It has not been addressed yet.

Wade mentioned details on fee systems are not usually addressed in the RMP. They are fleshed out later in a Business Plan, which will involve public comment and participation.

*Are all 23 permits along the river utilized every year?* Some are inactive, but keep their permits active by paying a fee.

*Why did the dates change on the use of motorized travel in the Wild and Scenic Segments of the river?* To allow the paddle fisherman the opportunity to travel upstream for fishing during the Memorial Day weekend. These dates would also clear up confusion by the public by establishing a standard date the restrictions would start and end every year.

*In Alternative C-E on the topic of Administrative Use of Motorized Watercraft on the River (page 21) livestock grazing are permittees being allowed to travel upstream to administer grazing permits needs more description.*

*The BLM needs to avoid a double standard on the motorized upstream travel on the river. This portion of the alternative needs elaboration.*

*Do upland Level 4 sites require portable toilets?* No, currently there have not been any waste disposal problems in the uplands.

#### Access and Transportation (pages 29-34 of the Draft Alternative Tables)

There was some discussion on Alternative D on the topic of Game Retrieval (page 31) and the timeframe for game retrieval between the hours of 10 a.m. to 2 p.m. There were comments that these hours keep people from disturbing hunters actively hunting and also that these hours are consistent with other areas and are working well in the Chain Buttes area.

*Is this similar to CMR?* No, they don't allow game retrieval on closed roads.

There was discussion regarding resource damage on Alternative B on the topic of Camping along Roads (page 32). Gary clarified the alternative description by stating that visitors would park their vehicle, walk over to select their camping site, drive over to the site to unload their gear then drive back to the road to park their vehicle. This clarification initiated some questions.

*Wouldn't there be less damage if someone drives out and parks for the night at their site instead of driving their vehicle back to the road?* This alternative is focusing on hunters that would go back and forth from the site in the duration of their stay.

*What about making turnouts and making people camp right next to the road?* Those sites would tend to be dusty making the sites undesirable.

*Have you considered campers using previously disturbed sites instead of pioneered sites?* The sites would have to be designated for non-local visitors who don't know the area.

*What punishment would a violator of a closed road get?* A ticket.

Craig Flentie digressed to the earlier question regarding the invitation of agencies to be on the RMP core team and described the invitation process.

Craig Flentie reviewed the RMP process and discussed the order of sequence of the alternatives. So many entries were on the table the BLM did not feel it was fair to ask the RAC, a volunteer group, to decipher them. This is a working process and comments are always welcome on it. It is schematic.

*Art commented that the RMP core team met for 3 ½ days on these entries and it would take the RAC much longer than that to go through them.*

*Some entries are in violation of the Proclamation. The group should look at those and discard them and then there would be a more manageable list to work with. Are they all legal? What is being considered different inside the monument versus outside the monument? The RAC has the opportunity to create a legacy. There is bias reflected in the alternatives.*

*Vision is important, but can be overwhelming. The alternatives should be looked at on an individual basis in respect with the vision.*

The group discussed how they would tackle the alternatives and decided the three topics should be broken up by the three tables. The topic of Health of the Land and Fire was given to the table consisting of Bob Doerk, Francis Jacobs, Dean Stiffarm, Larry Ostwald and Jeff Sheldon. The topic of Natural Gas Exploration and Development was given to the table consisting of Mary Fay, Glenn Terry, Arlo Skari and Art Kleinjen. The topic of Visitor Use, Services and Infrastructure was given to the table consisting of Randy Gray, Bill Cunningham, Charlie Floyd, Lisa Cowen and Dale Slade.

The parameters were established on analyzing the topics.

Randy suggested the group follow the Proclamation.

Dave stated the BLM feels all the alternatives are within the parameters of the Proclamation. He suggested the RAC first examine the alternatives and determine if they think any are in violation of the Proclamation.

Larry recommended and the group decided to look at the draft, highlight the issues in conflict with the Proclamation, make recommendations as a table and then present them to the whole group. The entire RAC will then decide on each issue.

Groups were broken into topic areas at 6:10 p.m. and will come back together at 7:00 p.m.

### **Recommendations on Working Preferred RMP Alternatives**

Health of the Land and Fire was discussed first.

<b>Page</b>	<b>Topic</b>	<b>Recommendation</b>
1	Greater Sage Grouse Habitat	No Changes.
2	Greater Sage Grouse Habitat (cont.); Black-tailed Prairie Dog Towns	No Changes.
3	Mitigation Measures: Greater Sage Grouse; Black-tailed Prairie Dog; Special Status Raptor	No Changes.
4	Mitigation Measures: Bald Eagle; Big Game Winter Range; Big Horn Sheep Lambing Areas	No Changes.
5	Vegetation - Riparian	No Changes.
6	Vegetation - Native Plants	No Changes.
7	Forest Products	No Changes. Concerned about wording in B-C. Commercial sales – do they all tie together? Concerned with Christmas trees, private use and over

		the uses. Not comfortable with B & C – maybe select D.
8	Vegetation Harvest; Visual Resources	No Changes.
9	Fire	No Changes. Concerns about wildfire.
10	Range Improvements: Barbed Wire and Electric Fences	No Changes. Alternative E was costly.
10	Range Improvements: Water Development	No Changes.
11	Rights-of-Way: Avoidance	No Changes.
12	Rights-of-Way: Exclusion	No Changes.
13	Reclamation	No Changes.

Natural Gas Exploration and Development was discussed next.

Page	Topic	Recommendation
26	Spacing Requirements	Add to the end of the sentence on Alternative B, “or minimizing impacts to sensitive areas.”
26	Drilling Operations	Add specify low impact drilling.
26	Administrative Access on Existing and New Resource Roads Used for Natural Gas Operations	No changes.
27	Conditions of Approval: Recreation Sites	In Alternative C change 300 feet to 525 feet (accurate conversion of 200 meters).
27	Conditions of Approval: Pipelines	No Changes.
27	Conditions of Approval: Reservoirs, Intermittent, Ephemeral, Perennial Streams, Riparian/Wetland Areas	In Alternative A change 500 feet to 525 feet (accurate conversion of 200 meters). Also need more information.
28	Water Disposal	Netting is needed for migratory birds. Keep critters out of open pits.
28	General Production Facilities and Equipment	Netting by disposal pits. Environmental paint on sheds (camouflage).
28	Seismic	In sensitive areas use helicopter-supported seismic work.

Visitor Use, Services and Infrastructure was the last topic to be discussed.

Page	Topic	Recommendation
14	Recreation User Fees	Ok, but would be a modest fee and use within the monument. Money collected should not be used for new construction, but to protect the monument through maintenance, search and rescue, weeds, etc.
15	Research, Collection and Special Event Activities; Recreation Activities and Facilities in Sensitive Wildlife Habitat	No Changes.
15	Coordination with Gateway Communities	No Changes.
20	Use of Motorized Watercraft on the Upper Missouri River	Alternative B- Change to “Seasonal 139-149 no wake from 6/15-9/15 and otherwise no restriction on those miles.” Allow personal watercraft to mile 3, but not below mile 3 under Alternative C and put into Alternative D and replace that language. Picked D as the alternative. No floating restrictions from 139-149.

Wade will re-write the alternative for Use of Motorized Watercraft on the Upper Missouri River and have it ready for review by the group tomorrow.

The group decided to keep the public comment period as is for tomorrow and also to move the Field Managers' Update during lunch.

Dale was commended for his time spent as the chairperson of the RAC.

The meeting was adjourned at 7:45 p.m.

**Central Montana Resource Advisory Council  
Minutes of February 24-25, 2004 Meeting  
Fort Benton, Montana**

The meeting commenced at 8:10 a.m. in the Grand Union Hotel on Wednesday, February 25, 2004. Present were Bob Doerk, Francis Jacobs, Dean Stiffarm, Arlo Skari, Art Kleinjan, Charlie Floyd, Mary Fay, Glenn Terry, Jeff Sheldon, Dale Slade, Larry Ostwald, Lisa Cowan, Bill Cunningham and Randy Gray.

Present for the BLM were Craig Flentie, Rich Adams, Wade Brown, Kaylene Patten, Susie Brown, Gary Slagel, Clark Whitehead, Dave Mari and Ken Koncilya.

**Public Comment Period**

Bob informed the RAC that there were 14 people to speak and they would each receive 5 minutes to speak.

Bob announced he was honored to serve as chairperson and if anyone has any concerns to contact him. He would like to have a positive link with Kaylene. The RAC is dealing with some emotional issues and he wants to be prepared for the emotion and be dedicated to do what is right. Public comments are very important. He would like the public to know the RAC reads their comments. Discourse is great within the RAC.

Kaylene went over the agenda and the changes. There will be a working lunch which will include the Field Managers' Update. She also reminded the group of the "Do's" as a member of the RAC.

**Access and Transportation**

Clark presented an overview of Access and Transportation. This topic got a lot of comments from the RAC members. The road system on the base map came from USGS data, a BLM road inventory crew and the specialists. Also, the four counties provided input. Clark stressed everything is preliminary. The inventory is not complete and an estimated 50 miles are left. The east half is approximately 90% and the entire monument is approximately 70% complete. Analysis will only deal with public motorized travel. This discussion initiated some questions from the group.

*Are these roads documented or on some kind of scheduled maintenance plan?* Some of them are. There are three types of roads which are collector roads, local roads, and resource roads. Clark defined each type. There are 2 collector roads, 4 local roads and 10 resource roads within the Monument.

Clark stated that eventually there will be a list of the maintenance level on all roads. It is not completed yet, but will be available in the future.

*Are there any roads BLM receives money for?* Gary Slagel: There is an oil and gas right-of-way fee, but that money does not come back to our office. We do get money to be used for road maintenance.

*Are there separate county roads?* Yes.

*Does the BLM maintain county roads?* No.

*Does the BLM have any budgetary incentive to keep any roads open?* No.

*Do the dollars the BLM receive have to be spent on road maintenance?* Yes.

*Is the "road guide" a BLM manual?* Yes, BLM Manual 9113.

Kaylene asked the group how they would like to proceed regarding the discussion of Access and Transportation. She questioned whether they would like to break up into groups or stay together as a big group. Randy made a motion to work as a whole. Consensus was reached.

Clark described each of the alternatives A thru E in relation to the overlays given to each table to view.

Bob reminded the group the public could look over shoulders at the maps, but no interaction should take place between members and the public.

*When do you anticipate inventory to be completed?* Mid-summer.

*What about the legality of the airstrips?*

Gary: It is our understanding that some were built in the 50's and 60's and were used to compliment BLM programs such as sagebrush spraying and fire suppression activities. We have since abandoned these strips and no longer maintain them.

*Can pilots construct airstrips on private land?* Yes

*How many airstrips are on private land and what is their relationship to the airstrips on public land?* That is something we could look into, but we have not documented airstrip locations on the map.

*How are the closed airstrips marked?* The international symbol for a closed airstrip is a circle of white rocks with an "X" inside it at both ends of the runway.

*Is the BLM using the airstrips for weeds or fire suppression?* No, the BLM is not using them at this time. They were used in the past by BLM.

*Could a pilot enter into an agreement with the BLM to use these airstrips?* BLM could issue Title 5 Right of Way to authorize the airstrip and in turn formulate a maintenance agreement.

*Is the BLM liable for pilots who use these airstrips?* The BLM does not think so. The initial feedback from solicitor's office indicates the BLM would not be liable.

*If the BLM marks an airstrip on the map, pilots would assume it was safe.* The BLM would show as unmaintained or a closed airstrip if determined unsafe.

*Is this discussion on Access and Transportation premature since the inventory is not complete yet?*

Clark stated the BLM would like guidance from the RAC on whether or not the BLM is on the right track for that portion of the monument, E ½ map that has been inventoried (525 miles). A general recommendation on the concept would be helpful. The information presented is enough to let the RAC formulate the principles.

*Have there been any attempts for easements?* Preliminary attempts where no legal public access. There are existing easements on the collector and local roads.

*Is the BLM looking for an overview?*

Gary: Look at more of a concept as you are analyzing the alternatives.

Kaylene reminded the group it would not be the last time they saw this information. It is only a recommendation and is not final.

Clark informed the group when the RMP team met and discussed the different alternatives, there were votes even needed between team members since there was not total agreement on the preferred alternatives. The complexity of this category, Access and Transportation, is evident after sorting through just the data and options presented to you today.

*Is there a financial difference to the counties on the different alternatives?* There could be. It depends on the rulings on the gas tax roads. It is in limbo at this time.

## **Field Managers' Update**

Rich Adams first told the group a traffic counter had been placed on the Power Plant Ferry Road where it intersects the BLM land. He shared the data on the number of vehicles counted since July. He stated these numbers do not reflect agency work.

Rich Adams gave the following overview of the projects in the Malta Field Office which includes Malta and Glasgow:

- Working on fuel reduction projects near Zortman and Landusky
- Working with Region 6 for the prairie dog plan
- Working on oil and gas supplement for JVP
- Working on biological assessment for JVP
- Working on watershed assessments
- Starting field work on the last watershed area in Glasgow and several being worked on in Malta
- A new Outdoor Recreation Planner and a new Realty Specialist in Malta
- A new Law Enforcement Ranger in Glasgow funded from Homeland Security

Dave Mari gave an update on the Blackleaf EIS process. He told the group the proposed action has changed significantly since the briefing at the December RAC meeting. Neither the Rutter Trust nor Grizzly Resources filed completed APDs within the time frame given to them by BLM. As a consequence, they have been notified that their proposed wells will not be analyzed as part of the proposed action in the EIS. Instead, they will be analyzed as part of the Reasonable Foreseeable Development. This means that no decision will be made after completion of the EIS on any APDs they might file until some additional analysis is done. In addition, the suspension of their leases has been lifted, so the "clock is ticking" on their 10-year leases. One of the leases will expire in about 30 months, and the other in about 35.

At the last RAC meeting, we indicated the Notice of Intent (NOI) to start the EIS process might be published in December. This has not occurred yet, for two primary reasons. The first reason for delay was trying to get the companies to file completed APDs. As discussed above, this issue is now resolved. The other reason is our need to work out details with the EIS contractor on how the public comments will be handled. We anticipate a large volume of comments, and we don't want to kick-off the process until we have this resolved. Hopefully we can issue a NOI within about a month of resolving the workload/funding issue with the contractor.

Lastly, we are trying to resolve a difference with our co-lead (the Forest Service) on how to deal with the Grizzly Resources site on Forest Service land now that we have returned the Grizzly APD. The Forest Service has contributed \$600K toward the EIS effort, and they want to be able to render a decision on the site without conducting additional environmental analysis should Grizzly file an APD on the location in the future.

Dave briefed the group on the Interpretive Center in Fort Benton. He mentioned the River and Plains Society, the City of Fort Benton and the BLM were partners in the project. The architects had a public meeting in January to present proposals for the Interpretive Center. Dave showed the proposals to the group and discussed the designs. Partners will be gathering to review the Value Assessment.

Dave discussed the Grazing Regulation Meeting in Billings. The DEIS was issued in December with a 60 day comment period. The State Office has a CD available on the grazing regulations.

Dave also provided an update on the new office building for the Lewistown Field Office. The ground was broken late fall/early winter. Internal discussions on employee cubicles are now happening.

## **Access and Transportation Alternative**

### Discussion

Bill: Wondered if it would be helpful to have an overlay depicting both administrative and public legal access displaying each one with a different color. Roads landowners do not allow access on would not be included



on the map. Access both into and within the Monument would be depicted.

Art: Should differentiate between administrative roads versus recreation roads on the overlay.

Bob: What stipulations might the BLM put on landowners adjacent to the monument BLM land that does not allow access to the general public, but allows friends and family to go in and hunt. These people would be using a public resource for private gain.

Clark: We can place the data on the maps and differentiate lines on the maps to depict different information. If we closed the BLM road to motorized public travel then legally the private landowner could not use the road for recreation. ONLY for administrative use.

Jeff: If there is not public access to land and it is closed to the public and their use. The lessees can use it but not allow the public on the closed road. Possibly the BLM can institute a "Tip" program for turning in trespassers.

Randy: Discussed values, use and compliance with the objects within the monument. The State roads should be further access to public lands for the public use. These roads should not be for exclusive private use for public land. Also mentioned some procedural issues such as missing data, need more maps to fill in gaps, need a finished inventory, the time factor of when to get this all done, a subgroup of the RAC to help the BLM on this alternative, and also the how-to and rules of enforcement.

Francis: Bold out the 3 types of roads on the map- Resource, Collector, and Local.

Jeff: Close all the spur roads that are a tenth of a mile in length, i.e. roads that are not going anywhere.

Bill: The Monument should not be viewed as a vacuum. It cannot be all things to all people. It should be viewed in context of the larger landscape and with a broader view.

Keep a long-term perspective. Look to the next generation and our planning to what we want it to be like

Look at the economics of what the Monument could be in the future.

Dean: Could land be bought up and access denied to tribes and others? Yes

A question was asked about any problems with aircraft harassing wildlife.

Arlo: Concerned with wild lands and open space being threatened more and more.

Mary: Issue of airstrips and homeland security. Airstrips could allow drugs and promote illegal activity. Pilots could look for wildlife and there could be the potential for poaching.

Lisa: Enforcement seems unrealistic. Access to roads could be a big obstacle.

Jeff: Roads in the WSA's should only be the original roads when the WSA was created, and there should be no unauthorized roads in the WSA.

Art: The more restrictive we get on roads, the more pressure we put on landowners surrounding the monument. The more pressure we put on private landowners, the more closures of land will occur. Only the wealthy will be able to hunt.

Bill: There is a huge relationship with roads and hunting experiences.

Dale: The wildlife is not really suffering and if you close a bunch of roads, you just shift the hunting pressure to other areas.

Arlo: Discussed the density of roads. Put the entire map on the screen and decide road by road which should be closed.

Lisa: Pick a preferred alternative first and then go from there.

Mary: Brought up a concern of how to protect against the spread of noxious weeds.

Arlo: Approached the group with the idea of forming a sub-committee and during the summer visiting some of these areas.

Glenn: Asked how much damage (overuse) has been done in the Monument.

Bob: Asked Clark if details on road conditions are recorded in the road inventory. Clark replied the conditions are documented.

Bob: Asked the group if they would like to talk about specific concepts.

Jeff: Close the roads no longer needed for oil and gas permittees.

Randy: Roads should be closed unless designated open with a sign.

**Dale: Recommended to put a preferred alternative up and critically analyze and develop their own alternative. Consensus was reached.**

The discussion on roads continued:

Dale: Roads going from private land onto BLM will/should be open if the easement is granted to all. If there is no easement/access to all, the road is closed.

What about enforcement? Enforcement would be a problem because BLM can only use roads for administrative purposes such as grazing.

Jeff: Add onto that statement of Dale's "unless closed to meet Monument objectives."

The RAC is in agreement of Alternative B-E on the topic of BLM Roads to State and Private Land (page 29 of the Alternative Tables) with the addition of "or if public access is denied by private landowner" on the end of the last sentence. Dale made the motion to accept this statement and Bill seconded the motion.

Randy: Should we add if the landowner does not allow access he then does not get access to public land? The road stops at the border of his property.

Gary Slagel: This idea could be thought of as extortion.

Dale: Do you have to grant a SRP?

Gary: If there is a legitimate reason not to, we don't.

Francis: Thinks the RAC is overreacting to what the landowners would do. Maybe some flexibility should be added into the plan where if in the future see what is happening and then it could be taken care of.

Dave: It is happening now.

Glenn: If you shut off too much then you defeat the purpose because outfitters will then go in there. The general public will be closed out.

**The motion was made that "The BLM will consider on a case by case basis whether in-holders who deny motorized public access to the adjacent public land will in turn be denied motorized access beyond the in-holding unless they are a permittee." Consensus was not reached.**

Glenn: This idea will backfire. It is easier to try to get along with someone than back them into a corner.

Mary: Feel like it is too ambiguous when the location is not known.

Bob: Let's move on.

Mary: Should go back to Jeff's "no-brainers" to vote on.

**A consensus was reached on this recommendation to go back to the “no-brainers” and see if we can reach some sort of conclusion.**

Before returning to the suggestions recorded earlier, the group discussed the possibility of appointing a subgroup.

Bob: If a subgroup is appointed it might not be able to respond within the timeframe. Can we extend the timelines?

Gary: An option would be to send a letter to the State Office requesting an extension.

When is the next meeting the subgroup could report to? The meeting scheduled for June 15 & 16 in Malta.

Bob: What do we do between now and then? A letter could be written requesting dates be pushed back and also we could appoint a subgroup to attend RMP meetings.

Dave: A finite time will be more received better when asking for an extension. There is time to deliver within the current timeframe.

Randy: Feel political pressure to come to a result based on inadequate information.

Dave: The BLM receives a certain amount of money to work on a project that is comparable to a contract in terms of completion within a certain timeframe. It was agreed up front to do so. There is no political pressure to rush the job. If the RAC asks for an extension a plan will be needed on how to get things done.

Francis: Can the RAC make a recommendation to leave it the way it (current management) is now?

Bob: We have no recommendation at this time for any changes because we don't have adequate information to make the changes.

Dave: Do you really need 100 percent of the data to make a general recommendation?

Bob: How can I determine what roads should be closed or open?

Clark: It is a draft and you go on the best data you have. We are looking for feedback and if you do not like the draft alternatives you can present your own recommendation.

Art: If we are to get anywhere we should try not to agree on the alternative, we should offer suggestions.

The group went back to the recommendations discussed earlier.

Recommendation	Consensus
Develop an overlay depicting legal access. The administrative and the public roads would be represented by different colors. The public roads would remain always open for public use. Represented on the map would be access into and within the Monument.	Yes
Roads should not be for exclusive private use to public lands.	No
Procedural issues such as missing data, maps to fill in gaps, a finished inventory, a time factor of when to get all of this done, subgroup of the RAC to help the BLM on alternative and the how-to and rules of enforcement.	Yes
Close all spur roads less than a tenth of a mile in length, i.e. roads that are not going anywhere.	Yes
Don't view Monument as a vacuum, it can't be all things to all people.	Yes
WSA roads should only be the original roads when the WSA was created, no unauthorized roads in WSA.	Yes
How to protect against noxious weeds and how the weeds are spread.	Yes
Close the roads no longer needed for oil and gas permittees.	Yes

Roads are closed unless designated open with signage.	Yes
BLM will consider on a case by case basis whether in holders who deny motorized public access to adjacent public land will in turn be denied motorized access beyond the in holding unless they are a permittee.	No

The group switched its focus back to the issues of the RMP timeline and the appointment of a subgroup.

Kaylene listed 3 topics for the RAC to discuss in regards to these issues:

- Letter from RAC requesting timeline gets pushed back for RAC to work on Access and Transportation.
- Subgroup to do Access and Transportation and provide feedback to the RAC.
- Subgroup to attend RMP team meetings on Access and Transportation and provide feedback to the RAC.

It was suggested the subgroup would need 7 days for field work for Access and Transportation.

Lisa: Not sure if having more data will help. There is too much land to cover.

Jeff: The RAC will render itself useless if it cannot make a decision and enough information is brought to the table to do that now.

Bob: Who is interested in serving on the subgroup? Mary, Arlo, Bill, Dale and Lisa.

Bill: A one day snapshot of the area will be enough for the entire RAC or the subgroup.

Larry: BLM needs responses before June, possibly today. The RAC cannot hold them up. How many have been out in the Breaks before? Quite a few raised their hands.

Bob: The RAC can think about it and maybe have a meeting before the Malta meeting? Lots of information has been given. Consider an April meeting? Come with a new focus that has been thought about. Maybe a one day meeting?

**Consensus was reached for a new meeting on Access and Transportation in Lewistown from 1:00 p.m. on April 7<sup>th</sup> to 3:00 p.m. on April 8<sup>th</sup>. Consensus was reached on the public comment period from 1:00 p.m.-2:00 p.m. on April 7<sup>th</sup> and from 8:00 a.m.-8:30 a.m. on April 8<sup>th</sup>.**

Bob: A lot of members did not know what preferred alternatives meant coming into this meeting and felt overloaded with information. No later than March 8<sup>th</sup>, contact Kaylene or myself regarding concerns or questions so the group will have the most productive meeting possible.

**Mary: Made a suggestion to put all the consensus items on an overlay. Consensus was reached.**

### **Recommendations on RMP Working Preferred Alternatives**

Kaylene suggested the group talk about what was discussed last night in regards to the recommendations on the other preferred alternatives. The group needs to reach some sort of consensus on what each table presented.

Health of the Land and Fire was discussed first.

<b>Page</b>	<b>Topic</b>	<b>Consensus (Preferred Alternative unless noted)</b>
1	Greater Sage Grouse Habitat	Yes
2	Greater Sage Grouse Habitat (cont.); Black-tailed Prairie Dog Towns	Yes
3	Mitigation Measures: Greater Sage Grouse; Black-tailed Prairie Dog; Special Status Raptor	Yes
4	Mitigation Measures: Bald Eagle;	Yes

	Big Game Winter Range; Big Horn Sheep Lambing Areas	
5	Vegetation - Riparian	Yes
6	Vegetation – Native Plants	Yes
7	Forest Products	Yes on Alternative D
8	Vegetation Harvest; Visual Resources	Yes
9	Fire	Yes
10	Range Improvements: Barbed Wire and Electric Fences	Yes
10	Range Improvements: Water Development	Yes
11	Rights-of-Way: Avoidance	Yes
12	Rights-of-Way: Exclusion	Yes
13	Reclamation	Yes

Natural Gas Exploration and Development was discussed next.

<b>Page</b>	<b>Topic</b>	<b>Consensus (Preferred Alternative unless noted)</b>
26	Spacing Requirements	Yes, add to the end of the sentence on Alternative B, “or minimizing impacts to sensitive areas.”
26	Drilling Operations	Yes, and add “and encourage” low impact drilling
26	Administrative Access on Existing and New Resource Roads Used for Natural Gas Operations	Yes
27	Conditions of Approval: Recreation Sites	Yes, in Alternative C change 300 feet to 525 feet (accurate conversion of 200 meters)
27	Conditions of Approval: Pipelines	Yes
	Conditions of Approval: Reservoirs, Intermittent, Ephemeral, Perennial Streams, Riparian/Wetland Areas	Yes, in Alternative A change 500 feet to 525 feet (accurate conversion of 200 meters). Also need more information
28	Water Disposal	Yes, add netting is needed for migratory birds and keep critters out of open pits.
28	General Production Facilities and Equipment	Yes, add netting by disposal pits and environmental paint on sheds (camouflage)
28	Seismic	Yes, add in sensitive areas use helicopter supported seismic work

Visitor Use, Services and Infrastructure was the last topic to be discussed.

<b>Page</b>	<b>Topic</b>	<b>Consensus</b>
14	Recreation User Fees	No. Would be a modest fee and use within the monument. Money collected should not be used for new construction, but to protect the monument through maintenance, search and rescue, weeds, etc.
15	Research, Collection and Special Event Activities; Recreation Activities and Facilities in Sensitive Wildlife Habitat	Yes
15	Coordination with Gateway Communities	Yes
20	Use of Motorized Watercraft on the Upper Missouri River	Defer to another time

Bob shared an update on the Lewis and Clark Bicentennial including the signature events that have already occurred plus upcoming ones. He noted the local event is really coming together.

Kaylene described the April 7<sup>th</sup> and 8<sup>th</sup> meeting at Lewistown and also the June 15<sup>th</sup> and 16<sup>th</sup> meeting in Malta.

Bob closed the meeting by mentioning his appreciation of everyone and also if anyone has any ideas don't hesitate to surface them.

The meeting adjourned at 4:30 p.m.

**Central Montana Resource Advisory Council Meeting  
Malta, Montana  
June 16 and 17, 2004**

The meeting convened at 1:00 p.m. on June 16 in the GN Hotel conference room. Attending for the RAC were Bob Doerk, Francis Jacobs, Mary Fay, Charlie Floyd, Dale Slade, Glenn Terry, Randy Gray, Jeff Shelden, Lisa Cowan, Larry Ostwald, Bill Cunningham, Arlo Skari and Jim Satterfield. Art Kleinjan arrived late in the afternoon. Dean Stiffarm was absent.

Attending for the BLM were Marty Ott, Jerry Meredith, Dave Mari, Mike Stewart, Mark Albers, Rich Adams, Chuck Otto, Jodi Camrud, Craig Flentie, Clark Whitehead, Josh Sorlie, Dan Ritchie, Wade Brown, Kaylene Patten and Kay Haight.

**Public Comments**

Two people offered public comments. See Attachment A to these minutes.

**Welcome/Synopsis/Meeting Notes**

Kaylene Patten welcomed everyone and reviewed the meeting agenda. RAC members introduced themselves to new member Jim Satterfield. The minutes of the previous meeting were signed as approved.

Bob Doerk, RAC Chairperson, welcomed everyone and addressed the complexity of the issues involving the monument.

Dave Mari reviewed the role of Resource Advisory Councils in providing advice to the BLM on the wide range of programs administered by the agency on the national and local levels. The BLM uses the group as a sounding board; as counsel to foster and solicit public involvement; to provide feedback to their constituencies; to provide assistance on tough issues; and often to act as an advocacy group for the BLM.

BLM expectations of the RAC are to have open and honest communication with team members and the BLM; have ownership of team decisions; come prepared for meetings; act in a timely manner; work hard to achieve consensus; be open minded and listen to other Council members; and be mindful of who you are representing as a RAC member.

Kaylene reviewed the definition of consensus. Guidelines for consensus are to listen; be sure you understand what is being said; share any relevant information; be involved in all decisions; keep disagreements non-personal; and view differences as healthy.

**Blackleaf Update**

Chuck Otto briefed RAC members on the Blackleaf oil and gas project, which is extremely controversial due to habitation by endangered species, proximity to the Bob Marshall Wilderness Area and Glacier National Park, and scenic amenities.

Startech has proposed drilling three wells from one location in the Blindhorse Outstanding Natural Area. Grizzly Resources has proposed drilling four wells from two locations on Forest Service lands adjacent the Blackleaf Unit; however, the company has not submitted required information to the BLM and its lease suspension was terminated. That lease will expire in December 2006 if they take no further action.

Maxim Technologies of Helena has the contract to prepare the Blackleaf Environmental Impact Statement (EIS). Cooperating agencies on this project include the Forest Service, U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, Montana Fish Wildlife & Parks, Montana Department of Environmental Quality, and Teton County. The Blackfeet Tribe will be a participating agency.

Scoping meetings were recently attended by over 600 people in Choteau, Great Falls, Missoula, Helena and Browning.

Leases are a form of property ownership and can be sold by a company at any time. Senator Baucus has proposed legislation to trade out the Blackleaf leases, but this option cannot be considered in the EIS because the BLM does not have authority to trade out leases.

Inventories have been completed for the analysis. The planned release date for the draft EIS is February 2005. The public will then have an opportunity to comment on the draft.

A minimum of two years would be needed to drill a well because the Rocky Mountain Front Wildlife Guidelines, which cover all species of wildlife found on the Front, allow only a 105-day window of opportunity for drilling each year.

The current RAC representative on the Blackleaf interdisciplinary team is Dale Slade, with Mary Fay and Bill Cunningham as alternates.

### **Visual Resource Management**

Clark Whitehead of the Lewistown Field Office reviewed the Visual Resource Management (VRM) classes for the monument. A draft report shows a change in classifications for the uplands following a recent inventory. Some areas are being changed from Class III to Class II, and from Class IV to Class III. The majority of the monument is in Class II. The final report is due out in July.

### **Access and Transportation**

Clark Whitehead thanked RAC members for their assistance with the transportation plan for the monument.

Randy Gray noted that Marty Ott's overview of the planning process in a meeting that took place prior to the RAC meeting was very helpful and provided a clear picture. He believes the RAC could reach consensus on the overall thoughts of what the BLM could implement.

Randy stated that in summary, there really is no legal definition of a road here, no case law that tells us this is or is not a road. No court has given a clear definition. No court case has been raised on this. Because it hasn't been looked at, no one knows what the definition of a road is, so the RAC can spend its time more productively on overall management philosophies such as appropriate overall road densities, appropriate equitable access.

He also stated that it is not the RAC's role to micro-manage which roads should be open/closed. A broader guideline discussion could help the agency. The general multiple-use guidelines do apply to this monument. The Proclamation, because it is presidential, gives weight to those objects described in the proclamation. It does not give priority to those objects. The agency still has an obligation to balance multiple uses of public land. It could be thought of as zoning, with certain uses in certain parts.

Jerry Meredith, Associate State Director, and Marty Ott, State Director, then addressed the RAC. Their comments are Attachment B to these minutes.

### **Prairie Dog Presentation**

Rick Northrup, Montana Fish Wildlife & Parks biologist, gave a presentation on Region 6 prairie dog planning. The prairie dog is a candidate species, although the listing may possibly be removed in August. Associated species in Montana include mountain plover, burrowing owls and black-footed ferrets.

The main objectives of the State plan are minimum number and size of complexes, and 90% of historic distribution. The plan calls for 90,000-104,000 acres minimum statewide, and 125-145,000 acres with the inclusion of tribal lands. The 125,000 acres is considered about 10% of 1908-1914 estimates.

Region 6 is the first to start a regional plan. The concepts are to develop regional goals and objectives for black-tailed prairie dog abundance and distribution. It places responsibility at the local level and tiers from State plan objectives. The regional plan is being developed with an advisory board representing ranchers, business owners, agency people and national organizations. The process is also open to the public.

Principles of the plan are:

- Provide a significant contribution for prairie dog and associated species conservation in Montana;
- Acknowledge Judith, Valley, Phillips Resource Management Plan (JVP RMP) obligation;



- Accommodate the needs of stakeholders; and
- Acknowledge that voluntary landowner cooperation is necessary for planned expansion of prairie dogs beyond the JVP RMP (or beyond current levels outside the JVP RMP).

Additional considerations include:

- State plan objectives;
- Impact of prairie dogs on the human and physical environment;
- Changing land ownership and management objectives;
- Prairie dog conservation leverages conservation for other species of concern (e.g. ferrets, burrowing owls); and
- Opportunity to demonstrate conservation at the local level.

Tools for implementation of the plan include:

- Mapping efforts;
- Prairie dog control;
- Rodent control district;
- Private landowner incentive programs;
- Prairie dog habitat suitability model;
- Grass-banking;
- BLM grazing improvements;
- Implementation committee to review progress;
- South Phillips Rancher Stewardship Alliance;
- Region 6 plan sideboards and guiding principles;
- Conservation easements; and
- Land exchange.

Three working proposals have been provided by the South Phillips County Rancher Stewardship Alliance, The Nature Conservancy (Matador Ranch), and the National Wildlife Federation (with the World Wildlife Fund and Predator Alliance).

The target date for completion of the public process is November-December 2004.

## **Field Managers Update**

### Malta Field Office

Rich Adams provided an update for the Malta Field Office.

- Two monitoring projects for mountain plovers are underway: one that uses prairie dog towns and one that does not.
- Ongoing items include two plague studies (with USGS); sage-grouse habitat study; sage-grouse West Nile Virus study (with BLM Wyoming and Montana); and prairie dog mapping in South Phillips County.
- A proposal by First American Energy of Texas is being considered for a wind farm in northern Valley County. It would include thirty 360-foot windmills to generate approximately 50 megawatts of electricity. If successful, the proposal is to expand the site to 250 megawatts. Concerns are proximity to the Bitter Creek ACEC and migratory birds.
- Another mineral withdrawal for the Zortman/Landusky area is underway. It would be a temporary 5-year withdrawal from mineral entry to support reclamation efforts. Once that withdrawal expires and the reclamation meets standards, the area could be open again for mineral entry. A few years ago Congress took away the ability of BLM to do large withdrawals (over 5,000 acres) without congressional action.
- Two land parcels have been selected for disposal.
- A public meeting will be held in Zortman on June 22 regarding the last phase of the fuels reduction project in Zortman/Landusky area.
- The BLM will release 24 black-footed ferrets on the 40 Complex. Of the 20 ferrets previously turned out, only 4 were documented this spring.

- One prairie dog town in the 40 Complex shows signs of the plague.

### Lewistown Field Office

Dave Mari provided an update for the Lewistown Field Office.

- Dave announced his retirement on July 2. He expressed his appreciation for the work done by the RAC.
- Jodi Camrud, Havre Field Station Manger, has accepted a position in the BLM State Office.
- The Fort Benton Interpretive Center is in the design review phase. The solicitation for construction will go out around the end of August. The current schedule is to break ground in the spring of 2005. The site has been cleared and is ready for construction. Funding for operation of the center is still a concern.
- The final Environmental Assessment and decisions on the Arrow Creek Watershed should be released the week of June 21.
- A hearing on the Liddle trespass is scheduled for July 21 before an administrative law judge.
- A recent decision by Judge Molloy has potential implications for oil and gas leasing throughout the West HiLine land use planning area. The monument land use plan may be delayed for several months because of this. A hearing is scheduled for July 8.
- The new office building should be completed in January-February 2005.
- A national EIS for windpower sites is underway. It will identify optimal sites on BLM land.

### **RAC Chairperson Meeting in Phoenix**

Bob Doerk reported on the National RAC meeting he recently attended in Phoenix. He previously submitted a written report to RAC members.

### **Other**

The RAC agreed to use extra time on the next day's agenda to develop criteria for roads in the monument. The meeting adjourned for the day at 5:45 p.m.

### **The meeting reconvened at 8:00 a.m. on June 17.**

All RAC members were in attendance except Dean Stiffarm.

Attending for the BLM were Dave Mari, Rich Adams, Mike Stewart, Gary Slagel, Wade Brown, Craig Flentie, Clark Whitehead, Kaylene Patten and Kay Haight.

### **Public Comment Period**

Two people offered public comments. See Attachment A to these minutes.

### **Monument Resource Management Plan**

#### Responses to RAC Recommendations

Gary Slagel distributed a report that summarized the responses of interdisciplinary team members to previous RAC recommendations for the Monument RMP.

#### Criteria for Roads

The following general guidelines for roads were suggested:

- A non-degradation policy with respect to a transportation system. Don't degrade the monument, maintain and protect the objects. We are not talking about restoration to the Lewis and Clark era condition of the land. The activities should be compatible with the purposes of the monument.
- Three types of roads are needed: graded roads, two-tracks, bladed roads.

- Legal access and tour routes are needed so people can drive in and out to look at the monument, with some bladed roads to other areas for tourists.
- Randy Gray offered a draft of Travel Plan General Parameters, which is Attachment C to these minutes.
- Road density. Because of the terrain, be careful about stating a distance between roads. Average it over the entire monument to come up with a lessened density.
- General recommendations can be part of a preferred alternative (e.g. guidelines for sustaining nature).
- Look at closing roads that are not needed, protecting wildlife. Reaching parameters for wildlife will lead to fewer roads.
- Kaylene will send the draft Travel Plan General Parameters out to everyone. RAC members should submit comments to Kaylene by July 15 and if they are interested in participating on the subgroup. The subgroup should consist of at least one person from each category and any other volunteers. All comments will be compiled and a subgroup will review the parameters and comments, and will present the parameters at the September meeting.

### Road Inventory

Seventy percent of the road inventory for the monument has been completed. The east half is done, and the BLM hopes to complete the inventory for the west half by the end of summer.

### Wildlife Study

Funding has been requested to study the effects of transportation on wildlife. Other transportation studies have been done in mountainous country, but not in breaks-type habitat. It would be a 3-5 year study, which means it would be completed after the management plan is finalized. If the study were to show a need to amend the plan, the amendment would be specific to that issue and would be a public process.

### Law Enforcement

The BLM Washington Office is studying the feasibility of contracting with local law enforcement agencies (counties) to take care of Federal lands in their area.

### **Visitor Use, Services and Infrastructure**

Wade Brown gave an overview of the RAC's involvement to date in visitor use issues. Many of the visitor use alternatives are from RAC and Subgroup recommendations, which were combined with public comments and the core team working on the issues more thoroughly to form the alternatives.

### Recreation Management Areas

This alternative is simply an administrative implementation to simplify matters.

**A motion was made by Bill Cunningham and seconded by Glenn Terry to recommend the preferred alternative as written. Consensus was reached.**

### Recreation Activities and Facilities in Sensitive Wildlife Habitat

*Antler hunting.* A motion was made by Dale Slade and seconded by Arlo Skari to recommend this portion of the preferred alternative as written. The motion failed.

- This is written so the date is not firm. Horn hunting is highly competitive and it would be difficult to administer if a date is not certain. *BLM Response: A notice would be placed in newspapers and on the radio.*
- If we are looking to the future and this activity is increasing, what is the problem with putting in the restriction right now to prevent any future concerns about harassment? *BLM Response: This gives BLM flexibility.*
- Leave off the phrase "if harassment is a problem."

A motion was made by Bill Cunningham and seconded by Randy Gray to recommend Alternative D as written. The motion failed.

- The May 15 date is the same used by Montana Fish, Wildlife & Parks statewide.
- Do not think this is enforceable.

The issue was tabled until later.

**Camping would not be allowed on islands from April 1 to July 31st. A motion was made by Art Kleinjan and seconded by Charlie Floyd to recommend this portion of the preferred alternative as written. Consensus was reached.**

#### Cultural Interpretive Sites

- Does this include Native American sites, homesteader sites, etc? *BLM Response: We would focus on some of the old homesteads.*
- Are there any plans to renovate the Gist homestead? *BLM Response: It is on the list but it will be a very expensive site to rehabilitate.*
- It would be better to change the word "cultural" to "historic."

**A motion was made by Bill Cunningham and seconded by Jeff Sheldon to recommend the preferred alternative as modified (change "cultural" sites to "historic" sites.). Consensus was reached.** The modified alternative reads as follows:

Establish small, low-key interpretive signs at specific sites that blend in with the surroundings (not visible from the Missouri River). The BLM would provide portable interpretation (guidebooks) and simple markers for some historic sites.

#### Size of Groups Boating

- Large groups impact smaller groups at campsites.
- 75% of use takes place between Coal Banks and Judith Landing.
- It would hurt outfitting businesses if they could only book trips on three days a week.
- Why is there concern about launches from Judith? *BLM Response: The idea is to keep the primitive nature of the river between Judith and Kipp.*
- Under this alternative, there would be no limit on party size.
- Delete Wednesday from the limitation as a day that small groups can seek that special kind of experience without a large group launching at the same time.
- What is the rationale for doing away with a free use permit for groups large than 50? *BLM Response: This is an oversight. Alternatives A and F should be blended.*
- Launching on Thursday or Friday would still congest the campgrounds on weekends. *BLM Response: The idea was to not limit opportunities for large groups.*
- This regulation is as good as it can get.
- River usage has been flat for the last 4-5 years.
- If we want to educate the younger people about our heritage, we need to include Scouts and consider the schedules of Scoutmasters.
- Many people will not go in a canoe. Large groups are coming for the Lewis and Clark experience with a historian and are getting the history of the river. They pack in-pack out and cannot always launch on a certain date of the week.
- This is a way to level out impacts and enhance the experience.
- Are the majority of the large groups, other than Scouts, associated with outfitters? *BLM Response: No. Church groups, schools and 4H.*
- Impacts would potentially be less if groups are not camping in traditional sites.

A motion was made by Francis Jacobs and seconded by Art Kleinjan to recommend Alternative B, with no

launch restrictions for group size. The motion failed.

A motion was made by Jeff Sheldon and seconded by Randy Gray to recommend the preferred alternative as written. The motion was amended to combine Alternatives A and F. The motion failed.

- If the days are reversed so that only smaller groups could launch on one or two days during the week, it would provide opportunities to avoid large groups.

**A motion was made by Randy Gray and seconded by Mary Fay to recommend a combination of Alternatives A and F, with the change from 20 to 30 people. The motion failed consensus but passed by fallback vote:**

**Category I: 3 up, 2 sideways**  
**Category II: 4 up, 1 down**  
**Category III: 2 up, 2 sideways**

#### Special Recreation Use Permits (SRPs)

**A motion was made by Art Kleinjan and seconded by Dale Slade to recommend the preferred alternative. Consensus was reached.**

#### Use/Opportunities for Boaters

A motion was made by Bill Cunningham and seconded by Arlo Skari to recommend the preferred alternative.

The issue was tabled until after lunch.

#### Camping Facilities

**First part. A motion was made by Randy Gray and seconded by Dale Slade to recommend the preferred alternative. Consensus was reached.**

- Are the campgrounds currently adequate? *BLM Response: Not in the Coal Banks/Virgelle area.*
- How many private campsites are on the river that people are willing to lease? At least 3.

**Second part. A motion was made by Mary Fay and seconded by Jeff Sheldon to recommend the preferred alternative. Consensus was reached.**

#### Length of Stay at One Campsite

- What was reason for the two days in camp? *BLM Response: It was a Subgroup recommendation. The rationale was to keep the flow in the campgrounds.*

**A motion was made by Arlo Skari and seconded by Charlie Floyd to recommend the preferred alternative. Consensus was reached.**

#### Waste Management

**A motion was made by Charlie Floyd and seconded by Glenn Terry to recommend the preferred alternative. Consensus was reached.**

- The only waste disposal site is at Kipp. How can BLM require this until there are more disposal sites? *BLM Response: If we wait until that happens, the problems on the river are just compounded. It is up to the visitor to transport the waste out or use a type of chemical treatment for waste that allows it to be placed in a dumpster.*

#### Camp Stoves, Fire Pans, or Fire Mats at Level 4 Sites

**A motion was made by Mary Fay and seconded by Arlo Skari to recommend the preferred**

**alternative. Consensus was reached.**

#### Use of Motorized Watercraft on the Upper Missouri River

A motion was made by Art Kleinjan at the request of the four cooperating counties, and seconded by Francis Jacobs, to recommend Alternative A (current management). The motion failed.

- Even in the wild stretch, no sections are currently closed to motorized watercraft.
- In preliminary discussions with CMR, they do not favor Alternative F.
- It is important to remember the Proclamation. People are generally canoeing for solitude, the frontier aspect. Motorized watercraft spoil that experience.
- Looking at historic uses on the river, steamboats first came up the river in 1859. A lot of history from pre-history through the homestead era includes motorized use. We are trying to preserve what is there now.
- The Proclamation also said multiple use. It is not fair to restrict certain people because others don't like what they do. The current system has worked for many years and there is no reason to change.
- The Proclamation language should give weight to the monument attributes.
- There is nothing in the entire plan that isn't going to have to be looked at in the future.
- Jet skis are not the main issue. The dates in the preferred alternative affect hunters and everyone else.
- There have been complaints and problems in the past with motorized watercraft.
- Another group that needs to be remembered is fishermen. It would not be right to shut them off.
- Restricting to non-motorized still retains access – just not motorized.
- A majority of boaters are non-motorized and the majority of the comments have favored no motors in the wild section of the river. There are no other opportunities in the northern Great Plains for multi-day, non-motorized activities. There are significant motorized opportunities in the Fort Peck and Fort Benton areas.
- Personal watercraft should be limited to flat water (lakes and reservoirs). Other things that could be looked at are wake speed, moving dates, etc.
- Restrict motorized watercraft to specific days of the week.

The issue was tabled until later.

#### Special Recreation Use Permits for Commercial Use and Organized Group Events

- The purpose is to maintain the primitive character of the uplands. Interest has increased from people wanting to offer auto tours.
- The cost of SRPs is a minimum of \$80, or 3% of gross receipts, whichever is greater.
- Should there be a limit on the number of auto tour operators per day?

**A motion was made by Randy Gray and seconded by Arlo Skari to recommend the preferred alternative. Consensus was reached.**

#### Public Vehicle Access and Special Recreation Use Permits for Hunting Commercial Use

This topic was tabled for the core team to look again at this alternative, then bring it up at the next RAC meeting.

- The issue was equal access.
- Stan Meyer was adamantly opposed to limiting the number of outfitters.
- Need another line that addresses outfitters and guides.
- The issue needs to be tabled until the next meeting.
- The entire Bullwacker area has no legal public access.

A suggestion was made to poll RAC members for their opinion on access to public land that may not have legal access. All RAC members stated their preference for equal access.



## Camping Facilities

**Level 1 and 2 sites. A motion was made by Dale Slade and seconded by Charlie Floyd to recommend this portion of the preferred alternative. The motion failed. The motion was then recalled and consensus was reached.**

- There should be a demonstrated need and fairly rigorous analysis (environmental assessment) with public comments before any Level 1 or 2 sites are developed.
- Wording needs to be similar to the river campsite levels.

*Level 3 sites.* This item was tabled until the next meeting.

- A number of items in the Travel Parameters drafted by Randy Gray should also apply to this alternative.
- The BLM should reconsider.

Camp Stoves, Fire Pans, or Fire Mats at Level 4 Sites. This is a duplicate of an alternative for the river.

## Signs – Uplands

**A motion was made by Bill Cunningham and seconded by Arlo Skari to recommend the preferred alternative. Consensus was reached.**

## Level of Signing (on the river)

**A motion was made by Charlie Floyd and seconded by Francis Jacobs to recommend the preferred alternative. Consensus was reached.**

## Administrative Use of Motorized Watercraft on the River

*First part.* This item was tabled until the next meeting.

- This is in response to the perceived misuse of administrative travel up and down the river.
- There should be no double standard. If the public is restricted, so should the agency be restricted.
- There is no way to go upriver without creating a wake.
- By the very nature of the work done by resource management agencies, they need to be able to go upstream. It should not specify certain days.
- Suggestion to hold off until the next meeting when Jim can talk with Montana Fish, Wildlife & Parks personnel.



**Second part. A motion was made by Art Kleinjan and seconded by Lisa Cowan to recommend the preferred alternative. Consensus was reached.**

- It seems more liberal than the flexibility provided to resource agencies.

## **Open Discussion**

### Awards

Dave Mari presented awards to two departing RAC members, Larry Ostwald and Arlo Skari, and thanked them for their service on the RAC. Their final meeting will be in September.

### Ferry Terminal

Art Kleinjan updated RAC members on a new terminal building at the Stafford ferry. The low bid was \$242,000, but a modular home was purchased for \$80,000. For \$3,000 extra, log siding can be added so it would look like something built on site. Funds will come from ferry discretionary funds out of Washington, DC.

The new ferry will arrive on June 22, weather permitting, and should be operating within a day or two.

### RAC Representation on the ID Team

Glenn Terry represents Category I. Jeff Shelden will serve as a Category II representative. Jim Satterfield or Art Kleinjan will represent Category III. The main goal is to be sure someone from the RAC is there.

- Jim's attendance at team meetings would be a good opportunity for interagency cooperation. He will advise Bob or Kaylene if he is able to make this commitment.
- BLM will pay per diem for one RAC member.

## **Revisited Topics**

### Use/Opportunities for Boaters

**A motion was previously made by Bill Cunningham and seconded by Arlo Skari to recommend the preferred alternative. Consensus was reached.**

- The Standards and Indicators came out of the RAC Subgroup.

### Use of Motorized Watercraft on the Upper Missouri River

- Does personal watercraft only refer to jet boats? It needs to be refined further. *BLM Response: The BLM will define it.*

**River Mile 0-52. A motion was made by Arlo Skari and seconded by Jeff Shelden to recommend the preferred alternative with the addition of the phrase, "as defined by the BLM" to follow "personal watercraft." Consensus was reached.**

**River Mile 84.5 to 92.5. A motion was made by Lisa Cowan and seconded by Dale Slade to recommend the preferred alternative with the addition of the phrase, "as defined by the BLM." Consensus was reached.**

**River Mile 52 to 84.5. A motion was made by Charlie Floyd and seconded by Glenn Terry to recommend the preferred alternative with the addition of the phrase, "as defined by the BLM." The motion was tabled until September.**

- The June 5 date was selected to accommodate paddlefishermen for Memorial Weekend. The September 15 date was selected to accommodate bowhunters.
- This section was not selected to be non-motorized because most motorized use is occurring in the

White Cliffs section, where the facilities are already in place for handling that larger use.

- This is all a delicate balance of uses.
- The historical experience is more important for many people than the quiet experience.
- We should look at the size of the motorcraft – a 5-10 hp motor versus a jetboat.
- To open most of the river to motorized use needs a compromise position of, e.g., not more than a 15 hp motor. Only the trolling prop could be in the river in this section.
- We need to think about elderly and handicapped who cannot see the river without using a motor.

#### Recreation User Fees

Time ran out to address this topic.

#### Recreation Activities and Facilities in Sensitive Wildlife Habitat

Time ran out to address this topic.

#### **Next Meeting Agenda**

Date: September 8-9  
Location: Lewistown  
Times: 1:00 – 6:00  
8:00 – 3:00  
Public Comment: 1:00 – 2:00  
8:00 – 8:30  
Social: Yes  
Lunch: 45 minutes. Have sandwiches brought in (not a working lunch)

## Agenda:

- Tabled Items
- Visual Resource Management (VRM) Classes in the monument
- Criteria/Philosophy of Roads/Routes
- Field Manager Update (including Grizzly Resources lease status)
- River Statistics
- Blackleaf
- ID Team
- More information about the 7 SRPs in the monument: location, access by the public to those lands.
- Signature Event for Lewis and Clark Bicentennial
- Legal Access on the north side of the river
- Jerry Meredith to visit with Jim about the legality of roads
- Fort Benton Visitor Center

## Other Business

What is the role of the cooperating agencies and the new RAC members who are appointed to the ID team? *BLM Response: The counties' role is to provide input as a neighboring managing agency. The RAC members are there to provide input in an advisory role.*

**A motion was made by Bill Cunningham and seconded by Arlo Skari to support the notion of adding an employee of Montana Fish, Wildlife & Parks to the monument interdisciplinary team. Consensus was reached.**

The meeting adjourned at 2:55 p.m.

## Attachment A

### Central Montana Resource Advisory Council Meeting Public Comments June 16-17, 2004

#### Larry Copenhaver

I want to thank the RAC for inviting us to come up to Malta this time. I've never seen the hill before. At least not this part of it. I lived in Cut Bank and never quite made it east of Chester. So this is kind of a treat. Although I'm not sure yet about that until the fishing's over tonight. Then I'll know how much of a treat it was.

Again, I am also grateful that we had an opportunity for this RAC to review more of the RMP for the monument. Throughout this process, forgive me, I'm getting ahead of myself. I'm Larry Copenhaver, Montana Wildlife Federation in Helena. We're the largest and oldest organization of hunters and anglers in this state. We have a considerable interest in the future of this monument.

I think I'd like to start by reminding us that a monument by definition is honoring something particular, and in our proclamation this monument is honoring the wildlife and hunting heritage and Lewis and Clark legacy as well as many other things. But as would catch our eye would be the hunting heritage, the history of the area as well as the future of the area. Within BLM's land use planning handbook there is a passage that refers to when putting forth plans, that the BLM will consult with the state wildlife agency on wildlife issues. I'm glad to see Jim Satterfield has joined this RAC. But I would hope, the Federation would also like to remind those folks that it doesn't look like in this RMP that the Fish, Wildlife & Parks of Montana was consulted very much within the process and was confirmed with conversations with Mike Aderhold. We feel that this was an oversight. The last time I was here, or one of the last times I was here, I passed out documentation, or at least research that documents the effect that aircraft and airstrips in backcountry, what kind of effects they have on bighorn sheep and several other items. We feel that had there been more consultation with the Montana Fish, Wildlife & Parks there may have been a different RMP than it is now.

I understand that through the process the standard procedure is, that I've heard from this office is to put

together the RMP and then it'll be reviewed by the state afterward. We feel that this is backwards. I sent a letter this week to Chairman Doerk. I don't know, Bob, did you get that letter? (Not yet.) Okay, well I'm going to pass out a copy of it around the table. That's okay, Kaylene? Do you want to do that?

In short, what I asked for with this RAC is I would ask and suggest strongly and hope that the RAC will assist Montana Wildlife Federation in bringing wildlife to the forefront in this RMP process and do two things.

The first that I would implore that the RAC would ask the BLM to add a member of Fish, Wildlife & Parks, either in biological or region management, to the interagency team. We feel it's a proper place for them. I don't really know where within BLM's framework, where it fits, but it does seem appropriate given that passage in the land use handbook which implies that wildlife issues should go past the state wildlife agency and at this time only a DNRC individual is sitting on that interagency team.

Throughout the process, ever since the beginning of scoping Montana Wildlife Federation has been flirting with the idea and presenting the idea to anyone within this council and within BLM, within Fish, Wildlife & Parks and U.S. Fish and Wildlife Service that because of the high wildlife value in this monument, and that it is a monument to this wildlife resource, that it would be appropriate for having an ongoing communication between the three agencies – U. S. Fish and Wildlife Service, BLM, Fish, Wildlife & Parks – and that this should be a formal arrangement. We envision this be organized by BLM to take on variations of an ongoing conversation given the importance of wildlife and hunting on this monument.

I know I've heard it expressed at these tables how high that value is, the value that the monument carries for hunting in itself as well as the wildlife values outside of simply the hunting factor of it, and we respectfully request and ask that this RAC will present that request to the BLM that they pursue this particular option.

I will be more than happy to answer any questions. I did copy the excerpt from the land use planning handbook in case anybody would like to see it in words and have a few copies. I don't know that I have enough for the entire RAC. I wasn't sure that that would be appropriate as it is, because those things are available to you as it is.

With that, I'll close. Thank you for giving me the time to speak to you.

### **Will Patric**

Thanks, Bob. I'm Will Patric with The Wilderness Society. I definitely won't need ten minutes to speak here but I do just want to make a couple, offer a couple of thoughts about the monument, which our organization has been following closely.

The two basic thoughts I just wanted to give. One is, I guess, more philosophical and the other is, I think hopefully, more practical. The first one is, as I was driving up here I was thinking about Montana and this landscape and just remembering how large our state is, the fourth largest state in the nation, and thinking about how unique the Upper Missouri River Breaks National monument is. It's a very special place. With the exception of Pompey's Pillar and its few acres, it's the only national monument we have in this state and it's the only one in the region.

I think it's fair to say that Americans have become really excited about this monument. We hear from lots of folks and they're really into it. They're inspired by it and again, excited by it. I have to say that I'm looking forward to getting a sense that the BLM is excited about this monument as well. Excited and inspired by the challenge of coming up with a visionary management scheme for this amazing place. I think we're all waiting to get a sense of that vision and waiting to get a sense of how the BLM sees this landscape as different from its other multiple use lands, particularly with regards to airstrips, gas development and roads. Again, how is this place different? So again, my first message is just encouraging us to think about what a special place this is and hopefully acting on that.

My second point, again hopefully more practical, is I've had a chance to talk to many people on the BLM staff and I thank you for those conversations. It's occurred to me that over and over again I hear about money being a constraining factor with monument management. Obviously, money's tight and I hear again about the bottom line and how difficult some of these things are. And then I think about the draft preferred alternatives that we're seeing right now from the BLM. Six airstrips. Lots of roads. Intensified gas development. To me, that's inconsistent with this money situation. Why not simplify it? Why not play it safe

right now and let's think about the bottom line on dollars and why not reduce enforcement challenges and monitoring challenges and administrative challenges, liabilities and so on. All of those things are going to cost money.

So I think, it would seem like we ought to be thinking about simplifying early on, and then ten or fifteen years from now when we revisit this resource management plan, you know, if there is a need for an airstrip we can talk about that. Or if there is a need for more roads and so on. But why not simplify it? It seems like it makes good fiscal sense and it also seems like it's much more in keeping with the overwhelming expressions that you're hearing from the public and also the mandate of the proclamation that established this monument.

So I guess with that I'm just looking forward to the next two days of meetings and hearing about the monument and looking forward to a good, productive meeting. Thank you very much.

### **Ron Poertner**

Good morning. I'm Ron Poertner from Winifred. I'd like to say just a few words about the seasonal boating restrictions on the Upper Missouri that I believe you'll be discussing, probably later today. I know the RAC and core committee have had considerable discussions about boating restrictions on the Upper Missouri. Various people have been looking at the different ways to perhaps restrict powerboating further on the river. I would like to recommend that we leave the current boating restrictions in place and go with them at least for the next couple of years into the post-bicentennial period so we can get a more realistic feel for ... the river.

I think the boating community already endures enough boating restrictions, and I really think there could be some major protests on the river if we impose any more restrictions on boaters. I think there's a legitimate case for not having further restrictions.

Some of the senior members of the RAC that are here today I think will recall that on 30 December 1999 the RAC sent a report to the Secretary of Interior and recommended that the boating restrictions on the river remain as they were originally prescribed. In fact, the Secretary of Interior accepted that RAC report and its recommendations by letter dated January 19, 2001 and directed, I say again, directed the BLM to "review the 30 December 1999 recommendations of the Central Montana Resource Advisory Council and implement all feasible recommendations. Certainly one feasible recommendation in that RAC report was to leave the seasonal boating restrictions as they presently exist.

It seems to me that the Secretary's directive is pretty clear. I don't think we have the option to equivocate here when a letter signed by a Cabinet member directs that something be done. If we ignore that directive, then why did we bother to send in that RAC report in the first place?

I would like to leave a copy of the Secretary's directive with the RAC chairman, and I ask that he carefully review that letter in any discussions you may have later today about restrictions on the river. Thank you.

### **Mary Jones**

Good morning. My name is Mary Jones and I'm with Friends of the Missouri Breaks National monument. Yesterday we listened to Marty Ott and Jerry Meredith and we heard them talk about the Grand Staircase-Escalante Monument, and I think Jerry Meredith, who had a lot to do with that, was very proud of that monument and how it came out in the end on how it was to be managed. I brought along today the Judith-Valley Phillips, this is an area RMP. This is the BLM's regular RMP for an area of land or a watershed.

In this, as I've gone through, there are many similar issues that are also in the monument. I just want to make sure that we think that this monument, though, should be just a little bit better planned than a regular RMP. So I hope that we also can look to a new monument coming out that has more than just what the RMP has on a regular BLM area one.

Thank you.

**Attachment B**  
**Comments to the Central Montana RAC**  
**By Jerry Meredith, Associate State Director and**

**Marty Ott, State Director**

**June 16, 2004**

**Jerry Meredith**

Maybe I could just start by giving you just a little quick background about who I am and why this keeps coming up. Some of you know, like Bob does. And then secondly, maybe address the road issue that Randy talked about a little bit and then if there are questions, Marty or I could do that.

The reason my name keeps coming up is I had the opportunity which I refused, and you see how much good it did me to refuse, to be the first manager of the very first national monument ever designated by the Bureau of Land Management, Grand Staircase-Escalante National Monument. Because it was the first, the presidential proclamation set the planning timeframe. Right in the proclamation, it said the plan will be done within three years. I had to put a team together. By the time I got the team put together we had just a little over two years to do a land use plan for BLM's very first national monument. It also specified that the signator of that plan would be the Secretary of Interior. Not the local manager, not the State Director, not the BLM Director, but the Secretary of Interior. So for all practical purposes, I worked for Bruce Babbitt for three years, spent a lot of days in his office and he spent a lot of days in my truck over those three years. So I do have a little bit of background with these kinds of issues.

As far as the road situation goes, Randy asked if Marty and I would come and talk to him and some of his colleagues and we agreed to do that. I shared with them that we struggled with this. I had rooms full of attorneys trying to deal with what's the legal definition of a road. Some of you have heard the definition, perhaps out of various places, that was taken from Congressional history during the discussion of the Wilderness Act. In fact, during your last RAC meeting it came up that the Gunnison Gorge had used some of that language. Well, that language was very specific. It was specific to the Wilderness Act. And it was adopted by the BLM when FLPMA required us to inventory for wilderness too, but it was a standard to decide whether or not an area was roadless.

No attorney anywhere that I know of and no court, and I can guarantee this hasn't occurred, has ever ruled that that is a legal definition of a road in terms of whether or not a county has jurisdiction, or the BLM has jurisdiction, or who has jurisdiction over a place people drive. In fact, I have been involved since 1978, was the first time I started working on lawsuits over what is a road on the Burr Trail in southern Utah and have been involved, as has Marty, on a number of these over the years. There still is no clear definition.

Many of you may have heard about the work that's been going on in Utah where the previous Governor Leavitt agreed with the current Secretary on a process to work through this whole issue of what is a road and who owns it. In case you haven't heard, that's blowing up as we speak. It's completely coming apart because the attorneys can't agree. I won't go into all the detail, but even in Utah there is a huge fight between the Governor's office and the Attorney General's office over what's a road and whether the Governor can do that or not, and there is a huge fight over congressional language that prohibited the Department of Interior from promulgating regulations to determine what is a road and who owns it.

So as we talked this morning, I think that Randy's comment is right and it's what we did at Grand Staircase. We sat down and developed criteria, as a planning team in conjunction with our partners, that talked about what are the philosophies. Things like as a matter of principle we're not going to close roads that go to private land or State land, just because FLPMA requires us to provide access to those kinds of places. As a matter of philosophy, we're going to keep roads open that go to commercial developments. If a rancher has a stock facility, be it a water development or corrals or whatever else, and they need access to that to continue to maintain and use those, we're not going to close those. Those kinds of criteria.

We developed a transportation plan, then the team took those criteria and that philosophy on how you manage transportation and applied it on the ground on a road-by-road basis. The criteria is much more complicated than that, and I don't want to get into the big long list because I'm not trying to suggest to you guys what the criteria ought to be here. That actually worked out pretty well. It wasn't a matter of going in and saying we're going to close this road, this road, this road and this road. It was an issue of saying here is the transportation system.

As we work through the physical capabilities, the financial capabilities, the legal and social parameters, then we will physically close some. Others will fall into disuse and rehabilitate themselves. As all of you know,

roads do that. Even paved highways. As you drive along the highway, I mentioned this morning, between Billings and Grass Range there is a place where they've rerouted the old highway. If you look off to the side, the old one, they never even tore up the asphalt and it's all grown in with grass. It's just pushing its way up through. So as some of that occurs, but also then as the legal definitions are finalized those that aren't on the transportation system can be closed and worked through with whatever jurisdictions there are that have to work through those things.

I really endorse what Randy said. I think he's right on. I think that's a good role for the RAC to make those kind of recommendations to the Bureau that would set guidelines that then somebody can apply to each one individually, rather than you guys sitting . . . (tape change)

How can I answer that question? These are people who lived there every day and we had to go out and look at some of those as we made that final call. So how you guys could sit in a room and do that is beyond me, but you could easily come up with these parameters and recommendations and management guidelines.

Now that's trying to address what's already come up. Are there questions?

*(Randy Gray): Jerry, a question for you specifically. You had mentioned this morning the possibility of going, rather than focusing on the definition of a road, assuming we come up with these guidelines of what our philosophy would be, you mentioned the idea of coming up with a designated, that is, on a map. Draw a line on a map. These would be designated routes or roads or ways, whatever you want to call them, but there would be a line there and that would be something you could ...*

One of the things that we did in conjunction with State Lands, the Utah Association of Counties, Forest Service and others in some interagency effort in the last place I was at, was we talked about this whole issue of travel management. We've got a law enforcement officer in the room with us. One of the issues the law enforcement from all agencies brought up, including the State and the county sheriffs and everybody else was if you have an area open to all existing roads and trails, and somebody drives out through the country and you didn't catch them, and then somebody follows them, can you give them a ticket and make it stick because they said, well, I'm following these tracks that's an existing trail. It's a very difficult law enforcement issue.

We encouraged, and this was when I was a district manager over all of southwestern Utah, which included the Grand Staircase but was much bigger than that, that we worked on this, and it was State Parks people who worked for Marty that really came up with this principle of we need to stick to designations. We need to make sure the language says designated by map, description or signage. That way, if you put up a sign to say this is open, or put up a sign to say this is closed and somebody doesn't like that and they tear it down, it's still legally designated because it's in the master map. In the case of the monument, it would be a transportation map that is part of the official RMP. Anybody who wants to go out there can get a copy of that map and then they can see what's available for travel. That's what we did, and we've done it in a number of planning areas outside of monuments since then. In fact, it's kind of becoming the norm with the Forest Service and the BLM to do designated. You can designate open yearlong. You can designate seasonal openings if there are issues like wildlife issues where you don't want a route used during what, lambing season for bighorn, but the rest of the year maybe it's okay. There's lots of things you can do. But that's all part of the designation process.

*(Randy Gray): That also would avoid the need to sign the road open or sign the road closed.*

You know what? The fact is, the Bureau of Land Management is never going to have enough money to put up all the signs everywhere. In the critical places, we try and do that now and we'll always continue to try and do that. The budgets we have do not permit us to do that extensively, and the replacement of signs as they, through normal wear and tear and through human wear and tear, is pretty exorbitant. But if you write it that way, you can say here's the transportation system in the RMP and that's the legal description and we will do our best to sign that, but this is the legal definition right here in this map. Then make those maps available to people.

*(Bob Doerk): Jerry, just following up so that I understand, would that map include administrative roads?*

That's the way we did it. Again, I'm trying to share some experience, not dictate to either the local office or

you guys. What we did was we, I can't remember now if we used colors or codes next to the roads. We had some routes, and in some places we felt like we had to leave that one on there. I'll give you a good example. There was a major power line that went cross country. Everybody agreed that the whole world shouldn't be out there driving that power line. There was a little trail along it for maintenance. So we designated that one as administrative use only for the power company to maintain that power line and it's on the map as an administrative road. People know it's there, but it's clearly marked that's an administrative road, and you need permission to use it. But Search and Rescue can use it, the BLM if we have to for administrative reasons can use it, and the power company can use it.

*(Bob Doerk): And a permittee could use it if they needed to get to the stock tank?*

If that was in their area and they had the permission. What we did was we numbered all those in some system. The Forest Service, you guys are mostly familiar with, has always numbered their routes out on the forest. We used a system similar to that. I think we put an "A" in front of the administrative ones on the map, or something. I can't remember now what we did. It was designated and anyone who needed access there was given a key to the gate if it was gated. One of the things we did at the request of the livestock operators, they said look, we don't want to fight with the recreationists that are out here. When we use a route and we're authorized to, we don't want to get in this big fight with some hiker who can't use the route. So we made up a little sign to put in the front window that says "Authorized Permittee – Routes No. \_\_\_." There was a list on there. We'd make those up on the computer, laminate them and give them to them. They didn't need them. We were just trying to be cooperative so that they didn't have to fight with some hiker who had to walk where this guy was driving to take care of his cows.

*(Bob Doerk): So it becomes an enforcement issue, then, if the permittee was using it for reasons other than the permit states?*

Yes, and you're always going to have enforcement issues.

*(Bill Cunningham): Basically, if you look at all the roads out there, there were two kinds: those designated as being open and those not designated within the Staircase. I'm wondering if you can give just kind of a rough ballpark of how that broke down between designated open routes and routes that were not designated and therefore closed, even though they weren't signed as such.*

No, I can't really. I'm sorry. It's been too many years.

*(Bill Cunningham): Were there any closed?*

Were there any routes on the ground that didn't become part of the transportation system? Yes. I can give you one. There was one that went down in a place called Little Egypt. It was very sandy. It was difficult to maintain. Everybody was always stuck down there. The county was sick of going and fetching them out. The sheriff's office wished we would have closed it. But the permittee used part of it to get to some facilities, but even the permittee didn't go down the whole thing because he wasn't that dumb. He'd get on his horse and ride the rest of it because he knew he was going to get stuck down there. What we did was, that one was one everybody agreed to. The county didn't want to fight with us over whether it was our road or theirs. So past where the permittee needed access we put a little trailhead area and then we physically blocked that one the rest of the way down. Because everybody agreed.

Now there were other roads where we couldn't agree. The county wouldn't agree it wasn't theirs. We wouldn't agree that it was theirs. And for a lot of reasons, court actions and everything else, we just all left it alone. Now some of those are gone. We just all agreed to not fight over them and they're gone. No action was taken. They weren't shown as a designated route.

One of the counties, we had two counties involved down there. One of the counties thought it was a good idea to go out and put up signs on the routes that have the sign numbering system on the public use transportation system. Put up signs so the public can find them. We did that. The ones we could not agree to, rather than court action we didn't put up a sign. The BLM did not try to give a ticket to someone who drove on that. By the same token, by virtue of a court order those two counties had tried plowing some two tracks and making them better roads. The BLM had sued them. They had lost, and they were under a court order to not do that anymore. You can't go out and just plow a road unless the Bureau agrees. We're under a prohibition from the Department of Interior and Congress to have a system for agreeing, so there's kind of a stalemate out there still on the ground. But in reality, the transportation system is becoming a



reality day to day.

As I have talked to my colleagues who are still there and who have replaced me, more and more some of the county people and locals are coming to them and saying, "Let's not try the legal route. Let's work out what really needs to go places," and they're starting to move on, on some of those. Not in all cases. The BLM put up signs on a couple of them. The county sheriff went and tore them out and the U.S. Attorney's office said, "Look, we don't want to go there. We don't want to charge the sheriff and start that fight, and the county can't blade them, so just don't put up a sign that says they're closed. Put up the signs that show the open ones."

Now, it's much more litigious there. I think you guys have a lot more opportunities to do things here. I mean that sincerely. There are disagreements certainly, and there always will be, but a much more cooperative atmosphere and atmosphere of people willing to sit down and talk and find solutions.

*(Mary Fay): You talked about signing. Are those signs that you used in that monument the numbers rather than open/closed?*

The numbers. We put up those little carsonite, it's a little skinny fiberglass post. It's very skinny, about that wide, and you put stickers on it, and we put stickers with the numbers for the route number. Then when they looked at the map they knew where they were.

I have to tell you this. I was out in the middle of nowhere. When I went out into this area, it was called the Smoky Mountain. When I went out in the Smoky Mountain area I had a four-wheel drive. I always carried emergency equipment, including a sleeping bag and rations and extra water because when you went out there, and Marty's been there, you're liable to be there. More than once we've had employees stranded for a day or two till we could get them out there. This is the gospel truth. I'm out there kicking around one day and I run into some Japanese tourists in a rented car. How they got that sucker in there I will never know. And they were lost. No idea where they were.

That's a problem for the locals. They have to deal with that. And we do, the BLM. So marking the major routes and then having that correspond to a map is really helpful, especially with a lot of out-of-town visitors and foreign visitors. There are Europeans now who have a life list of monuments and parks, like many of you have a life list of birds. They are out there unequipped and ill-prepared to visit some of these really remote spots, but they're bound and determined to do it.

*(Randy Gray): One of the other, to me, contentious issues of the last couple of months has been through the perception by some of the public, including myself, that this planning subgroup is kind of coming up with what the monument plan will be, even though it's preliminary, whatever adjectives you want to use to describe it. It's kind of getting set in stone. You had mentioned the possibility of, because federal law requires that only certain people can be on that group, but a person who could be on that group is a representative of the Montana Fish and Game Commission. A staff person from there representing the wildlife, the habitat concerns. I'm thinking that may be something that the RAC could recommend to the BLM is that we open that process so that we get an invitation to a representative from Fish, Wildlife & Parks to be a member of that subgroup. Comments on that?*

My only comment this morning was somebody asked, when we were meeting this morning, about a concern or a perception, I'm loath to choose an adjective, that the planning team was made up of some local folks who maybe wanted to keep things the way they were more, but not someone who maybe would like it to be a little more primitive or a little more restrictive. The observation is that under the Federal Land Policy and Management Act, which is the organic act of BLM – that's the law we function under – we are obligated to coordinate with state and local governments including tribes. That's part of the law. We must do that. But under the Federal Advisory Committee Act we cannot take citizens or representatives from interest groups and have them appointed to anything to advise us except a formally empaneled RAC such as this one.

On our planning team we can have a county official. That's perfectly legal. But we can't have on our planning team – I'll pick Utah, where I come from – a representative of the Southern Utah Wilderness Alliance. We cannot do that. That's illegal under the Federal Advisory Committee Act. You can't do that. Now, we can have an advisory council and anybody can be on that, that's appointed through the process. But under the Federal Advisory Committee Act the BLM cannot arbitrarily choose individuals to give us advice. But local governments must be coordinated with on planning. In fact, there is a consistency review

that's part of the plan process where we have to get a formal declaration from local State government that the plan is or is not consistent with their land use planning and policies.

*(Jim Satterfield): You say a Fish, Wildlife & Parks employee should be on that? And your response to that was there's process to insure that happens anyway. I was concerned if you were equating an FWP employee or any other state agency employee with a citizen, which I wouldn't think would be the same.*

If I wasn't clear, I'm sorry. What I'm saying is yes, state/local officials can be part of those teams. It happens all the time. We've got some on this planning team. We had five on the Grand Staircase planning team.

*(Jim Satterfield): Then I guess I'm waiting to hear your answer to his question as to what, I thought he asked what you felt like about having that FWP person on there.*

I said yes, this group can do that, make that recommendation. In fact, we talked this morning. Marty, go ahead.

### **Marty Ott**

I talked with Craig Sharp last week. Jerry was there, as a matter of fact. We talked about this very notion of having a Fish, Wildlife & Parks person on the planning team. The commitment I made to Craig was that we would look into that. That seemed to make sense. But I didn't know what the history of State involvement was. I asked Dave and others about that at noon today. As a matter of fact, when we put this planning team together we asked the Governor, who do you want to have on the planning team? Dave, correct me if I'm wrong, but I think the response was we want this person from DNRC. And that's good. That person from DNRC is on the planning team. But that doesn't prevent us from going back and considering other involvement. So again, as recently as noon today I've asked Mike and Dave to set up a meeting with Jeff Hagener to talk to him about this very thing. We're not closed to that. We think that might be a good idea. We'd like to hear from Jeff what his thoughts about this are and how he would like to involve his organization.

*(Bill Cunningham): Would it be helpful, Marty, if the RAC did have a recommendation or resolution to that effect?*

My response to that, Bill, would be it sure couldn't hurt. That's strictly up to you. An order of business that you could take up.

### **Jerry Meredith**

Jim, in case I wasn't clear, let me be clear for future reference on everything. State/local government, tribal government can come into any of BLM's processes under FLPMA. It's private citizens from interest groups that we cannot do that with under FACA. So yes, this would be perfectly acceptable. FACA, the Federal Advisory Committee Act. What that was for was to stop guys like me or Marty or Dave from going out and picking who we want to listen to and inviting them to come and be part but leave everybody else out. That's what that law was passed to preclude.

*(Randy Gray): Marty, this is going to be kind of a generic question. I preface comments by saying the thing I was missing from my understanding of this RAC process was kind of an overview, the broad view, the big picture having to do with the monument. My generic question to you would be what kinds of things could this RAC do to help the agency in managing this somewhat contentious resource, the monument out there? We're advisory only. But what categories of advice could we put our arms around collectively to help the agency with some guidelines on how to manage this national resource?*

### **Marty Ott**

I don't know that I have an exact answer. Since the question was generic, the answer will be somewhat generic too. The fact is that we're sort of all in discovery mode, aren't we? We're dealing here with a new notion. Now it's been dealt with before in other places. We're dealing with it in a slightly different way. That new notion is BLM monument. The BLM is brand new to that business. What exactly is a BLM monument?

I told the small group this morning a story about when Grand Staircase was proclaimed a national monument. It came as a surprise to the people of Utah when it was proclaimed. There were rumors that it was going to happen that came forth in the Salt Lake Tribune about three days before it was actually proclaimed. The governor learned about it through the rumor mill. Of course, the first thing he did is collect some of his key advisors and fly back to Washington to see what he could find out about this thing. He didn't even know exactly what the boundaries were going to be. It's 1.8 million acres, after all. And he didn't even know who was going to manage it. For all he knew, it was going to be the U.S. Fish and Wildlife Service. I mean that very seriously.

So he went back there with his advisors. Two hours before the President signed that proclamation, I got a call from one of his advisors, his planning chief, a fellow that I had taken a lot of horseback trips with and hunting trips and that sort of thing. Brad was on the other end of the phone and he said, "Marty, I've got to ask you. This is a little embarrassing, but have you heard who's going to manage this? Is it going to be the National Park Service?" At that time I was the National Park Service Coordinator for the State of Utah. "Or is it going to be the BLM?"

I said, "I don't know, but the latest rumor is it's going to be the National Park Service. I think that's who it's going to be." Two hours later the President signed the proclamation and it was a BLM assignment. That's when we learned about it. So the BLM found itself with this new critter. It's called a monument.

Then later the boss, Secretary of Interior, told us what he was thinking by doing what he did, or advising the President to do what he did. That is, we're going to change the identity slightly of the BLM and we're going to establish within that agency a very well-established conservation ethic. We're going to do that through establishing a series of monuments and this is the first one.

Then came Jerry's assignment. Here's a 1.8 million acre monument. We want a plan in three years. Written right into the proclamation. Well, here we are about seven years later still new to the process, certainly new to the process here in Montana. A little different way of dealing with the planning. In Utah there wasn't a RAC that we were dealing directly with, quite honestly. But there were a lot of people who had their ideas of what this monument should look like.

I think the most important thing that we could do here in Montana is not lose sight of what the intent of the President was in signing this proclamation. We can't lose sight of the fact that there was no intent that this monument become, at least at this time a wilderness, managed as a wilderness. There was no intent that this area was to be managed as a national park by the National Park Service. Those are two different kinds of areas, managed in two different kinds of ways. Instead, this was an area that was to be managed in such a way that a magnificent landscape would be preserved. A landscape that closely resembled that which Lewis and Clark and the Corps of Discovery saw some 200 years ago.

In my opinion, as we put this thing together instead of closely examining a tree, not losing sight of the fact that our job is to address the business of managing a forest. What I'm saying by that, or what I mean by that, is instead of closely examining and debating whether or not there should be ten airstrips in the monument or two or none, let's instead work together to figure out how, together, we can insure that fifty years hence we can look back and say this place, this landscape has not been degraded. This viewscape, this scene that Lewis and Clark observed and went through 250 years ago is pretty much the same as it was when it was established as a monument in 2001. That's our job, to preserve that landscape.

Now, I think it's also our job when opportunities are presented to us to improve upon the landscape. There's nothing in the proclamation that tells us that we have to restore, but I think intuitively we know that if there are 500 miles of road there right now and, in truth, we could get by with only 200 miles of road, then we'd work towards that goal. And if there are ten airstrips now, in 50 years we don't want fifteen airstrips. As a matter of fact, it may be better that there be no airstrips or only four airstrips. Do you understand what I'm suggesting here and working towards?

Our job, and believe me it's our job, we're building a legacy here. We may not be here fifty years from now, but our children will be here and our grandchildren. Can they say we were successful in developing this vision and understanding the intent of the President that the landscape be preserved. So Randy, anything that you can help us do to achieve that goal, and I would leave it to you to define what that would be, would be incredibly helpful.

I'd have to say before I take my seat, and I notice that our guest is here, this is tough business. It's not

easy. I visited with the Dakotas RAC three or four weeks ago and we sort of contrasted the work of the different RACs. Of course, the hard jobs sort of rotate, don't they? You have the hard job right now. It's monument planning, it's Blackleaf planning. You're going to be hearing about prairie dogs. Right now South Dakota, their main agenda item is planning their next meeting date. That's okay. They have a good time together.

But right now, this is tough business. What I told the group today is that we need your help. We can't be successful without it. We recognize that each and every one of you have other things that maybe you'd prefer to be doing or maybe even should be doing instead of sitting here with us today. You, in my eyes, are the real definition of good citizens. This is what you're doing. I just want to tell you again, I know that I've said it before, your good hard work does not go unrecognized, nor does it go unappreciated, and we thank you kindly for your efforts.

I'll just close by saying one other thing. It has to do with the folks who are in the trenches dealing with this day in and day out. I'm talking about the paid employees, those people who are actually putting this plan together. They hear at the local grocery store from the commissioner who they meet in one of the aisles that we're considering too much the views of the environmental community. And then they go to the next aisle and they meet one of their friends from the environmental community, for lack of a better description, and they hear from that person, "I think that you're giving too much credibility and credence to local politicians and local interests." It can be very frustrating. It can be very difficult. Those folks, you need to know, have my highest respect and my full support. They get it. They understand. Their way of going about this business has good grounding. That grounding is FLPMA and the proclamation. Their vision is the vision that I just communicated to you. Fifty years from now can we look back and say we did our job? This place today, fifty years later, is as good if not better than it was when that monument was proclaimed. So I just wanted to communicate my full support and endorsement for the monument team too.

Thank you for the invitation to come before you. I hope I haven't taken too much time. Thanks again for your good work.

Travel Plan General Parameters  
By Randy Gray, Central Montana RAC  
June 17, 2004

Adopt a desired future condition statement. How do we want this to look in 10, 25 and 50 years?

Adopt a standard of non-degradation – no net increase in miles of roads.

Focus on designated routes rather than the definition of a road.

- Designated routes as indicated on a BLM map.
  - Map should be updated every 3-4 years.
  - Map should be downloadable.
  - User has obligation to secure and be governed by current map.
  - General objective is to reduce the maintenance obligation of the Agency.
- Okay to post designated routes with USFS-like markers (i.e. Trail 303).

Look at the purpose of the access.

- State and private inholdings should have access.
- Permittees/commercial users should have access, but limited to the specific purpose of their permit.
- Recognize appropriate administrative access.
- Public access
  - Can be seasonally restricted, rather than year around.
  - Camping –
    - direct to previously used, designated (marked by sign) sites to discourage proliferation of new camp sites
    - Appropriate distance off road (for example, not more than 300 feet)

- Goal of public access to core areas of monument
- Spread access out to disperse users
- Multiple and well distributed trail heads
- Adopt game recovery standards – encourage hand-powered carts, appropriate times of day, discourage motorized means.

Access doesn't necessarily mean motorized access.

Is access needed? For example, reduce multiple parallel ways.

How does access affect the objects of the monument? (i.e. historic, cultural, remote, wild, quiet attributes)

There currently are excessive miles of roads. Road density is currently excessive.

- Goal: reduce road density and miles over a 10-year period with interim status reports in 3- or 4-year increments.
- Density reduction should generally reduce resource roads. A measurable standard should be adopted, such as 2/3 reduction. Spread out over the whole monument.
- Specific road closures should be left to the Agency.
- Encourage game security and preservation of remote attributes by generally expanding the distance between designated routes. The general goal should be to have fewer acres of the monument as close to roads. For example, x % of the monument is within 1 mile and y % is within 2 miles of a road. That density should be substantially reduced. Less is better.

Be concerned about new/evolving technologies – ATVs, jet skis, personal landing craft, floating motorbikes, motorized skateboards. What is next?

Many Americans have extraordinary incomes. They can afford to buy personal helicopters, which could drastically change the monument if even a small percentage decides to recreate in their helicopters in the monument.

General goal of reducing user conflicts.

General goal of reducing the spread of noxious weeds.

Be concerned about enforcement and monitoring obligations of the Agency.

Encourage coordination with other governmental entities – Federal, State and local.

- i.e. contract with or deputize county sheriff deputies with Federal law enforcement power.
- i.e. make sure Montana Fish, Wildlife & Parks staff is consulted on management decisions.



**Central Montana Resource Advisory Council Meeting  
Lewistown, Montana  
September 8 and 9, 2004**

The meeting convened at 1:00 on September 8 in the BLM Field Office conference room. RAC members present were Bob Doerk, Francis Jacobs, Bill Cunningham, Charlie Floyd, Randy Gray, Jim Satterfield, Mary Fay, Glenn Terry, Arlo Skari and Art Kleinjan. Absent were Lisa Cowan, Larry Ostwald, Jeff Shelden and Dale Slade.

Attending for the BLM were Mike Stewart, Rich Adams, Gary Slagel, Clark Whitehead, Wade Brown, Kaylene Patten and Kay Haight.

### **Public Comments**

Two people offered public comments, which are attached to these minutes.

### **Welcome, Synopsis**

Kaylene welcomed RAC members and reviewed the agenda. A quorum was not present from Category 1.

The Washington Office is still reviewing the nominations for new RAC members to replace Arlo Skari, Larry Ostwald and Dean Stiffarm.

Bob Doerk noted that the RAC appreciates all written and oral comments from the public on the controversial issues that are discussed by the RAC.

The minutes from the June meeting were signed as approved.

### **Field Managers' Update**

#### Zortman/Landusky Mines

Scott Haight reviewed the reclamation progress at the Zortman and Landusky mines and summarized the status of ongoing legal and administrative actions.

- Reclamation at the Zortman mine (earthwork and revegetation) is 90 percent complete.
- Reclamation at the Landusky mine is 85 percent complete.
- Water management includes treatment of historic mine drainages, as well as more recent mine waters.
- The water treatment plants have treated approximately 1.25 billion gallons of mine drainage since 2000.
- Approximately 100 million gallons of treated leach pad water is land applied on Goslin Flats per year.
- The BLM is using CERCLA authority in order to maintain water treatment and obtain funding for future water treatment, which is estimated at \$7.4 million. Another \$11 million for the long-term water treatment trust fund is also needed.
- What lessons have been learned for future permitting? The BLM mine permitting regulations were just redone. New provisions include whole cost bonding; a requirement that BLM's name be on the reclamation bond; a requirement for a water treatment trust fund; and performance requirements for acid mine drainage and cyanide. The biggest change needed yet is in the bankruptcy rules.
- The Montana Environmental Quality Council will tour the Zortman/Landusky mines on September 9.

#### Malta Field Office

Rich Adams provided an update.

- The wind farm proposal near Glasgow is underway. It is in the preliminary stages of review.
- The Glasgow Field Station is finishing up Standards and Guidelines determinations. The last watershed plan will be completed by next summer.

- A new law enforcement ranger has been assigned to the Glasgow Field Station. Her primary position will be homeland security, mainly along the Canadian border, although she will also be working on resource issues.
- The American Prairie Foundation has purchased property in south Phillips County and plans to convert it from cattle grazing to bison grazing. The property totals approximately 90,000 acres, including both BLM and private. A public meeting was recently held to discuss the issues and challenges involved in the changeover to bison grazing.

### Lewistown Field Office

Mike Stewart provided the following information:

- The new BLM building will be completed around January 15. Move-in will be in early March.
- National Public Lands Day is September 18. The BLM has scheduled projects at Wood Bottom (near Loma) and at the James Kipp Recreation Area.
- The Wood Bottom Road is currently being upgraded.
- The fire season has been very quiet. The one large fire was the Coal Fire, approximately 1,000 acres. Weekly fire restriction coordination calls between agencies (Federal, state, county) will be discontinued in the near future since the fire season is ending.
- Selection of a new Lewistown Field Manager is down to a short list. Mike estimated that the position should be filled by November.
- The Havre Field Station Manager should be selected within the next couple of weeks.
- Harry Little's administrative appeal has been dismissed.
- A project list for the Central Zone was distributed to RAC members.
- A land exchange in north Blaine County is in progress.
- The Fort Benton Visitor Center design is completed. The interpretive exhibit contract is at 35% of completion and the contractor will be visiting Fort Benton in late September.

### **Visual Resource Management (VRM) Update**

Clark Whitehead reviewed the recommended changes to the VRM classifications for BLM land within the Monument, which have not been updated since 1979. No private property is included in the classifications. The visual landscape is listed as one of the objects for which the Monument was proclaimed.

Three factors determine a VRM class for BLM lands: scenic category; sensitivity level; and distance zones (foreground, background, and seldom seen). The revised classifications will be recommended in the Resource Management Plan (RMP) as a preferred alternative. Three-fourths of the total Monument has moved to Classes I and II, the preservation/retention classes.

- Class I increased from 17% to 30% to include the Wilderness Study Areas.
- Class II increased from 24% to 44%.
- Class III decreased from 28% to 5%.
- Class IV decreased from 31% to 21%.

The impact will be that a visual analysis will be required for any proposed project in Class I, II or III areas. The classifications will also be one of the criteria used to analyze the transportation system.

### **River Statistics**

Wade Brown reviewed preliminary river statistics for the season. Three weeks remain in the data collection season, and all numbers cited below are for the 2004 season to date.

- 5,150 people registered to float the river. Projection to year end is 5,700 people.
- 758 groups.
- 400 more non-residents than residents registered.
- 248 motorized watercraft.
- Sunday-Monday are the busiest days; Wednesday-Friday are the slowest.



- July was the busiest month.
- Commercial vs. non-commercial use is at 30%.
- 117 of the total visitors using commercial outfitters came from 8 one-time permits.
- The single busiest day was August 1, when 140 people registered to float. July 12 was the second busiest day with 135 people registered.

If someone puts in a canoe at Fort Benton and gets out at Judith, they are not double counted. The exit data is to find out where they camped along the way.

If a party puts in at Coal Banks using both canoes and a motorized barge, it would be counted as (e.g.) 4 canoes and 1 motorboat. If someone gets out at the boat dock in Fort Benton, they are not counted unless they register at the canoe launch and state they will take out at Fort Benton.

All one-time use permits should be requested in advance, although they can be granted on the spot. If the BLM knows that someone is a bad actor, the permit would not be issued.

Profile of group sizes: At Coal Banks Landing, for example, 594 groups, 3,483 people. Overall average group size is 6.8. Group size is down from last year based on this one site.

Boy Scouts were tracked this year and 22 groups floated the river. Wade is working with a scouting coordinator about breaking them into smaller groups, campsite behavior and etiquette, Leave No Trace ethics, noise levels, etc.

This season the Fort Benton crew consisted of Wade, an information receptionist, career seasonal ranger, career seasonal maintenance person, and six seasonal rangers. The rangers, who focused on the river, were divided into two-person patrols. A total of 8 patrols went from Fort Benton to Coal Banks, 26 from Coal Banks to Judith Landing, and 10 from Judith Landing to the James Kipp Recreation Area.

- The number one comment made to the patrols was cows seen from the river.
- The number two comment was fires left burning in fire rings.
- The number three comment was gear boat races for the campsites, where boats were sent ahead of the rest of a party to set up campsites.
- Other comments include praise for exclosures and concern about the number of trees being felled by beaver.

Compliance with the human waste disposal regulations went fairly well. WAG bags, invented by PETT, are very popular. People can purchase the bags at \$2-3 each rather than purchasing high-cost portable toilets.

Wade estimated that the large numbers predicted for the Lewis and Clark Bicentennial will show up in 2005. While the numbers may not increase dramatically, there will be a spike in use.

The Floaters Guide is being redone. Russell Country Tourism has links on its website to museums, commercial services, and recreation activities in northcentral Montana. (<http://www.russell.visitmt.com>).

Art Kleinjan gave an update on the new terminal planned at the McClelland-Stafford Ferry. The bid for a log home was astronomical, so a prefab or modular house will be purchased.

### **Monument RMP Update**

Jerry Majerus provided an update on the Monument RMP.

- The interdisciplinary (ID) team will be meeting in mid-September to continue working on visitor use. The next step will be to work on Chapter 2.
- A Federal District Court decision in March 2004 stated that the BLM should prepare an EIS for three oil and gas leases located within the Monument. The BLM will be analyzing those three leases plus nine others, which will result in a nine-month delay in releasing the Draft RMP.
  - An update and news release will be sent out in the near future advising the public of the delay. *RAC members requested a copy of the news release.* A newsletter will follow that will look at the issue in detail.
  - Public meetings will be held in six communities to determine the issues to be analyzed. A

range of alternatives will be developed based on comments received from the public and another newsletter will be sent out to the public to advise them of the alternatives.

- What is the status of adding a Montana Fish Wildlife & Parks biologist to the ID Team? The BLM met with State agencies, and a decision was made that Clive Rooney will continue to represent the State of Montana, with individuals from specific agencies attending meetings as necessary. Jim Satterfield added that he will attend the meetings, or in his stead, Mark Sullivan, Malta Field Biologist, will attend.

## **Travel Parameters**

A subgroup comprised of Bob Doerk and Glenn Terry met on the recommendations for travel parameters. Randy Gray requested that RAC members review the parameters this evening in preparation for tomorrow's meeting.

Randy expressed thanks to Marty Ott for attending the June RAC meeting in Malta to clarify the issue. The Travel Plan General Parameters were drafted as a baseline to start discussions.

Because there will not be a quorum tomorrow, the comments and recommendations made at this meeting will be sent to the RAC members not present for their informal agreement, and responses will be compiled by Kaylene. Jerry Majerus stated that input from the RAC would be very helpful to the ID team.

## **Special Recreation Permits (SRPs) in the Monument**

Jerry Majerus reviewed the preliminary preferred alternative dealing with SRPs for Hunting Commercial Use. The ID team developed a revised range of alternatives for SRPs and Use Areas for Commercial Hunting. The Preliminary Preferred Alternative (Alternative F) is as follows:

### *SRPs and Use Areas for Commercial Hunting*

- *The BLM would issue SRPs for outfitted hunting and limit the number issued to the current level of outfitters.*
- *Each permit would be assigned to the entire Monument.*

The team does not have good information on the number of use days. Another problem is that use level is not the issue, rather that an outfitter can use an area that the public cannot. Implementation could include assigning the permits to the entire Monument with monitoring to take place following standards and indicators and using adaptive management to perhaps limit the permits geographically or by user days.

RAC discussion included the following points:

- Strongly suggested looking at greater restrictions to start out.
- Expressed concern that limiting the number of outfitters would create a property right with a high dollar value.
- Do any of the 14 outfitters offer a primitive, back country non-motorized experience? Most of them are vehicle-based.
- Are there any permitted river hunting outfitters? No.

The ID team also developed revised alternatives for Access:

### *Access*

- *The BLM would attempt to acquire public access easements where no legal public access exists to or within the Monument or where access is needed to meet management objectives.*
- *The BLM would consider building or rerouting roads as necessary for additional public access.*
- *The BLM would cooperate with Montana Fish, Wildlife & Parks (FWP) and private landowners to improve recreation access. This may involve participation in block management or developing access agreements with private landowners.*

Ninety percent of the Monument is outfitted under 14 permits. A subgroup of the ID team looked at areas with limited motorized access, primarily because of private land bordering Monument land where the BLM has no easements or county roads. An overlay of those areas was presented to the RAC.

SRPs are initially issued for one year, and then the permit is reevaluated and usually extended another five years. The Malta and Glasgow Field Offices issue area-wide permits. Requirements placed on the outfitters include the following:

- An annual report is required by the BLM, and outfitters pay 3% of their adjusted gross income at the end of the season, or \$80, whichever is greater.
- Minimum required liability insurance is \$600,000.
- Certification of first aid required.
- Outfitters must belong to Montana Board of Outfitters
- Bonding is required.
- Other required submissions include an L-1 form showing official permission has been received from a private landowner to cross his or her private land, and a plan of operations.

RAC discussion points:

- Need to look at use level and user days.
- Tighten the reins first, loosen up later.
- Why is the agency separating out permits from access? The BLM cannot issue permits based on whether the outfitter has access.
- What constitutes reasonable public access? Will this be defined in the RMP?
- The time element is the equality we are looking for.
- If the only way to access an area is by hiking or walking in, perhaps the outfitter should be required to do the same.
- If an area is closed to the public but an outfitter has vehicular access, the area could be closed to outfitting altogether so that no one could get a permit. It could be closed for other purposes to indirectly deal with this situation.

### **Tomorrow's Agenda**

Kaylene reviewed the agenda for tomorrow. The meeting adjourned for the day at 5:25 p.m.

### **Central Montana Resource Advisory Council Meeting Lewistown, Montana September 8 and 9, 2004**

The meeting reconvened at 8:00 a.m. on September 9. RAC members in attendance were the same as the previous day with the exception of Francis Jacobs.

Attending for the BLM were Mike Stewart, Rich Adams, Gary Slagel, Chuck Otto, Craig Flentie, Jerry Majerus, Clark Whitehead, Wade Brown, Kaylene Patten and Kay Haight.

### **Public Comment Period**

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

### **Visitor Use, Services and Infrastructure**

The following items were tabled from the June RAC meeting.

#### *Recreation Activities and Facilities in Sensitive Wildlife Habitat*

Clarification was requested relative to the Proclamation's last sentence:

"Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof."

- The key words are feature and unauthorized. Does this prohibit the gathering of antlers? We need to be consistent with the Proclamation. If one reads the Proclamation word for word, it probably would be prohibited.
- It would be appropriate for the solicitor to answer this question. It could be a moot point.
- If we go that route, we need to look at other things besides horn hunting. Wouldn't that include Christmas tree cutting?

Discussion then focused on requiring a permit for antler gathering. A free permit would enable the BLM to track the trends and provide a trigger point for limiting the activity. It would also enable the BLM to remind people about staying on the road, not harassing wildlife, etc.

Rich Adams stated that the issue being addressed by the team in this alternative is the disturbance of the animals during the winter time period when animals are most at risk.

In response to previous concerns expressed by the RAC, Jim Satterfield asked his staff about the 12/1-3/31 time period, and they had no concerns. He suggested the BLM use a definite season, rather than potentially varying it from year to year.

**A motion was made by Charlie Floyd and seconded by Art Kleinjan that the preliminary preferred alternative be adopted with no changes. The motion failed to reach agreement.**

**A motion was made by Bill Cunningham and seconded by Jim Satterfield to accept the preliminary preferred alternative but end the sentence with March 31, and change "could" to "would." Cunningham modified his motion to add on "and implement a free use permit system for antler hunting." Satterfield agreed to the revised motion. The alternative would read:**

**The BLM would allow antler (horn) hunting. The BLM would implement a seasonal restriction on antler (horn) hunting to protect wildlife from disturbance during the winter period, December 1 to March 31, and the BLM would implement a free use permit system for antler hunting.**

Discussion:

- This is anticipating a problem that does not exist.
- A statement could be added that horn stockpiling would be prohibited.

**The motion failed** and the RAC moved on to the next item.

#### *Use of Motorized Watercraft on the Upper Missouri River*

##### *Pilot Rock to Deadman's Rapids (River Mile 52 to 84.5)*

Discussion:

- We have already reached consensus on 60 miles of no restrictions on the use of motorized watercraft. That leaves 79 miles of river (to Grand Island), most of which is classified as Wild. To many folks, the use of motorized watercraft is in conflict with a wild river.
- Suggest the date be pushed back.
- As a RAC we need to consider there are people who prefer absolutely no noise. They want to see and hear it as Lewis and Clark saw and heard it.
- Many people come from around the country and will not go down the river unless it is in a 8-10 person canoe. That automatically implies a motorized boat carrying all the equipment. Others have said motorized craft are not objectionable if kept within certain limits. The motors have not been a problem, kept within the restrictions we have now. From a historical standpoint, many historical watercraft were motorized.
- Eliminating motorized watercraft on any portion of the river defeats the multiple use concept and also hurts the handicapped and the aged.

**A motion was made by Art Kleinjan and seconded by Arlo Skari to leave restrictions as they exist today, the Saturday before Memorial Day to the Sunday after Labor Day. Everything else stays the same as the preliminary preferred alternative.**

**Seasonal restriction the Saturday before Memorial Day to the Sunday after Labor Day: Downstream travel only at no-wake speed. No personal watercraft allowed year round.**

Discussion:

- On the entire Missouri River we are down to 79 miles of some restriction, and that is only restricted seasonally. The future economy of this portion of Montana will be tied to the natural resources found in this area. The Monument language trumps multiple use and is very clear about recognizing the quiet attributes of the Monument.
- Under the general principle of equity, would like a small segment of motor-free corridor. The current motion fails to consider a growing problem of motorized use in the fall when there is no kind of a wake limit. We should consider extending the no-wake period through the hunting season in the fall, to December 1.
- This alternative deals with the summer season. If we consider this motion now, do you want to make an additional motion about the fall of the year or tie it into this motion?
- The economy in the small towns in the area depends on the hunting season. Restrictions to hunters would hurt the economy. Hunters should be able to go upstream.
- With respect to other RAC members, the Proclamation says nothing about the economy of towns. Thousands of comment letters were sent in requesting nonmotorized use of the river.
- Those in motorboats are oblivious to the effect they are having on people having a nonmotorized experience. Also, the economic benefit would be in providing diminishing opportunities that can be enjoyed by the public (i.e. a nonmotorized river experience).

**The motion failed** and the RAC moved on to the next item.

*Holmes Council Island to Grand Island (River Mile 92.5 to 139)*

**A motion was made by Arlo Skari and seconded by Randy Gray for a seasonal restriction from the Saturday before Memorial Day to December 1: downstream travel only at no-wake speed. No personal watercraft allowed year round.**

Art Kleinjan requested that the record to show his voting on this RAC is not personal, but represents 6,500 people. Nonmotorized travel would hurt the economy of Blaine County.

Discussion:

- What evidence is there that the conflict will increase in the fall between hunters versus floaters? It is clear there is a big difference in philosophy here. Is there really a need to protect the fall?
- The real compromise here is that we have a constituency that is willing to consider bending to go from a total prohibition on motorized if the no-wake restriction can be retained and the season extended to December 1.
- How useful is downstream travel at a no-wake speed? Many people feel it is a safety issue to be out on the river in the fall with no motor to use for backup.
- How many floaters do we have after October 1? In October 2003, 40+ people registered to float.
- Personal preference is no motorcraft allowed, but if there is potential for consensus, no-wake motorized downstream use should be allowed. The concerns on the quiet attributes are met by having the no-wake downstream use. Motorized watercraft could float through the wild sections to the motorized sections.
- Why extend the season from September to December? There is no need, besides philosophical, if the lion's share of problems occur during the summer.
- We have been hung up for years on motorized vs. non-motorized. Maybe there is room for consensus by expanding the season but keeping the no-wake provision.
- The fewer restrictions we place the better. It gets cumbersome and dilutes the respect for restrictions.
- Astounded at how many decisions are made around the hunter. It cannot be all things for all people. People need to have a quiet place that is much like it was years ago. The Proclamation doesn't say anything about hunting, but our conversation focuses on hunting and economics.
- The Proclamation says we will acknowledge traditional uses along the river.

Kaylene reminded everyone that true consensus is not a compromise. True consensus is a win-win. Compromise is a win-lose. Whether the RAC can or cannot reach consensus, the discussions are very helpful to the BLM. No one should feel they must compromise.

**The motion failed** and the RAC moved on to the next item.

*Grand Island to Fred Robinson Bridge (River Mile 139 to 149)*

**A motion was made by Art Kleinjan and seconded by Glenn Terry to go with the same restrictions as the Pilot Rock to Deadman's Rapids segment:**

**Seasonal restriction the Saturday before Memorial Day to the Sunday after Labor Day: Downstream travel only at no-wake speed. No personal watercraft allowed year round.**

**The motion reached agreement.**

*Administrative Use of Motorized Watercraft on the River*

**A motion was made by Bill Cunningham and seconded by Charlie Floyd to accept the preliminary preferred alternative as written:**

**When seasonal restrictions are in place, the BLM would designate days when agencies could use upstream travel that avoid peak use days to be determined on an annual basis. Pursue administrative use agreements with other agencies that outline the guidelines for motorized use.**

Discussion:

- This presumes a good-faith effort between BLM and FWP. It is inevitable we will screw up somebody's wilderness experience with the kind of work FWP needs to do. (Response by Gary Slagel: As long as we are notified in advance, the BLM will issue an authorization and notify the river crew so they can pass on to visitors that they will encounter FWP people working.)

**The motion reached agreement.**

*Special Recreation Permits and Use Areas for Commercial Hunting*

**A motion was made by Art Kleinjan and seconded by Glenn Terry to accept the preliminary preferred alternative as written:**

**The BLM would limit the number of SRPs to the current level of outfitters. The SRPs would be assigned Monument wide. Existing permits would be amended to eliminate the assignment of specific geographic areas. Implementation ... (term, future management)**

Discussion:

- If there is a moratorium on the number of permits, could another outfitter get a one-time permit as floating outfitters do? (BLM response: No. We've set up the number of outfitters in the watershed plans.)
- On SRPs for commercial hunting, there currently is no limit on party size.

**The motion reached agreement.**

*Level 3 camping sites would be pullout sites adjacent to the road. Fire rings would be the only improvement at these sites.*

**A motion was made by Bill Cunningham and seconded by Charlie Floyd that the current version (8/23/04) be accepted as is:**

**Level 3 sites would be limited to local and collector roads only. Level 3 sites would be adjacent to the road. Fire rings would be the only improvement at**

**these sites. Level 3 sites would be shown on a map with information concerning the facilities and opportunities associated with the site.**

Discussion:

- Under the current version, level 3 sites would be limited to local and collector roads only. That is a good idea and would prevent campsites on two-tracks.
- Maybe the agency needs the latitude to put these at various locations due to topography, etc.

**The motion reached agreement.**

#### Recreation User Fees

Discussion:

- Recreation user fees are inevitable. One of the concerns is that the BLM will rob Peter to pay Paul. The RAC could recommend a user fee and send a letter to the State Director indicating specifically the need for additional management funding and urging in the strongest conditions possible that funding not be diverted away from the Monument. User fees are needed in addition to normal funding.
- Those of us who use these facilities should pay a reasonable amount.
- No objection to fees for overnight camping at Judith or Coal Banks, but do object to fees for going down the river.
- We need to stress more money for the Monument, not less, but have mixed feelings on the fees which may put a big load on church groups, Boy Scouts, 4H. But with the amount of people, something is needed.
- Suggest the RAC accept the preliminary preferred but separate out the annual fee to boat on the river.

**A motion was made by Jim Satterfield and seconded by Bill Cunningham to adopt the language as written but exclude the annual fee to boat on the river. The preliminary preferred alternative would read:**

**The BLM would implement a recreation user fee system and charge fees for overnight camping in developed recreation sites (Level 1). Level 1 sites currently include Wood Bottom, Coal Banks, Judith Landing, Woodhawk and Kipp, and any additional Level 1 sites that may be constructed.**

**The RAC will prepare a letter to the State Director to have a modest user fee in addition to the current budget allocated for the river. Money collected should not be used for new construction, but to protect the monument through maintenance, search and rescue, weeds, etc. A copy of the letter should be sent to the congressional delegation.**

**The motion reached agreement.**

#### Annual Fee to Boat On the River

This was broken out from the alternative above.

**A motion was made by Arlo Skari and seconded by Randy Gray to charge an annual fee to boat on the river.**

Discussion:

- Would the motion be limited to the float season, or year round?
- It should be the entire year.
- Is it feasible to charge fees for those launching at Class I sites, but not from private property?
- The BLM would go to the public to help determine the fee. A business plan would be developed. The Smith River currently charges \$15 per person.
- Any provisions for Golden Eagle, Golden Age Passports, etc. would be built into the business plan.



**The motion failed** and the RAC moved on to the next item.

## **Travel Parameters**

The specific language discussed by RAC members is noted in italics.

*How do we want this to look in 10, 25 or 50 years? Adopt a standard of non-degradation – no net increase in miles of roads.*

- A subgroup of the Monument ID team met recently in Havre and started with this exact statement. I want to see it in 50 years the way it is today.
- We are not considering the degradation that has already occurred relative to two-tracks. We need to improve upon some of the problems we have now.
- What do we mean by non-degradation? No net increase in miles of roads does not address the road density issue.
- Farther down it states that road density is too great. The issue is the number of miles of roads and the types of roads. The philosophy was to allow public access to areas that right now don't have public access, and to cut down on road density. This philosophy would allow for new roads to be built, so long as other roads are closed.
- It should be specified in the parameters that any road closures should go to the public and not be done unilaterally.
- BLM: After the final plan is in place, if BLM were to build, for example, a road around the private property in the Bullwhacker area, that three-mile stretch would replace an existing three-mile segment. We would first go to the public for comments.

*Cutting down on the number of roads over a finite period (5 to 10 years) is a must especially because of the proliferation of ATVs.*

- It is easier to cut back on roads now, rather than 10 years down the road. During the RMP we would know which roads would be closed.
- BLM: The BLM's intention is that during the RMP process roads will be closed or seasonally closed as needed. Any roads that are missed in the inventory will not be an open, designated route.
- The goal is to reduce the number of miles of vehicular access (density).
- Everything should be lined out in the Draft RMP. Designated routes should be shown.
- BLM: The 5-10 year period relates to implementation. It will take longer than one year due to funding and staffing. If we close a resource road, instead of having a road open or closed sign, we would have a hiking symbol. Over time, those closed roads would start to grass in and hopefully we would end up with a trail instead.

*Look at the purpose of the access.*

*- Goal of public access to core areas of the Monument*

- Some core areas are unroaded, and we should not violate those small chunks of undeveloped, unroaded area. Keep those areas primitive.

*There seems to be no mention of adequate access for the general public in areas where private landowners border the monument and don't allow public access through their private lands thus blocking off large areas.*

- BLM: It is a sticky situation, which will require diplomacy and assertiveness on the part of the BLM, the counties, and organizations.
- It could be possible to create roads and designate them as county roads to bypass private property within the Monument.

*There currently are excessive miles of roads. Road density is currently excessive.*

- **The first bullet should be changed as follows: Goal: reduce road density and miles over a**

**10-year period with interim status reports in 2- or 3-year increments.**

- **Insert the missing numbers in the last bullet: *Encourage game security .... For example, 86% of the Monument is within 1 mile and 99% is within 2 miles of a road.***

*Encourage coordination with other governmental entities – Federal, State and local.*

*- i.e. Contract with or deputize county sheriff deputies with Federal law enforcement power.*

- The Blaine County sheriff is agreeable with this as long as funding is provided.
- Need to regularly talk with MSO to be sure the agencies are consulted.
- The Nature Conservancy could be working with the BLM and help put together opportunities that might be available.
- Do game wardens and deputy sheriffs have the authority to enforce federal laws on federal lands? There is no clearcut cross-deputization, but it can work. The key to working with other agencies is communication and no hidden agendas.
- **The sentence should be changed as follows: *Encourage coordination with other governmental entities – Federal, State and local, as well as volunteers, private individuals and organizations.***

The draft travel parameters will be reformatted and sent to all RAC members for review. After the comments come back (w/suspense date), they will be finalized. A final motion will be put forth at the next meeting.

### **Lewis and Clark Bicentennial**

Bob Doerk reviewed plans for the signature events next summer.

- 89 guided tours during a 34-day period, some of which will be repeats. If anyone is interested, 40-hour blocks of training will be provided for the tour guides. The tours will cover about 40 sites.
- Academic events – seminars.
- Dialogues with Jefferson, Lewis.
- Blackfoot opera performed by the Great Falls Symphony Association.
- Large Indian encampment in Fort Benton.
- Friday-Sunday, June 10-12 campout weekend in Fort Benton.
- Lewis and Clark Honor Guard will do traditional camps at the mouth of the Marias. They will have a number of camps through the 4<sup>th</sup> of July.
- International tribal games in Great Falls in late June or July.
- Funding has been a problem, but others are picking up the fundraising efforts. They plan to sell 70,000 tickets to break even with expenses. No congressional funding was made available, the National Bicentennial Commission fell apart.
- Corps II encampments will be Fort Benton, Rocky Boy's, and Great Falls.
- 300 volunteers.
- The Fort Benton Interpretive Center will be dedicated in June 2006.
- During the encampment, daily events will follow those that took place in 1805.
- The National Ad Campaign has donated \$85 million in air time.

Question: How does the average member of the public with more than a passing interest get the most bang for the buck with so much going on?

Response: Many periphery events aren't concerned with authenticity. On June 10-12 in Fort Benton you will see Corps II, the Indian encampment, and what Lewis was doing at the mouth of the Marias. The other focal point will be the Indian games in Great Falls at the end of June through July 4. The schedule is on the web site at <http://www.montanalewisandclark.org>.

### **Next Meeting/Agenda**

Date: December 14-15  
Location: Lewistown  
Times: 1:00 – 6:00, 8:00 – 3:00  
Public Comment: 1:00 – 1:30, 8:00 – 8:30

Social:

Yes

Lunch:

Non-working lunch brought in

## Agenda

Final Stats for River  
Final Travel Parameters  
Revisit Horn Hunting Alternative  
Revisit Motorized Use Alternatives  
Revisit Airstrip Alternatives  
Review Non-Consensus Items  
Update on the Monument oil and gas issue  
Update on Blackleaf  
CMR Road System

Rich Adams commended the RAC members for sticking to the task at hand. The discussions have been very beneficial.

Arlo Skari said it has been an honor and privilege to serve with the RAC. He wished RAC members luck and courage in their deliberations on the use of our public lands.

### **Blackleaf EIS Update**

Lynn Ricci gave RAC members an update on the Blackleaf EIS.

- The EIS will analyze Startech's proposal to drill three wells from one location. Of the three applicants, only Startech had a complete application; Grizzly and Rutter did not.
- The EIS will also forecast reasonable foreseeable development over the next 25-30 years.
- In 2003 briefings, tribal consultations, tours took place.
- In 2004, briefings, tribal consultations, presentations, tours have taken place. Seven cooperating agencies have been active in attending meetings: US Forest Service, Montana Fish Wildlife & Parks, US Fish and Wildlife Service, Montana Department of Environmental Quality, US Environmental Protection Agency, US Army Corps of Engineers, and Teton County. The Blackfeet Nation is a participating government and has two representatives on the ID team. The State Historic Preservation Office declined cooperating agency status but will still be actively involved through the consultation process. Maxim Technologies of Helena is the contractor assisting us with preparation of the EIS.
- Approximately 50,000 scoping comments were received. A draft scoping report has been reviewed by the team and will be posted on the public web site once it is finalized.
- Alternative access, alternative pipeline routes, helicopter access, directional drilling, etc. are some of the alternatives being discussed for analysis.
- The draft EIS is scheduled for release in 2005. There is still some outstanding baseline data that we are working on obtaining.
- Last fall, Dale Slade was selected as the RAC representative to the ID team. Bill Cunningham and Mary Fay are alternates. Dale Slade has received all communications sent to team members. Lynn will add Bill and Mary to the team email list.
- What tribes are involved? The Blackfeet and Confederated Salish-Kootenai. The Confederated Salish-Kootenai have deferred to the Blackfeet and no further consultation with them is taking place. The Chippewa-Cree have recently expressed interest in the project.

### **Other Items**

Bill Cunningham asked if Mike Hedrick could be asked to give a presentation at the next RAC meeting on road closures on the CMR National Wildlife Refuge. Feedback included the following:

- The CMR example could be the opposite way things should be done. The process undertaken by the CMR has been very pretentious and created outrage by the public.
- The CMR has an entirely different mandate than the BLM follows.
- USFWS has a very good road category system. If a road is not numbered, it is closed. We could learn from that system, even though we would not follow the same implementation followed by CMR.

### **Wrap-Up**

The RAC members completed travel vouchers and the meeting adjourned at 2:15 p.m.

**Central Montana Resource Advisory Council Meeting  
Public Comments  
September 8 and 9, 2004**

**Dan Prill**

I represent the Montana Pilots Association. As you aware, we've identified a number of airstrips in the national monument and our position has been and still is we would like your consideration on keeping those airstrips open. Thank you.

**Ron Poertner**

Good afternoon. There are a couple of concerns I would like to address with the RAC today, including a few sentiments from landowners in the breaks. I know this kind of goes back to the fundamentals of what we're about here, but if we were to read the four paragraphs that comprise the Antiquities Act, you would think that this monument plan would be dominated with discussions about protecting prehistoric and historic objects and other historic and scientific objects of antiquity. But, in fact, it really isn't. I think as you read through the draft narratives of alternatives for management of the monument, you get the impression that this process is about anything but protecting historic objects. I've just never been able to make the connection here.

Some of the common words you see and phrases that you read that are iterated about the management discussions are about protecting the primitive nature of the area, having a pristine experience, providing habitat security, closing roads, banning motorized travel. There is nothing wrong with that, I guess, but my question is where is the tie-in? When do we start working? Who knows where these objects of antiquity are that the law requires that we protect? I'm not sure, I'm at least not hearing those kinds of discussions. So I guess the question that many of us have is, are we managing this area for wilderness or are we managing the area to protect historic and scientific objects like the law requires?

Not only do we seem to be straying from the purpose of national monuments, but some members of the RAC seem to use the monument plan as a platform to address various social conflicts that I think really have nothing to do with protecting the objects of history. For example, the discussions by some about forcing landowners to give public access across private land to the monument to me is just plain blackmail and has absolutely nothing to do with protecting the objects of history of this monument. On the one hand, we say we want to close roads to protect the nature of the monument. On the other hand, we say we want full public access to the monument. So which way is it?

Another what I think is an over-the-top proposal is the matter of forcing hunting outfitters to allow public access to some of the same lands they outfit on, and if they don't, they have the permit pulled. Again, what is the connection of that initiative to protecting the objects of antiquity, and I think is such a mean-spirited policy that it really has no place in the monument management plan.

Finally, I think we need to remind ourselves of some of the guidance received from the Department of Interior. For example, this monument has a multiple use mandate and that should be one of the acid tests for management decisions. Secretary Babbitt, before he left office, directed the BLM to implement all feasible recommendations in that 30 December RAC report that a lot of people had input on. Where is that? One of the recommendations, of course, was leave the boating restrictions the way they are. That kind of begs the question if that's the directive of the Secretary of Interior, and it's a written directive to the Director of the BLM, why are we still insisting on making further boating restrictions?

I also think we need to be mindful of the August 26, 2004 Executive Order from President Bush that basically directs all cabinet agencies, this is a quote, but it basically says to pay more attention to private landowners, state and local governments on how to manage the environment. I know there'll probably be some guidance forthcoming on that. I think with that kind of an executive order out there, with that in mind, I think the RAC needs to hear directly from each of the four county commissioners, state representatives in our area, Fish Wildlife & Parks, DNRC, people that really know the country and the breaks, know what makes things tick out there, and get their input on roads before, and I think it's tomorrow, that you're going to develop a philosophy on the transportation plan. Without input from these people I think we could really

head down the wrong road before we develop this philosophy, so I just commend that to your attention. Thank you.

## **Terry Selph**

I'm Terry Selph. I live here in Lewistown. I'm also one of the guides on the river with the Hole in the Wall. Grew up in Winifred, so I have a pretty keen interest in the situations that are going on with the monument, etc.

At the last RAC meeting I attended the RAC voted on a recommendation to have some seasonal closing around the Stafford Ferry area due to the lambing situation. That may not even come up again. I know at that particular time it was voted and didn't pass, but it kind of brought some concerns up. I'm not real sure why we would need to close any of the roads in the lambing area. The bighorn sheep population in the breaks is the most thriving and healthiest in the State. The hunting permit for bighorn sheep in the breaks is the most sought after big game permit in the State. A recent article in the paper ranted and raved about the bighorn sheep population in the breaks and the number of big rams that there are down there. If you are really concerned about the lambing situation, then what I would suggest, or think would be a good idea, would be to allow more mountain lion hunting down there and then try to do something with the eagles. I'm not real sure how you would handle that situation, but that's to me probably the two most important factors.

For the most part Mother Nature can adjust to almost anything that does not shoot them or bite them. The roads going down through there, I had a hunting permit in '91 and I was down in the breeding grounds down through there, and for the most part those sheep are really not too afraid. Some of those sheep have never even heard a gunshot. When I was walking through there, you can just walk through there and they're kind of like cattle. If you don't bother them, they don't even pay any attention to you for the most part.

The other thing I was kind of going to run by you was with pavilions and shelters. There are currently two double shelters at the Hole in the Wall and one double shelter at Slaughter River. What they've got is a roof over it with three sides on it. Then there's a divider and there's two rooms, a room on each side. They're used on a first-come, first-use status and you can usually bet that the first group that gets there is going to use them for the most part. It's really not necessarily, I was listening to a little bit of comment about the boat races, and the boat races are not just the guides that are boat racing. These guys that have these Boy Scout groups, any of these people that have come down there, they know what's at the next campground and they know that they want to get down there to get these spots. Most of the guides, I'm probably one of the few guides that actually even use those. Most of the guides that are down there, they've got their big tents set up. They could care less about those pavilions and getting to them.

The pavilions I think are important for a couple of reasons. The main thing is this year with the rain and the storms that we had down through there, I was down there a couple of times and people don't realize the magnitude of those storms. They come through there and blow their tents down. These people are shuttled up in that shelter, and that's the only thing that they have is that shelter. If it wasn't for that shelter sitting there, they would be out in the rain with nothing to protect them. That's part of the game down there, I realize that. But it is nice to have them for that.

Another concern that I have with those shelters is the first-come, first-served basis works fine until you get a large group that goes in there. I've seen large groups that go in there and one group has all four of those shelters taken up so the next group that comes in there, unless they're courteous enough, and most of the time they're courteous enough to let somebody have them, but it would be nice if they had a recommendation that said use one shelter per group. That's really all you need. You don't need to be spread out and have your group in every one of those shelters down through there. It does cause some hard feelings when somebody comes rolling in there and they can't get a shelter and it's the same people moving back and forth from shelter to shelter. They're cooking in one, they've got a book reading place in one. For the most part, you don't want to camp in them because if you sleep in there the mice are so bad in there that it's not really a good place to be putting your gear in.

The other thing, of course, I've got to make my little pitch for the Stafford Ferry boat ramp. I was up to Virgelle here a couple of days ago. I don't know if that's Hill County, Judith Basin County that worked on the landing that comes into there, but what a nice setup that is. You come off the hill, off the south side of the river, you drop down in the ferry, here's the ferry, and there's just a nice hard gravel spot right here and you can't even hardly tell that it's a boat ramp for the most part. But you can see where people are backing up there and dropping their canoes in there. There's no eyesore. It's pretty blended in there. To me, I don't

see any harm that would be caused to have that same situation at Stafford Ferry. You could come in there and just put a little bit of a landing in there to keep people out of that mud so that they can back a boat up in there, drop a boat in there, load and unload our canoes without having to walk in that mud and stuff in there. That was it. Thank you.

### **Will Patric**

Good morning. I'm Will Patric, and I'm with the Wilderness Society. Our organization cares a lot about the monument and has been watching this RMP process as it develops. You've all heard from me before so I'll keep my comments very brief, I think. But one thing I do want to stress if I haven't said it before is I think all of you deserve great thanks for being here and thinking about the monument and focusing on it the way you do. It's a great public service and I think all Montanans and folks across the country should be grateful that you're here doing what you're doing.

In the course of yesterday's discussion I heard several what I thought were particularly salient statements made that I would like to just reflect on today a little bit. We heard from Wade Brown that currently five to six thousand people are floating through the monument each year. It was Bill Cunningham who asked Wade, "Why are people taking those trips?" What I think I heard Wade say was, "Almost universally, folks want a primitive experience on the river." Bob Doerk added to that as well. Living in Fort Benton and with his experience I think what he said was, "People had no idea that a place exists that's so quiet and so empty." To me, those statements are a big part of what's so special about the Upper Missouri River Breaks National Monument. It's a big reason that, in my opinion at least, airstrips have no business in the monument, roads need to be drastically reduced in the monument and motorized use on the river needs to be limited.

As we think about the bicentennial of Lewis and Clark, we all know that 200 years ago there were zero floaters on the river and zero users of the uplands, at least among non-native peoples. So now we're up to 6,000 people a season going through on the river and increasing interest and focus on the uplands. We don't know what the future's going to bring in terms of those numbers, but one thing we do know is that as time goes on those numbers will increase. There will be ever more interest in the monument. I think that's as good a reason as I can think of to err on the side now of keeping the breaks wild and primitive, at least as much as possible. I'm sure that if we do future generations will look back with gratitude.

Yesterday a member of the public asked a skeptical question, I think, about historic objects in the monument and antiquities in the monument, and whether or not they would really be protected by limiting vehicular traffic or airstrips in the monument. I think that the questioner kind of missed the point about the monument. It's the landscape itself that is the antiquity in the breaks, at least to some extent. The monument celebrates Lewis and Clark and what they witnessed, and as we all know, it's one of the few places left in America that you can still do that. Again, I think that's missing the point. The landscape itself is what's special about this place. It is the antiquity and it's what needs to be protected. It's a monument to Lewis and Clark in many ways, and certainly not a monument to the Wright Brothers or Henry Ford.

Finally, thinking about all this, I also wanted to quote Jim Satterfield, who I thought had a great nugget of wisdom yesterday from his experience with Montana Fish, Wildlife & Parks when he said, "It's easier to loosen the rein a bit than tighten it up." I think that speaks for itself. We hear over and over again that BLM is short on money and that times are hard and it's tough to do the things the agency needs to do, and yet it's contemplating a preferred alternative with six airstrips in the monument, hundreds of miles of roads, and extensive motorized use on the river. Besides being contrary to the values of the monument in the statements I just mentioned of what we're thinking about here, to me this just means extra costs for maintenance, monitoring and law enforcement. It just seems very inconsistent.

So I guess in closing, again, I want to thank you all for grappling with these difficult issues. Please think long and hard about what this monument is really all about and also remember that whatever we do here today will be your legacy in the future. Thank you.

### **Carl Seilstad**

I'm a member of the ID team and I was wondering if I could have permission to join you guys today and add discussion? Get in on your comments. I realize I can't get in on the votes. After listening yesterday, I think I could maybe give some information on some of the things we've discussed on the ID team.

(RAC members responded that he could provide input if asked specific questions by a RAC member, but could not initiate conversation.)

Just a couple of other quick comments. One, when you get into the motorboat issue on the Missouri River, the ID team has struggled with this. We had one alternative and then we changed it. I would strongly suggest when we get to that point no matter what we do we've got issues from every side. I think we ought to leave that the way it is right now. It was recommended to Secretary Babbitt that we leave it that way. It's been that way since 1976 and I think no matter how we change that, we're not going to make one party or another party happy, and I think it's been going this way since '76 and I would strongly suggest leaving it that way.

The other comment that I had heard yesterday was that it's easier to start with a tight rein and loosen it. I've got a different philosophy here. The general public's consensus is once you start with a tight rein it always gets tighter. I think Art can attest with me if you ride a horse with a tight rein, you're not going to go anywhere. I think we ought to give ourselves the flexibility in this plan to tighten that rein as we go. Just because we're expecting all these people and we're making these rules, rather than tighten the rein right now let's give ourselves the flexibility or the agency to tighten that rein as we go down the road. That's all I've got. Thank you.



**Central Montana Resource Advisory Council Meeting  
Lewistown, Montana  
December 14 and 15, 2004**

The meeting convened at 1:00 on December 14 in the BLM Field Office conference room. RAC members present were Bob Doerk, Francis Jacobs, Jeff Sheldon, Terry Selph, Randy Gray, Charlie Floyd, Dale Slade, Bill Cunningham, Mary Fay, Tony Bynum, Lisa Cowan, Jim Satterfield, Ron Moody and Art Kleinjan. Absent was Glenn Terry.

Attending for the BLM were June Bailey, Mike Stewart, Mark Albers, Gary Slagel, Chuck Otto, Clark Whitehead, Lynn Ricci, Craig Flentie, Wade Brown, Don Judice, Kaylene Patten and Kay Haight.

### **Public Comments**

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

### **Welcome, Chairperson Synopsis**

Mike Stewart introduced June Bailey, the new Lewistown Field Manager. She reviewed her background with the BLM and stated that she looks forward to working with the RAC.

Kaylene Patten reviewed the agenda for this meeting and Bob Doerk, Chairperson, welcomed the new RAC members. The September 2004 meeting minutes were signed as approved.

### **New Member Orientation**

RAC members and BLM personnel introduced themselves. Mike Stewart reviewed the role of the RAC as follows:

BLM uses the RAC to deal with tougher, more controversial issues (e.g. the Monument Resource Management Plan (RMP), Blackleaf); as a sounding board for ideas; to foster public input and understanding of what BLM does; and to become advocates for the public lands.

RAC subgroups can be created as the need arises. They are usually used to research an issue, do ground work, and bring that information back to the RAC as a whole. A recent example is the Missouri River Recreation subgroup.

BLM's expectations for the RAC are to have honest, open discussions with each other and with the BLM; work hard as a group; use the consensus approach; be open minded to different opinions and positions; come prepared for the meetings; and actively participate as an individual member so everyone's concerns and ideas are on the table for consideration.

The recommendations made by the RAC are presented to the Designated Federal Official. The recommendations are taken very seriously by the BLM. In the past, the vast majority of the consensus recommendations have been acted on and put into action.

If the RAC feels that BLM is not listening to the RAC, options are to bring recommendations to the State Director (on a consensus vote), and if that does not work, to take concerns to the Secretary of the Interior (also on a consensus vote).

The agendas are developed by the RAC with input from the BLM. Mike asked that BLM be advised in advance of agenda items so they can come to meetings prepared.

He thanked members in advance for all their work and stated that everyone in the BLM, from the local level to the Secretary of the Interior, appreciates very much the work of the RAC.

Kaylene reviewed the contents of a Resource Advisory Council Handbook which she gave to all RAC members and discussed basic information about travel vouchers, phone cards, privacy information, meeting notes, public comment periods, meeting notices, and administrative matters.

Key points in the RAC charter were reviewed, including the three categories and what each represents; the process for setting up a subgroup; appointment terms; and the consensus and fallback voting processes.

RAC members noted that the formation of subgroups is constrained by time, distance between members, and a lack of ability to pay travel expenses for subgroup members.

The “Do’s” for RAC members are:

- Stay focused on the agenda (deal with the task at hand)
- Commit to mutual respect of all council members
- Be attentive – a good listener – look for the worth in an idea
- Participate actively – be open, take risks, avoid defensiveness, seek balance
- Monitor yourself – avoid dominating or disrupting discussions
- Trust among council members
- Ask/seek clarification when you don’t understand
- Time limits may be considered for council member input
- Reach a specific conclusion – finish an issue

Kaylene asked all RAC members to review the collaboration/consensus information in their notebooks.

## **Field Managers Updates**

### Lewistown Field Office

Mike Stewart gave an update on issues being addressed in the Lewistown Field Office.

- The BLM impounded 9 cows from the Liddle Ranch due to ongoing trespass issues. A settlement was reached with the Liddles and they have redeemed their livestock. The Liddles’ BLM grazing permit has been cancelled.
- Personnel changes were reviewed. Chuck Otto is moving to the BLM Washington Office in January to be the Deputy Group Manager for Planning. Effective in late November, Stanley Jaynes is the new Field Station Manager in Havre. The Administrative Officer is currently detailed to the State Office, and Scott Haight is acting in that capacity.
- The new BLM building is expected to be finished by mid-January, with move-in scheduled to begin on February 24.
- The construction contract on the Fort Benton Interpretive Center is expected to be awarded by April 1, 2005, with construction to begin by June 1.
- RAC members requested information on Crystal Cave, which is located in the Judith Mountains. Craig Flentie gave a brief history. It was discovered by early miners around the turn of the last century, and there is no known natural access to the cave. During the past year the BLM received money to stabilize the mine shaft and install a gated entrance to the cave. The next step is to conduct a cave study and funds have been requested for that purpose. Following that, a NEPA analysis process will involve the public to determine whether the cave could handle visits by the public without damaging the cave environment.

### Malta Field Office

Mark Albers gave an update on issues in the Malta Field Office.

- They are working on a wind farm proposal near Glasgow (almost straight north and a little west of the air base) on both private and public land. The company is looking at development of 50 megawatts now, but up to 500 megawatts in the future using 250-foot towers. At full development, it would include 20,000 acres of land and 35 miles of new transmission line. A similar development has been operating at Arlington, Wyoming.

While discussions are taking place on various location options, the current proposal area is against the Bitter Creek Wilderness Study Area. Mark noted that the law does not provide for buffers around WSAs.

They are exploring the feasibility of tiering off a national programmatic EIS on wind development. The public will be involved in the process.

Jim Satterfield stated that Montana Fish, Wildlife and Parks has substantial concerns about the wildlife issues with this development.

- In south Phillips County, the American Prairie Foundation has purchased a ranch, about 12,000 acres including BLM leases, and proposes to change the operation from cattle to bison raising. Discussions include fence design and neighbors' concerns about brucellosis. The BLM will administer the allotments the same as they would for cattle grazing, including pasture rotation. The environmental assessment (EA) will be ready for public comment in mid- to late-January.

#### Great Falls Field Station

Don Judice advised RAC members on the function of the Great Falls Field Station.

- The responsibility of the Great Falls Field Office is zone support for oil and gas activity across central and northcentral Montana, from the Rocky Mountain Front to the North Dakota border, and into southwestern Montana.
- Natural gas costs are at one of the highest steady levels ever. As a result, much development activity is taking place. The RAC will be asked for assistance before any actions are taken on requests for development activities.

## **Summary of Public Meetings on Monument Oil and Gas Leases**

Jerry Majerus reviewed the six public meetings held in November regarding the 12 oil and gas leases in the Monument which were issued under the West HiLine RMP. About 60 people attended the meetings, which were held to provide information to the public and an opportunity for questions/answers.

Comments from the public dealt with roads, reclamation, and wildlife concerns. As of December 10, the BLM received about 5,000 letters and e-mails on this issue. About 4,900 of those are e-mailed form-type letters. The form letter deals with compatibility of resource development with the Monument, and if development does occur, that the objects for which the Monument was created and wildlife would be protected.

Jerry reviewed the process for coding form-type comment letters. They are coded only one time, and the comments are identified as coming from a form letter. The coded comments are put into a data base, and the interdisciplinary team receives a summary of all coded comments, including those from form letters. That way, team members who are developing alternatives based on the comments do not see the same comment repeated 5,000 times. Team members also receive a copy of each form letter, and team members and managers within the BLM are made aware of the number of comments received.

Petitions usually have a letter attached, and that letter is coded one time. It is noted in the file as a petition and is acknowledged as such in the summary.

Comments can include expressions of opinion, new analyses, or questions on existing analyses. At this stage in the RMP process the comments are used to formulate alternatives. When the draft RMP is issued for public review, the comments received on the draft will not be responded to directly, but will be used to modify the draft as needed.

During the recent public meetings, the BLM emphasized the need for written comments because notes were not taken. Throughout the planning process, the best means of communicating comments is to submit them in writing.

When asked what the BLM has done to satisfy tribal consultation requirements with respect to the 12 leases, and how successful efforts have been to date, Jerry stated that a letter was sent to the Tribes in September about the process and the upcoming meetings. The BLM will follow up with consultation after the alternatives are formulated. To set up a meeting a letter is sent, usually followed up with a telephone call. The consultation meeting is documented, including questions that are asked, and written comments are not a requirement in that situation.

## **Blackleaf EIS Project and West HiLine RMP**

Lynn Ricci, environmental coordinator for the BLM Central Montana Zone, addressed the RAC on Blackleaf EIS project and the West HiLine RMP.

### Blackleaf EIS Project

On October 5, Assistant Secretary Rebecca Watson announced that all work on the Blackleaf EIS project would halt and that the BLM would not look at the leases further until a landscape analysis is completed under the North Headwaters RMP, which is scheduled to begin in 2008 following revision of the West HiLine RMP.

If a decision is made to do another analysis on Blackleaf, the information gathered to date could be used for any future analyses. Any application would have to be totally new, and within the framework of the revised North Headwaters RMP.

Ron Moody asked if the RAC is precluded from putting other recommendations on the table as to how that area should be managed in the future. Lynn responded that leasing will be one of the issues covered in the North Headwaters RMP. Randy Gray stated that perhaps the RAC could make a motion that the BLM be encouraged to work with the private sector to provide an alternative.

### West HiLine RMP

Funds remaining from the Blackleaf EIS project have been transferred to the West HiLine RMP project. Approximately 850 leases, or 20 percent of Montana's oil and gas leases, fall within the area covered by the West HiLine RMP, which is 16 years old. A preparation plan for the West HiLine RMP will be developed by this fiscal year and must receive approval from the Washington Office. The BLM will contract out the preparation of the RMP/EIS. However, oversight and direction will be provided by the BLM and ultimate responsibility for the document rests with the BLM.

The area covered by the West HiLine will include BLM managed lands/minerals from Glacier National Park to the Blaine/Phillips County line, north to the Canadian border, and south as far as the Monument. The RMP will be coordinated with all adjacent management plans, including the Monument RMP.

Some of the topics included in the new analysis will be the mining claim withdrawal in the Sweet Grass Hills; an update of the reasonable foreseeable development plan (an agency forecast of development likelihood, prepared with input from industry); identification of areas open or closed to oil and gas leasing; split estate issues; land tenure adjustments; wildlife issues, ACECs and ACEC nominations, and travel planning.

### **Visitor Use Figures**

Wade Brown reviewed visitor use history on the Upper Missouri from 1976 through 2004 and provided 2004 launch information. A total of 5,993 visitors and 1,069 groups registered in 2004. Average group size was 5.6, compared to 6.1 in the past. Forty-six percent were Montana residents. The busiest launch days were Sunday/Monday, the slowest launch days were Friday/Saturday. July was the busiest month.

A total of 2,772 watercraft were registered, with 288 motorized (10%), and 2,484 non-motorized (90%). The percentage of visitor use by segment was as follows: 21% used the stretch between Fort Benton and Coal Banks, 78% used the White Cliffs section (Coal Banks to Judith Landing), and 22% used the lower section (Judith Landing to Kipp).

The BLM does not have good data on launches from Judith Landing to Kipp during the hunting season.

Bill Cunningham stated that he is interested in the breakdown of length of stay between motorized and non-motorized users. Wade will follow up on the request and noted that the seasonal restriction on downstream travel only at no-wake speed needs to be factored in.

The main problem encountered with visitors was fires left smoldering in fire rings. This was the first year of implementation of a portable toilet requirement for overnight stays on the Upper Missouri and it worked very well. Overall for the 2004 season, few litter problems were encountered, and only two search and rescue efforts were necessary.

Photos have been taken of all campsites on the river for purposes of monitoring the sites and tracking changes. This information will also be used when determining limits of acceptable change. Randy Gray asked if the photos help the agency toward concentrating use or spreading it out farther. Wade responded that while one option would be to close a campground for a couple of years for rehabilitation, it may not be possible due to the amount of use on the river. It is likely that the BLM will concentrate use at specific areas and set higher standards for other sites.

### **Open Discussion**

Francis Jacobs requested that the sage grouse management plan be added to the agenda. Mike Stewart said he would see if there was anything new to bring to the table.

Ron Moody stated his concern that the BLM doesn't always get the best and original source for information. For the CMR roads discussion, the best information would be from Mike Hedrick directly. He also noted that he has seen BLM people deal with wildlife management without input from Fish, Wildlife & Parks.

The meeting adjourned for the day at 6:00 p.m.

## December 14 and 15, 2004

The meeting reconvened at 8:00 a.m. on December 15. All RAC members were present except Jim Satterfield.

Attending for the BLM were June Bailey, Mike Stewart, Gary Slagel, Jerry Majerus, Clark Whitehead, Wade Brown, Craig Flentie, Kaylene Patten and Kay Haight.

### Public Comment Period

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

### Other Business

Mary Fay suggested a change to the agenda so that travel parameters would be discussed prior to the non-consensus items. Consensus was reached.

Bill Cunningham renewed a request that Mike Hedrick participate in the discussion today about travel issues on the CMR. Consensus was reached.

### Travel Parameters

Randy Gray noted that the intent of the travel parameters was to not get bogged down in a discussion of individual roads, but to look at the whole Monument and what would be in keeping with the Proclamation. The general philosophy of this RAC is that the agency needs to reduce vehicular access, but the BLM should be the ones to determine which roads are closed.

The other concern is vehicular access to trailheads. The general philosophy in the travel parameters is that the BLM would manage the resource so there is access, not necessarily vehicular, to all areas of the Monument while preserving the attributes of the Monument.

### RAC Comments on the Travel Parameters

Art Kleinjan: The direction we are heading—cut back on two-tracks yet leave enough roads to provide for needed access—is in answer to a lot of the comments from the public. The one item that has never been touched upon is the Bullwhacker Road, which has been in existence since it was a bullwhacker trail. What part does prescriptive use play in opening or closing this road?

Ron Moody: There is a distinction between internal access to public lands and boundary access in which the public is able to get to the boundary of the public land, but not necessarily have a road to drive on when they are on the public land. A useful approach in the past on how many roads are too much or not enough is to use functional planning. List the things you will definitely allow to happen and then assign how many miles of roads are needed to service that activity without one mile extra.

One issue that needs to be addressed is effective signage. Signs are the key to keeping urban people where they are supposed to be when they are out on public land.

People are concerned about the legal status of three roads in the Monument, including the Bullwhacker. The curative statute is one Montana law that could be used to determine legal ownership.

Lisa Cowan: Is it feasible for the BLM to enforce it? The RAC shouldn't waste a lot of time on the travel parameters if there is no way to enforce it.

Tony Bynum: The idea to supply the BLM with concepts is good. Enforcement is a concern. Where there are sensitive sites that are known or internally identified by cultural resource experts, those roads should be closed if they are allowing damage or access where people shouldn't be. It would be quite important that the roads be considered in light of destruction of cultural resources. Overall, fewer roads are the right direction.

Mary Fay: One of the issues is the idea of closing roads over a period of time (5-10 years). If people are traveling for up to 10 years after the RMP goes into effect, it's going to be very confusing to the public and difficult for the BLM to manage. It is important to get it done within a year or two.

On airstrips, we need to get an understanding on how the airstrips came to be. If they were trespasses on public land, the airstrips should not be legitimized. Is there any right-of-way that the BLM issued to create or have the airstrips?

Glenn Terry: On the paragraph where it says 86% is within one mile and 99% is within two miles of a road, the topography is going to limit where the roads are. You could be within one mile of another road, but can't get there without going 20 miles around.

Bill Cunningham: The parameters are okay as very broad guidelines. They are simply principles upon which to develop a transportation plan. The question on how does access affect the objects of the Monument is a crucial question.

Dale Slade: On the Bullwhacker Road issue, we need to try gaining federal access where it currently is private. Boundary access is a concern and we don't want to cater to hiking and horseback and not others. Signage is good. Even if you close a road after it's been there 10 years, it seems to stay closed. On road density, a lot of roads are limited by terrain.

Charlie Floyd: When talking about a reduction in road density we need to be careful with percentages. If we are giving general guidelines, don't get legalistic and micromanage with exact numbers like a two-thirds reduction. The topography will make a lot of difference on what roads are open and closed.

Randy Gray: One of the core principles of the travel parameters is to see if there is consensus that there are too many miles of roadways, routes, lines on the ground that allow vehicular access. We need to reduce the number of miles of vehicular access to land in the Monument and keep within the parameters of the Proclamation. This, of all places, should be kept in its special category as similar to what it was 200 years ago. To preserve those attributes means to reduce the road density. That should be the general framework philosophy of the agency.

The public needs to be educated. BLM should cross-reference with other agencies to see what has worked elsewhere, and use volunteer labor. People and organizations are willing to help out.

Terry Selph: On the 5-10 year implementation period, we would be better off to make the tough decision and get it done now, rather than over a 10-year period.

On the second page, we should post the closed routes and not the open routes. That works on the CMR.

Game carts are still up to debate. We should be specific that it is motorized carts that are not allowed. Wheels are okay.

On hikers being able to walk at least 3 miles to a site and then return, the BLM should not think they have a six mile window for every road. Common sense needs to come into play, not just looking at miles. Also, we cannot look just at road density.

On the Bullwhacker Road, if there is a way to build a different route to keep major roads open and get off private land, we should.

Jeff Shelden: The parameters mean we can measure performance against it. We should hold BLM's feet to the fire in five years with these standards. This should be a measurable yardstick, not just a philosophy.

One bullet point on the first page states that any road closures should go the public. On the

second page, it says specific road closures should be left to the agency. The conflict needs to be fixed.

Francis Jacobs: The philosophy is very good. Access on private property should be looked at real hard. If there is any way to access the Monument through Federal lands instead of private, that should be done.

According to the Proclamation, it is not a designated wilderness. It was designated to save the landmarks and cultural sites. If roads are a detriment to such sites, they should be closed. The public should be involved in any decisions to open or close roads.

Bob Doerk: What are other areas experiencing? We need to have volunteers/partnerships. This whole process is dynamic and will always be a moving target. It takes a lot of people to know what is there, what is feasible, and what is not. Add to that expertise on soils, etc., and it will always be a dynamic process.

The input from the public comments is very important. It must be put into the whole process so that the experience factors can be used. The effect of the Proclamation is to take a piece of real estate and freeze it in time. Just from the history aspect, there is a whole depth of history, not just Lewis and Clark—Karl Bodmer, steamboat era, homesteads, Bullwhacker Trail.

We are trying to juggle a lot of things here and hopefully we are giving some practical, helpful guidance to the BLM while getting our questions answered satisfactorily. It is important that the BLM be truthful with us on whether a document like this is going to be helpful.

Tony Bynum: What is the purpose of the roads? Only general access roads should be open and all others closed. Another consideration is maintenance. BLM should know fairly shortly, if it doesn't already, the problem areas. To the extent roads can be closed for maintenance costs or safety, the BLM should do so.

Ron Moody: There is a statutory prohibition against game carts on WSAs.

**A motion was made by Art Kleinjan and seconded by Francis Jacobs to accept the travel plan general parameters, with the one change of : delete the bullet on page 1, "It should be specified in the parameters that any road closures should go to the public and not be done unilaterally." This conflicted with the statement on page 2, which is accurate. Also for the BLM to consider the discussions made around the room by all the RAC members. Consensus was reached.**

#### Discussion Points:

- The intent was to leave specific decisions to the agency.
- *Gary Slagel noted that any road closures will be identified in the draft RMP. The public will be able to comment. If other roads are closed in the future, the RMP would be amended through a public process.*
- The whole issue of signage needs to be looked at further. We should take more evidence and come up with a recommendation, but would first like to hear from Mike Hedrick (CMR) and Forest Service people.
- In a previous action, didn't the RAC come up with a general policy statement that roads would be closed unless designated open? If that is the stated policy the RAC has supported, that is not consistent.
- If a road is not on a map it is closed, which would match the policy statement.
- You would look at trail signs on the ground, but would look to a corresponding map to see if the route is open or closed.



- If we deliver this to BLM as our guidelines for drawing a travel plan, are there any deficiencies that should be addressed? (*Clark Whitehead responded that the travel parameters are good guidance.*)

### **Administrative Items**

When the RAC is in a deliberative session, the public should be discouraged from providing input to RAC members. That can take place during breaks, at lunch, etc. The public can interface with the RAC at any time when the RAC is not in session. Neither written comments from, nor discussions with the public should take place while the RAC is in session. Ron Moody requested an opportunity for the RAC to review the rules, and it was placed on the agenda for later in the day.

### **Non-Consensus Items**

The preliminary preferred alternatives under consideration today were not agreed upon previously.

Kaylene clarified that at the last meeting there was no quorum so the RAC came to agreements. The RAC members not present were polled following the meeting and they provided, either orally or in writing, their consent to the agreements, so consensus was reached. Thus, the motions made at the last meeting, September 8-9, 2004, were full consensus motions which were passed on to the Designated Federal Official.

### Recreation User Fees

The issue at hand is to plan to charge fees when boating the river.

Bill Cunningham: An annual season pass would breed a great deal of public resentment. They feel taxes ought to support their use of the public land. Another consideration is the possible future need for allocation, and if the BLM collects fees based on the number of visitors, the money would be coveted by the agency and might prevent such an allocation decision. Another concern is shifting money from other sources to build new infrastructure that might not be appropriate.

Dale Slade: Is not against a fee structure, but wondered if a person making only one trip would need to buy a season pass.

Wade Brown: *A business plan will be written after the RMP is completed, at which time a fee structure would be considered. The real question is if the RAC agrees with the idea of a fee to boat the river. The Congress passed a new fee bill in November. Generally, the intent is to create recreation resource advisory committees which would develop a fee structure. Once a structure is in place, the BLM would go back to that resource committee for advice on where to allocate the funds.*

*A future allocation system would be based on limits of acceptable change and would not include a fee system. Any allowed infrastructure change is addressed in the alternatives. This should be approached on a broad basis, with the resource advisory committee dealing with the details.*

Mary Fay: Normally, is not opposed to the types of fees talked about, but we are dealing with a Monument and we should not charge people a fee. Also, implementation of fees is very costly to administer.

Francis Jacobs: Is totally against charging a fee. It should be open to the public without having to find someone to pay a fee to.

Jeff Shelden: Against fees.

Ron Moody: A navigable river is a public road and charging fees would create a toll road out of the Upper Missouri River. Is opposed to charging the public fees for use of our public lands and waters except in those areas where a person is buying added value, like developed

campsites. The most typical person has a comfortable income and could afford a fee, but about one-third of the people in Montana work two jobs and every dollar counts. We should impose fees for access to public resources only if we are providing a higher value that a person has an option to accept or not.

Randy Gray: The business plan is very important. From a city point of view, Great Falls now charges an access fee to launch boats on the Missouri River. The user fees will pay for an enforcement person to monitor activities. He does not want the option taken off the table.

Dale Slade: We have one ranger in the Monument. Would a fee help with enforcement?

Gary Slagel: *The intent of charging fees is not to hire an additional staff ranger.*

Art Kleinjan: The fees are for services they will receive while floating the river that the counties and State cannot afford.

Jeff Shelden: If fees were charged, could some be earmarked to pay the admission price to the one-third of Montana? (Referring to Ron Moody's comment.)

Tony Bynum: In general supports no fees, and also believes the aboriginal people ought to be allowed to access and utilize the resources without being charged additional fees. Should there be any future discussion or changes which would implement a fee structure, the tribal people believe they should not be charged to access these aboriginal territories. Also, this gets into the whole debate about what is recreation. Others say it could be sustenance, not recreation.

Bill Cunningham: On the comparison between the City of Great Falls and the Upper Missouri River, it is a safety issue in Great Falls. A general river use fee across the entire 149-mile stretch is not appropriate or necessary at this time. To differentiate between people and race would be very difficult for the agency to administer.

**A motion was made by Charlie Floyd and seconded by Ron Moody that the RAC is opposed to an annual fee for individuals to boat on the river. This is separate from the fee paid by outfitters. Consensus was reached.**

#### Use of Motorized Watercraft on the Upper Missouri River

*Pilot Rock to Deadman's Rapids (River Mile 52 to 84.5).*

Bill Cunningham: How do these dates compare with the current time frame?

Wade Brown: *Moving it to June 5 meant a solid date to lessen public confusion and to allow paddle fishermen, especially in the Kipp area, an opportunity to fish upstream during the Memorial Day weekend. On the other end, September 15 is a date that splits the hunting season so there are opportunities for hunters with both motorized and non-motorized watercraft.*

Francis Jacobs: For people fishing on the river, are they turning around and motoring back upstream?

Wade Brown: *Yes, during the off season. Last year we had 288 motors on the river registered. Some folks are putting in and floating downstream during the seasonal restrictions.*

Bob Doerk asked if any RAC members were against this proposal.

Mary Fay: Is opposed to any motorization on this segment of the river. It is the wild and scenic section, and a very small section of the river to say totally quiet. There needs to be a segment that is quiet and remote feeling.

Bill Cunningham: We are looking at this from a long-term point of view and what kind of legacy we want to pass on to our kids. To have a small part non-motorized is not asking too much. Over time it will be looked upon as a far-sighted decision.

- Ron Moody: What is the winter usage for waterfowl hunters on this segment of the river?
- Bob Doerk: Is opposed to any restriction against motorized watercraft. From all kinds of historic aspects, the only way a large segment of the population can enjoy the history of the area is by motorized watercraft. Many people who go by canoe need a motorized craft for support to carry gear for campsite setup. A significant group of people who are historically oriented want to see the river on that basis. Cannot see any portion of that river restricted to motorized craft and cannot support denying access to that segment of people.
- Glenn Terry: The small motors are not heard when people are idling down the river. Many people put in at their house and can do a river trip in one day, which would not be possible with a canoe.
- Mary Fay: If people are going down the river in a motorized craft, they can turn off the motor for that 33-mile segment. While they may not make much noise, it still takes away from a wild, pristine experience. We need to consider all the people who would like to have an experience of no noise.
- Bill Cunningham: In the spirit of trying to achieve a consensus, would accept this part of it if we could extend the no-wake season into the hunting season. The motorized boats clear the river of geese. There certainly is historic motorized use, but we could broaden our vision and look at the hunting season as well, from June 5 to December 1.
- Ron Moody: Is in a quandary as to the starting date of June 5. While it is logical to keep uniform dates on all segments, that date causes a problem for paddlefish spawning. Prefers to stay with the current dates.
- Randy Gray: Prefers to have sections with no mechanized use at all. It would be a tragedy to have no segment with non-motorized use. Maybe an overall solution would be to allow downstream travel at no-wake speed, extend the dates, and end up with one portion that is totally nonmotorized, taking into consideration the paddlefish concerns.
- Bob Doerk: The outfitters have not been using the lower segment of the river because of a lack of water due to the drought. We can never get completely away from motorized travel because of river management.
- Terry Selph: Polled the 23 guides. Eight want to keep status quo, three don't care, and one wanted to see the restriction on the lower part (Stafford Ferry to Kipp). In 1978, when the Wild and Scenic River was implemented, we came to a consensus that the motor users would give up the right to upstream travel. That has stood for 26 years. Here we are, wanting to make a change. The concern with the people of Winifred and ranchers is we say something today, but people want a bigger piece of the pie down the road. \* Second, the Coast Guard has four navigable rivers in Montana that a motorized boat can go on. There are 292 rivers in Montana that a canoe can go on. Decisions like this cause a lack of trust with the public. The whole Monument is a trust issue, and this is an example of how trust is lost. As is stated in the travel parameters, the Monument cannot be all things to all people.
- \*Terry Selph made the correction at the March 2005 meeting to these meeting notes that, According to the Montana Outdoors, March/April, 2005, page 25 stated, "Montana contains 68 floatable rivers totaling 6,400 miles."

*Consensus was reached to put this on hold and continue review of the other topics.*

Holmes Council Island to Fred Robinson Bridge (River Mile 92.5 to 149)

Wade Brown noted that the BLM does not have good data on motorized use for this stretch of the river. Most of the 288 motorized boaters registered at Fort Benton or Coal Banks.

Francis Jacobs: Does "no motorized watercraft" mean you can't use a motorized craft with the motor turned off?

*Wade Brown: It should say no use of motors.*

Ron Moody: Removing the distinction for the last 10 miles will remove the spawning problem. This prevents big game hunters from using the river for one week during the hunting season. This is a concern because the river is the primary means of access for hunting purposes. The Montana Wildlife Federation position on motorized use is directly tied to the lack of land access in the Monument, and they have held firm on motorized use of the river. He does not see a need to change the dates.

Wade Brown: *The BLM had many complaints about hunters using jet boats and ruining the archery hunting experience.*

Mary Fay: Why are there differences between the two wild and scenic sections?

Wade Brown: *The river falls into three sections of management: the recreation section with motorized use year round; the white cliffs section which is primitive but has facilities; and the lower section which is primitive with no facilities.*

Bill Cunningham: If we are to agree to only one segment of the river as non-motorized, we should look at the lower section.

Terry Selph: As a compromise, would like to see the non-motorized use from McClelland/Stafford Ferry to Kipp Recreation Area.

Bob Doerk: River traffic has been flat in the last few years. We may or may not see an influx in 2005 for the Lewis and Clark Bicentennial.

Tony Bynum: Local environmental conditions have a lot to do with river usage. If the river does not freeze and there isn't as much ice in the future, the use may increase over a longer period of time. These are weather-dependent and we need to look at when the use is occurring.

Ron Moody: The essence of planning is to conjure an image of the future and write a plan for that future. Wade's graph showing increased use for the river is in line with increased natural resource use across the west. This is in addition to weather-related spikes in use. We should factor this in when making a plan.

Randy Gray: Two economic reports from the Sonoran Institute and the University of Montana say that throughout the Rocky Mountain West, from New Mexico to the 49<sup>th</sup> Parallel, two things make the difference in economic viability of an area: proximity to an airport and proximity to public lands and lands that are more protected than other public lands. That comes back to the more protected these national monuments are, and the more miles of quiet use, the better it is economically for the State of Montana.

Bill Cunningham: Would like to see the 149-mile stretch designated as a non-motorized corridor. That is not realistic, but would remind everyone that many who want less motorization have already agreed to 72 miles under current management.

**A motion was made by Ron Moody and seconded by Jeff Shelden that the section from Holmes Council Island to McClelland/Stafford Ferry (River Mile 92.5 to 102.5) have a seasonal restriction from the Saturday before Memorial Day to the Sunday after Labor Day: downstream travel only at no-wake speed. No personal watercraft allowed year round. And from the McLelland/Stafford Ferry to the Fred Robinson Bridge (River Mile 102.5 to 149) a seasonal restriction from the Saturday before Memorial Day to the Sunday after Labor Day: no motorized watercraft. No personal watercraft allowed year round.**

Gary Slagel noted that pressure would increase at McLelland/Stafford Ferry in the future for increased facilities. There currently is no launch-type facility. If it were to become a major take-out point, pressure would increase to make it a major launch site.

**Ron Moody withdrew his motion because of the unintended consequences and Jeff Shelden withdrew the second.**

**A motion was made by Terry Selph and seconded by Francis Jacobs that the motorized use**

**designation on the lower section of the river (92.5 to 149) remain June 5 to September 15 with downstream travel only at no-wake speed. No personal watercraft allowed year round. The motion was amended by Terry to add that a restriction would be placed on jet boats during the seasonal restriction that they could not exhaust above the water line.**

Discussion points:

- Why not limit the horsepower?
- We would be micromanaging.
- In terms of a legally enforceable rule, a speed limit (e.g. 15 mph) has worked elsewhere.
- A small percentage of jet boats are loud when running at no-wake speed.
- Smaller motors are heard for 5-6 miles either way because the sound echoes off the canyon walls.

**Francis Jacobs withdrew his second. Dale Slade seconded the motion. The motion failed.**

**A motion was made by Francis Jacobs and seconded by Art Kleinjan to leave it as is, June 5 to September 15. The motion failed.**

**A motion was made by Jeff Shelden and seconded by Ron Moody that from Holmes Council Island to McClelland Ferry: downstream travel only at no-wake speed from June 5 to September 15. No personal watercraft allowed year round. And from the McLelland/Stafford Ferry to the Fred Robinson Bridge (River Mile 102.5 to 149) a seasonal restriction from June 5 to September 15: no motorized watercraft. No personal watercraft allowed year round. The motion failed.**

Discussion points:

- Ron Moody withdrew his motion because of the prospect of development of inholdings near Stafford Ferry. The greatest threat to the natural landscape values and environmental integrity is the better the public land is protected, the more valuable the private land becomes. We would create an economic incentive to develop a private input/out amenity.
- Jeff Shelden stated that it is a worthwhile experiment to see how the public reacts and what kind of impact it creates. To acknowledge Ron's concern, we have to acknowledge it is a real boundary. What we do doesn't affect those lands and we don't want to. This is an incremental change that can be revised in the future.
- Randy Gray suggested another item for consideration by the agency is to adopt decibel limitations. It is an enforceable way to control noise.

**A motion was made by Bill Cunningham and seconded by Randy Gray to revisit a seasonal restriction as stated in the alternatives table: Seasonal restriction June 5 to September 15: No motorized watercraft. Personal watercraft, as defined by the BLM, would not be allowed year round. The motion failed.**

*Consensus was reached to move on from the topic of motorized use on the river.*

#### Recreational Activities in Wildlife Habitat

**A motion was made by Art Kleinjan and seconded by Lisa Cowan that the topic be changed to the following: The personal collection of shed antlers (shed hunting) would be allowed. A seasonal restriction on antler (shed) hunting could be implemented to protect wildlife from disturbance during the winter period, December 1 to March 31.**

Discussion points:

- One of the past questions, in addition to the dates, was whether this would be legal under the Proclamation. Gary Slagel stated that BLM does not see a concern with it.
- This means that shed hunting would be allowed at other times of the year.

- What if you are accessing the area for other reasons and you happen upon shed horns? It should be very clear that you cannot remove shed antlers during that time period.
- In some situations people are totally prohibited from wildlife management areas during the winter time period, but that is too restrictive for the Monument. We should add that people cannot pick up any horns during that time period if they happen upon them.
- Is there any purpose to passing this item since it says the agency could implement a restriction?
- It could be strengthened by saying you cannot disturb shed antlers. Suggested an amendment to the motion.

**Art Kleinjan agreed to amend the motion and Lisa Cowan concurred. The second sentence would say: A seasonal restriction on the disturbance of shed antlers could be implemented to protect wildlife from disturbance during the winter period, December 1 to March 31. Consensus was reached.**

### Backcountry Airstrips

Discussion points:

- Which of these airstrips have a legal right-of-way and which are considered authorized legal airstrips? *Gary Slagel stated that some of the airstrips have been there since the 40s and 50s. One was illegally created and it will be closed. They are legal from the standpoint that they have been used over the years. If BLM were to approve the six, we would work out agreements on maintenance of the airstrips.*
- Does the long-term existence of airstrips create a prescriptive right? *Clark Whitehead stated that BLM built the airstrips for sagebrush control and fire control (administrative purposes), but they have never been maintained. They do not need a right-of-way because they were built by BLM. This is true for all but one airstrip.*
- How do pilots clear animals off the airstrip if they want to land?
- Is an airplane an off-road vehicle?
- Is an airstrip a road?
- More access to the Monument means airstrips should remain, but in their primitive state, not improved. It would be a great way for a hunter or hiker to access the Monument.

**A motion was made by Francis Jacobs and seconded by Lisa Cowan to leave the backcountry airstrip alternative as is, but keep them in their primitive state (not improved). For the second sentence: If the airstrip is also a road, and the road is closed, then the airstrip may be closed. The motion failed.**

Further discussion points:

- Disagree with the rationale of allowing hunters access to the Monument. Cannot see the need for six airstrips inside the Monument.
- Cannot reconcile what the Proclamation says and having airstrips in the Monument. It is elitist. The Proclamation has protections that preclude the Monument from airstrips.
- The bootstrapping from administrative to a full public airport is incredible. Does this put the burden on the BLM to improve the airstrips to make them safe for public use? We should have no airstrips down there.

### **Road Marking and Mapping**

Clark Whitehead addressed the RAC on the road system used by the Charles M. Russell National Wildlife Refuge (CMR). Mike Hedrick was available to answer questions and provide input to the discussion.

The primary mission of the CMR is wildlife, which is a different mandate from the Monument. Their travel management scheme is motorized access within the context of wildlife refuge and security. They make a valid attempt to provide reasonable motorized access to the public, but must determine any impacts to wildlife before allowing the access.

A given with the CMR is that roads impact wildlife. Another philosophy of CMR is that open roads should be open to all users, without restrictions. The size of the refuge is 1.1 million acres. The road inventories were completed in 1982. Each road was assigned a specific number. CMR currently has 629 miles of roads.

Most refuges do not have a numbered road system. It is not a requirement by the U.S. Fish and Wildlife Service. But because the CMR is different from other refuges, with the large number of roads, they went with this system. Fifty percent of the refuge has motorized access within one mile, and nothing greater than two miles, with the river and reservoir considered as motorized access in this analysis. On the average, CMR has one-half mile of road per square mile.

The roads that they maintain are passable by high-clearance vehicles in dry weather conditions. Not all roads are maintained. Some have vegetation between the tracks. If some of the roads become rutted, and they are high priority roads, spot maintenance is done.

The refuge system requires that all roads be identified as open for travel year round, or closed to all motorized vehicles year round. They have four seasonal roads which are closed from September to March or April which provide access to popular fishing sites in the refuge. Administrative roads provide access to water wells or enclosure maintenance.

No roads are designated specifically for ATVs or 4-wheelers. Mountain bikes are treated the same as motorized vehicles. The difference is that the mountain biker can use a service road, but motorized vehicle users cannot.

Most closed roads are allowed to reclaim naturally. This can be supported by putting up a temporary fence to allow the road to heal.

Since 1983 when travel planning began, some changes have occurred. Where duplicate/parallel roads occurred, they were closed. No roads are open into wilderness areas. Because of the drought, some of the end roads have been extended.

The basic premise CMR uses is if a road is not numbered, it is closed. No motorized travel is allowed cross-country or on closed roads except for emergency services. Some closed roads are signed in problem areas. Otherwise, no roads are signed closed.

Each road is assigned a series of numbers. A metal plate has a number only, with no agency logo, which reduces the vandalism.

A road with a 100 number is a county road. An example is the Crooked Creek road. The 200 and 300 road numbers are important basic access roads with higher maintenance work assigned to them. In the 400 series, they are important to the travel plan network but have less travel. In the 800 series, some could be closed in the future.

The benefits of the numbered road system:

- Did away with public confusion for motorized users. People understand that the numbered roads are the roads they can travel on.
- For the last 5-6 years, if no sign is present the road is closed. They can show the judge where a violation occurred and almost always the court rules in favor of the refuge. There is no misunderstanding by the court or the CMR.
- If a sign is removed or not present, the public does not travel the road.
- The map is easy to update and easy to understand.
- They have found that any open road should have a sign within the first 25 yards.

Questions directed to Mike Hedrick:

Question: Do you keep data on how many hunters use the river for hunting access?

Answer: Not in the sense that we would have a complete data set. At the onset of the paddlefishing season and the bow hunting season, will keep a boat trailer count. But in terms of actually trying to determine the number of boats on the river, we have never done that.

Question: What is your view of the importance of the river as an access?  
Answer: Boating on the river is more associated with going a short distance like across the river or to a favorite paddlefishing hole. There is a road that parallels the river on the north side.

Question: What do you know of people removing road signs for any reason?  
Answer: Prior to the initiation of the road system, we had a lot of problem because the signs said they couldn't do something (road closed). We still have some problems at the end of routes if there is not an obvious barrier. We found when we went to the positive system, it has eliminated a lot of signing and have had almost no vandalism on those road sign posts.

Question: What criteria did CMR use to determine open roads? How long did it take to implement the changes?  
Answer: We went fully into a numbered road system in 1983. We simply took the roads that were open at that time. The national wildlife refuge system is a closed system. Everything is closed unless posted open, so the CMR has never had the history of the ability to drive anywhere. The roads kept in the system were the 100 series roads (county roads), 200s and 300s are considered highly important roads for administration and for public use. It goes up to 800 series roads. When looking at opening or closing roads, they do not close a road that accesses State land or a private inholding. If multiple roads go to the same location, in most cases they choose the best route to remain open. Beyond that they look at maintaining reasonable motorized access while minimizing the impacts to wildlife. Under those circumstances a lot of short spur roads get closed, unless they lead to a camping area. The other criteria is if a road becomes too difficult to maintain to keep open for safe travel. The maintenance standard is a high-clearance 2-wheel drive vehicle in good weather. The last criteria is to close all existing roads that remain in proposed wilderness areas. It started in 1983, and the last road closures were done two years ago when 44 miles were closed in proposed wilderness areas.

Question: Open roads are open to all users. How is that implemented on the ground?  
Answer: There are no designated trails. The only exception is a few service roads which are non-motorized vehicles (mountain bikes). Every other road from 100 to 800 is open to the same class of vehicle.

Question: Do you feel you have achieved an optimal road density for wildlife management objectives?  
Answer: It is a work in progress, but feel pretty good about the road system right now. We are not intending to go through any closure in the immediate future because they want to use it for awhile. If they determine there are wildlife impacts associated with it, we will act accordingly. They make the premise that there is no good road from a wildlife standpoint, but they are necessary for many things. The road system is the practical amount necessary for use of the area.

Question: How have you dealt with public resistance to road closures?  
Answer: We fine them. You must have a level of enforcement for people to comply with. A public process is followed prior to closing roads, but once the decision is made, it is enforced. The basic fine for an off-road vehicle violation is \$250. A fine of \$100 was not enough to encourage compliance. The U.S. attorneys and magistrates feel a numbered road system is clear to the public.

Question: How have you worked with U.S. Attorneys and magistrates to come to that understanding?  
Answer: We fly the breaks with the U.S. Attorneys so they have an understanding of the magnitude and the landscape they are dealing with and spend time with them on the ground looking at a map and answering their questions. The magistrates have encouraged us to have a good public map and brochure. If that is demonstrated, the judicial system is supportive.

Question: How about the law enforcement capacity of the agency?  
Answer: For 1.1 million acres they have 8 people with enforcement authority, including one full-time officer.

Question: Do you cross-deputize?  
Answer: Yes, have an agreement with Phillips County and they have one deputy who works on the Phillips County side during high public use periods. Montana Fish, Wildlife & Parks



wardens can enforce the travel plan, but they usually take the information and convey it to CMR.

Question: Does USFWS have a definition of a road?

Answer: There is no system definition of a road.

Question: Do you have tips for a sister agency with a different mission statement?

Answer: The lands administered by BLM are much more difficult because there are competing mandates. The advantage CMR has is that it was never open to cross-country travel. If I could make one request, our road numbers start where the road enters the refuge. If you decide to go to a numbered road system, it would be very beneficial to the public if that road number was carried onto BLM land. In other words, don't go from road 402 to road 201.

## **General RAC Discussion**

### Commercial Scenic Flight Landings

Since no consensus was reached on backcountry airstrips, RAC members agreed it would be a moot point to discuss this further.

### RAC/Public Interaction

New RAC members were given background information on why the RAC limits discussions with the public, including: everyone in their own mind is an expert or wants to get their point across; differences of opinion on who is really an expert; equality; could be time-consuming, and almost a debate rather than a discussion between the 15 members. Instead, a member could ask for a break in order to consult with someone or find the answer to a question.

Kaylene contacted all other RAC coordinators in the state to determine how they handle this issue, and they have little or no public attending their meetings.

The RAC members agreed to continue with the same format utilized by the RAC since 1995 in dealing with the public and the interaction during the meetings.

## **Agenda for Next Meeting**

- Montana Challenge PowerPoint presentation on the economy in Montana
- State of Montana Sage-Grouse Management Plan – BLM implementation
- Consensus letter to the congressional delegation to encourage buyout/tradeout of Blackleaf leases
- Consensus letter to BLM and the congressional delegation requesting the agency initiate a community collaborative planning project for the Rocky Mountain Front
- West HiLine RMP Update
- Monument RMP Oil and Gas Leasing Issue Update
- Number of Special Recreation Use Permits
- Lewis and Clark Signature Event Update
- Field Manager Updates
- Discussion of non-consensus items

When: March 22-23, 2005

Where: Havre, MT – Best Western Hotel

Times: 1:00-6:00 on March 22; 8:00-3:00 on March 23

Public Comment period: 1:00-2:00 on March 22; 8:00-8:30 on March 23

Social: Uncle Joe's

## **Travel Vouchers/Wrap-Up**

RAC members completed their travel vouchers and the meeting adjourned at 3:05 p.m.