

Central Montana Resource Advisory Council Meeting

Fort Benton, Montana

January 29 and 30, 2002

The meeting of the Central Montana Resource Advisory Council (RAC) convened at 1:00 p.m. on January 29 at the Grand Union Hotel. RAC members present were Dale Slade, Larry Ostwald, Bob Doerk, Jim McDermid, Art Kleinjan, Joy Crawford, Randy Gray, Bill Old Chief, Kim Lacey, Bill Cunningham, Arlo Skari, Glenn Terry, Charlie Floyd, Stan Meyer, and Craig Roberts.

BLM personnel present were Bruce Reed, Dave Mari, Chuck Otto, Owen Billingsley, Wade Brown, Kaylene Patten, and Kay Haight.

Public Comment Period

Nine people offered public comments. A transcript of the comments is attached to these minutes.

Welcome/Chairperson Synopsis/Meeting Minutes

Kaylene Patten welcomed everyone to the meeting and Bruce Reed introduced the new RAC members: Category I - Larry Ostwald, Category II - Bill Cunningham, Category III - Charlie Floyd and Bill Old Chief. Also introduced was visiting Eastern Montana RAC member Don Warner of Laurel.

The minutes of the previous meeting were signed as approved, and today's meeting agenda was reviewed.

Chairman Craig Roberts noted that he has made follow-up contacts regarding the Greenfield Irrigation District as requested at the previous meeting.

Team Building/Consensus/Meeting Guidelines/RAC Philosophy

Kaylene reviewed the "Do's" under which the Central Montana RAC operates. As defined by this RAC, consensus does not mean compromise, but rather trying to reach a point where everyone is comfortable with a decision. The advantages include a well-balanced decision and commitment to the decision. The disadvantage is that to reach consensus a great deal of time and effort is required. When RAC members are asked for consensus:

- A thumb up means, "I totally agree, I support this decision."
- A thumb sideways means, "I may not totally agree with it and may not understand it, but I can support the decision to my peers and to people outside this room."
- A thumb down means, "I don't understand and need more explanation."

When a thumb is down, an issue will be discussed longer. If consensus cannot be reached (changing thumbs down to thumbs sideways or up), the fallback in the charter is a vote through which three members from each category must agree or the recommendation is not forwarded to the BLM.

Operating procedures of the RAC were reviewed, including when and where meetings are held, the duties of members, what happens to recommendations, and the importance of RAC input on BLM issues.

Election of Officers/Designated Federal Official

Bob Doerk nominated Craig Roberts to serve as Chairperson and Dale Slade to serve as Vice-Chair for an additional year. The nominations were seconded by Randy Gray. A motion was made by Stan Meyer and seconded by Bob Doerk to close the nominations. Consensus was reached.

Bruce Reed reviewed his role as Designated Federal Official and Kaylene noted that the Chairperson runs the meetings and the Vice-Chair assumes that role in the absence of the Chairperson. RAC recommendations are made to the BLM through formal letters which are drafted by the Chairperson with input from other RAC members. The full RAC then reviews and revises the letters as needed. Meeting agendas are coordinated with the Chairperson and the Designated Federal Official.

Kaylene reviewed administrative procedures, including expense reimbursement, phone cards, and the advance mailing to RAC members of meeting agendas and materials.

Corps II

Otis Halfmoon, a member of the Nez Perce Tribe and employee of the National Park Service, gave an update on Corps II. This visitor center on wheels will retrace the journey of Lewis and Clark following their journals. The purpose of Corps II is to educate all Americans, especially our children, about the land and its people both before and during the journey, as well as ramifications of the journey up through today and into the future. Mr. Halfmoon said that projections call for 12 million people to visit Montana during the Bicentennial

Corps II has two tractor-trailers which will house a 30-seat theater and interpretive scenes throughout. They will stop at perhaps every third spot on the trail, staying for a week at each site, and from there will pan out to specific locations on the days indicated in the Lewis and Clark journals. The major news networks want to read from the journals on site each day. Newsweek and Time Magazines are also on board. There are issues associated with the Corps II entourage to be dealt with prior to then, including solid waste disposal, law enforcement, and effects on resources. Corps II will only stop in those communities where they are wanted. They will assist the communities during the Bicentennial but will not be the main show.

He noted that while reception with tribes across Montana has thus far been negative, it is an opportunity for them to tell their stories and teach about their homelands. Corps II will stay away from vision quest sites, burial sites, and anywhere else their presence is not wanted. They will work hard to only be at and show where the tribes wish. The expedition is very much a tribal story because if it weren't for them, Lewis and Clark would not have been able to complete the journey.

A determination will be made shortly on the exact locations. When asked about Fort Benton's request to be included, he said that if all needed infrastructure is in place the request should be approved.

On April 11-13, 2002 the Corps II annual meeting will be held in Lewiston, Idaho. The 2003 annual meeting will be held in Great Falls.

River Usage Statistics

Neil Moisey, University of Montana, reviewed the 2001 Missouri River Visitor Survey Results.

The three sources of information used were:

- 2001 visitor survey
- 737 surveys May-October 2001 distributed at Fort Benton, Wood Bottom Coal Banks, Judith Landing and Kipp
- 2001 BLM exit surveys
- 2001 BLM floater registration records
- 5,681 total visitors
- 1,338 outfitted visitors (24%)

Using the databases developed from the surveys, they are looking at the differences between residents and non-residents, upper vs. lower river use, and outfitted vs. non-outfitted use. Surveys will also be conducted in 2002 and 2003 so a total of three years of data will be available.

There is no evidence to date of an incredible upswing in visitor use, but that may not show up until 2005-2006.

The Subgroup is looking at indicators of what they need to concentrate on, and the questionnaire may be revised to focus more on those specific areas rather than collecting as much general information.

According to the surveys, the breakdown of floaters for each river segment was as follows:

6% from Fort Benton to Coal Banks

73% from Coal Banks to Judith Landing

21% from Judith Landing to Kipp

Jim McDermid noted that Neil Moisey and Jim Burchfield have done a remarkable job of keeping the Subgroup on track and have shown they are unbiased. The RAC and BLM are certainly getting their money's worth. Joy Crawford concurred.

Recommendations from RAC Subgroup

Jim Burchfield presented recommendations from the Missouri River Subgroup. The Subgroup's objective for 2001 was to develop recommendations for visitor use management on the Upper Missouri River with focus on campgrounds, facilities, and outfitter use.

The process that was used to develop recommendations included the establishment of two working committees (campground committee and outfitter committee). The Subgroup took a float trip from Coal Banks to Judith Landing in May 2001, and six meetings of Subgroup members have been held thus far.

The objectives developed by the Subgroup for campgrounds were to:

- provide a diverse set of camping and visitor experiences
- provide a diverse character of campsites
- generate quality data on visitor use along the river corridor
- maintain the natural qualities of each site
- provide for effective management of human waste and refuse
- manage the human traffic at campsites to minimize congestion, and
- provide fair access to campsites

In all, 17 recommendations submitted to the RAC for consideration reached consensus by the Subgroup(14 on campgrounds and facilities, 3 on outfitters). Of the five recommendations that did not reach consensus, three had minority opinions submitted and two did not. The primary recommendations are on level of campsite development, requirement for portable toilets, and one-year extension of the outfitter moratorium. Following are the 17 recommendations.

#1 Campsite Classification

- Establish a campsite classification system based on four levels of development. The first level is major access to the river, the second level is developed boat camps, the third level is relatively undeveloped camps, and the fourth level is undeveloped lands with no markings on maps.
- **Level 1 "Developed Public Access Sites and Campgrounds"**
 - Wood Bottom
 - Coal Banks
 - Judith Landing
 - Woodhawk
 - Kipp
- **Level 2 "Developed Boat Camps" (vault toilets, road access for service, shelters)**
 - Little Sandy
 - Eagle Creek
 - Hole-in-the-Wall (minority opinion submitted)
 - Slaughter River
- **Level 3 "Primitive Boat Camps"**
 - Marked on maps
 - Vegetation may be managed
 - Fire rings
 - No shelters or vault toilets

- **Level 4 "Undeveloped Public Lands"**

- No infrastructure
- Only natural vegetation
- Consideration of existing traditional uses and opportunities
- Provide for a diversity of experiences and clarity of expectations

#2 Commercial Developments at Campsites

- Commercial permits evaluated on basis of support of management objectives and maintaining natural qualities
- Commercial sales or rentals of items supporting management objectives (maps, firewood, portable toilets) allowed at Level 1 sites

#3 Camping Opportunities

- Accommodation of both outfitters and private boaters
- Improve design of campsite areas
- Pursuit of easements by BLM in strategic locations

#4 Signage for Public Lands and Campsites

- Establish guidelines for small campsite sign placement
- No signs on Level 4 sites
- Private property signage available upon request
- Minority opinion may be offered

#5 Number of People at Campsites or within Floating Parties

- Natural flows of people at campsites
- Limit party size to 33 people - although arbitrary, the same number of people as the Lewis and Clark Expedition

#6 Duration of Stay within Campsites

- During boating season - Saturday prior to Memorial Day through the Sunday after Labor day - two-night limit on Level 2, 3, or 4 campsites
- Minority opinion (no written submission)

#7 Use of Information to Direct Use

- Identify camping opportunities at Level 1, 2 and 3 sites
- Level 4 sites not marked

#8 Linkage of Campsites to Hiking Opportunities

- Explicit information on private land restrictions adjacent to campsites
- Existing conservation easements identified on maps

#9 Parking Facilities

- Parking facilities will be provided only at Level 1 sites

#10 Interpretation Levels

- On-site interpretation only on Level 1 or 2 sites
- Limit interpretive signs on-site to existing infrastructure
- Less is better

#11 Guiding Visitor Behaviors

- Provide visitors with a card to inform them of major behavior restrictions
- Responsibilities as a river visitor

- personal risks
- fire safety
- penalties (use of firewood, disposal of waste, etc.)

#12 Firewood

- Discourage use of firewood from vegetated areas
- Encourage wood carried in boats
- Encourage gas stoves
- Guidelines for disposal of ash

#13 Human Waste and Refuse

- Portable toilets will be required for all overnight campers
- The BLM will assist in the ease of waste disposal via the construction of a dump station (consistent with modern portable toilet designs) at Judith Landing

#14 Impact Monitoring

- Identify trigger mechanisms to indicate when agreed upon indicators and standards are violated
- Encourage visitor monitoring

#15 Role of Outfitters

- Existing commercial permittees, the river outfitters, provide substantial benefits to river visitors and local economies and they should be sustained

#16 Allocation System

- The Subgroup recognizes that an equitable system for access to the river is necessary and encourages working with existing outfitters to develop the details of such a system
- Minority opinion submitted

#17 Moratorium on River Outfitters

- While developing a series of indicators and the details of a fair and equitable system for

any future river allocations, the Subgroup recommends a one-year extension of the moratorium on river outfitters

- Minority opinion submitted

The RAC then considered and voted on the Subgroup recommendations.

#1 Nothing to vote on.

#2 Commercial developments at campsites - Consensus

#3 Camping opportunities - Consensus

#4 Skipped

#5 Number of people at campsites or within floating parties - Discussion included the following points:

- There may be a way to grant exceptions for groups, such as Boy Scout Troops, to exceed the 33-person limit. They would need a special recreation use permit. The question would be how many to accommodate without defeating the purpose of the recommendation.
- According to BLM records, average group size last year was 6.3 people.
- Could look at other rivers under active recreation management for party size on those rivers.
- Subgroup did not look at other rivers. Better to look at indicators of resource conditions and perceptions of crowding to come up with a party size that is more a reflection of unique experience of floating the Missouri.
- This river is unique because of steamboat history, fur trading history, Gros Ventre history, Nez Perce crossing, etc. The groups that come for historical interest will be in parties of 20-25 and will want a guided experience with someone who knows the history of the river. There will be many such groups coming during the Bicentennial. Does not want to see such an experience denied to a Boy Scout Troop. Good compromise number is 33.
- It would be a disaster to eliminate any youth group because of an arbitrary number set here.
- Would like large groups designated to certain campgrounds and areas within those campgrounds to eliminate conflicts.
- Not talking about limiting youth groups, but a special permit process to insure they camp in areas that do not conflict with other users.
- Need to compromise. Recognizing that quality is in the eye of the beholder and we want to do what we can within certain limits, this is as good a compromise as we will be able to reach.
- Don't lose sight of the fact that there is already a mechanism in place for larger groups.
- Prior to 1997 the special use permit was required for any size organized group. What we are saying here is required if over the size limit threshold, not for every organized party. A vote to limit group size to 33 people as written from the Subgroup recommendations did not pass consensus. Further discussion raised the following questions:

- If a party of 47 (41 kids, 6 leaders), split up group and put in 30 minutes apart from each other as separate entities? Have pre-planned separate campsites?
- Would have a problem with separating a group to launch times a day apart. No problem with an hour apart. BLM should be allowed to make exceptions.
- Would there be a river manager who would direct or guide groups?
- What guidance does BLM need to determine what qualifies as exception? Numbers, location of camp, etc. No one here is representing non-commercial organized groups. Buses typically carry 44 people. Size must be related to campsites.
- Discussions of Subgroup Campground Committee was to unlimit opportunities to camp. However, can be limiting factors such as weather.

Due to time constraints, a vote was taken and consensus reached to table further discussion on #5 until 1/30/2002.

#6 Skipped

#7 Use of information to direct use - Discussion included the following points:

- Means depiction on maps.
- Talks about unmarked opportunities so this ties in with signage (#4). Should mark with small signs when entering and leaving BLM lands.

A vote was taken and consensus reached to table further discussion on #7 until 1/30/2002.

#8 Linkage of campsites to hiking opportunities - consensus

#9 Parking facilities - consensus

#10 Interpretation levels - Discussion included the following points:

- Mistake to vote down getting cattle off river during hot season. Great opportunity for ranchers to get good PR and goes to their right to have cattle on the monument. One of primary complaints was cows on the river during the hot season.
- Infrastructure does not include historic sites. Means shelters, toilets.
- Means framed homestead papers inside Hagadone homestead would not be allowed. Could items like this be grandfathered in?
- Differentiate interior/exterior signage?
- Subgroup determined adventure should be in the mind of the visitor and not be imposed upon by signs. If at a Level 1 or 2 site, can put anything there including information about Hagadone homestead, but have no signage at the actual homestead site.
- Don't want to limit or detract from thrill of discovery and have everything done for them. Part of thrill of replicating Lewis and Clark journey will be to make the discoveries on their own. Agree that less is more.

A vote was taken and consensus was not reached. Further discussion on #10 and the other recommendations was tabled until 1/30/2002.

Off-Site Water Projects Along the River

Chuck Otto updated the RAC on watershed plans. Woodhawk was the first watershed plan

completed. BLM put in two water savers along a bench that allowed ranchers to go to a rest-rotation system. Recovery has been dramatic since its implementation in 1998.

Two Calf Watershed. Two wells were drilled in 1999 and 2000. Since then they have developed a 14-mile long pipeline for watering systems and another one is planned that will improve riparian conditions on tributary streams and over the long term will improve uplands.

Armells Creek watershed. Two wells are planned. Funding has been applied for but is not known if it will be available.

Upper Missouri Watershed goes from Woodhawk to Coal Banks Landing. BLM plans to help the PN allotment winterize an existing windmill on Dog Creek and winterize the tanks there toward eliminating hot-season grazing. There is one water saver on tap (water catchment device) at the Mattushek allotment and plans are to repair an existing one there.

Going upriver, the amount of public land on the south side decreases so the cost benefits of doing projects decreases. On the north side of the river, at Pablo Rapids there are two solar pumps and wells right on the river. One is devoted to a tree irrigation system and the other is dedicated to a livestock tank system. There is an electric fence enclosure there.

Hole in the Wall has a well devoted to tree irrigation.

Dark Butte allotment has two tanks for livestock use which will come off a private water source.

The Pavlovick Ranch is a probable showcase site for using Undaunted Stewardship money to develop a spring site on public land for livestock watering.

The ratio of private/public funding of these water projects varies widely, from a high of 70% public funding to a low of 10-15% public funding.

The meeting adjourned for the day at 5:50 p.m.

**Central Montana
Resource Advisory
Council Meeting**

**Fort Benton,
Montana**

March 8, 2002

The meeting convened at 9:30 a.m. at the Agricultural Museum. RAC members present were Dale Slade, Arlo Skari, Stan Meyer, Joy Crawford, Larry Ostwald, Bob Doerk, Glenn Terry, Art Kleinjan, Bill Cunningham, Randy Gray, Jim McDermand, Charlie Floyd, and Craig Roberts. Kim Lacey and Bill Old Chief were unable to attend.

BLM personnel present were Bruce Reed, Dave Mari, Gary Slagel, Wade Brown, Craig Flentie, Sandra Padilla, Kaylene Patten, and Kay Haight. Also present were members of the public.

Public Comment Period

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

Welcome/Chairperson Synopsis

Kaylene Patten welcomed everyone and reviewed the meeting agenda. The minutes of the previous RAC meeting were signed as approved.

Bruce Reed stated the Federal Register notice will be published today calling for RAC nominations. The Central Montana RAC has five positions that will be vacant: Kim Lacey, Dale Slade, Robert Doerk, Craig Roberts, and Art Kleinjan. Both Kim Lacey (Category 1) and Craig Roberts (Category 3) are in the second of their consecutive three-year terms and will not be eligible for reappointment. The other three are in their first term and are eligible for reappointment, but they must be renominated.

Jim McDermand announced effective April 1, 2002, he will resign from the Subgroup due to family obligations. The Subgroup members of Category 2 unanimously nominated Eugene Johnson to replace Jim.

A motion was made by Jim McDermand and seconded by Stan Meyer to approve Eugene Johnson as a member of the Subgroup to replace Jim McDermand. Consensus was reached.

Chairperson Craig Roberts briefly reviewed the core team meeting on the Monument Resource Management Plan that he attended this week in Lewistown. Craig will also attend the next core/interdisciplinary team meeting, which will be a practice run for the scoping open houses scheduled for May. The format of the open houses was reviewed and following is a list of communities where the RAC members will attend.

Open House Location	Date	RAC Members to Attend
Winifred	May 6	Craig Roberts
Lewistown	May 7	Craig Roberts, Glenn Terry
Fort Benton	May 8	Joy Crawford, Jim McDermand, Arlo Skari, Bob Doerk
Great Falls	May 9	Bill Cunningham, Randy Gray, Jim McDermand, Stan Meyer, Larry Ostwald
Havre	May 13	Art Kleinjan and Arlo Skari

Chinook	May 14	Art Kleinjan and Dale Slade
Malta	May 15	Kim Lacey and Dale Slade
Fort Belknap	Unknown	Art Kleinjan

Deliberations on RAC Subgroup Recommendations

Discussions began with a clarification of the term "communication vehicles," as used in #8 Linkage of Campsites to Hiking Opportunities, to mean such things as handouts at launch points, signage at some campgrounds, information packets mailed to the public.

The Subgroup was commended by RAC members for the tremendous work and effort put into the recommendations. It was noted that the RAC thoroughly hashing out the various ramifications of the recommendations, and perhaps making modifications, in no way diminishes the work done by the Subgroup, but rather is to make certain that when the recommendations are forwarded all RAC members are as comfortable as they can be with them.

(#1) Level of Campsite Development.

Level 1. Developed public access site and campground. A brief discussion was held to clarify use of the word "could," rather than "will have" or "should have."

Level 1 was approved as written by Consensus.

Level 2. Developed boat camp. Inclusion of the Hole in the Wall campground was discussed. Craig Roberts asked members of the public in attendance for clarification on whether the road to the campground is a public road. Ken Evans, Chouteau County commissioner, said the county has maintained the road in the past. Last year four passes were made with a grader. Chouteau County's position is that it is a public, gas tax road.

It was stated by another member of the public that the road has never been closed off and access denied to the public until the BLM put the chain across. Ken Evans said the road has been used since homestead days and is a good emergency access road. He said the County Commission will research the issue.

Jim Burchfield explained the Subgroup's rationale that there are two major parts to this recommendation about Hole in the Wall. The first is road access, and the Subgroup's strong feeling that local people should be able to enjoy the river experience; and second is the language in the last sentence. It expressed strong sentiment that by improving access to Hole in the Wall, use patterns along the river would change dramatically because one could put in to the river at Coal Banks and take out at Hole in the Wall. The statement of infrastructure was added to make certain that localized use continues, but would not dramatically change use by others.

RAC members then made the following discussion points:

- Under the wording of the recommendation, no infrastructure could be constructed.
- It was never brought up that this should be an access site for boats or launches. There must be a lot of private access sites before reaching Hole in the Wall. This is an official BLM campground.
- Two summers ago there were five pickups with boat trailers parked at the campground. Afraid it will continue to occur.
- The main reason for turmoil is there was talk of emergency and administrative travel only. The Subgroup said they want it left open for local people.

Art Kleinjan made a motion, seconded by Randy Gray, to allow public access with evidence of a county road into the Hole in the Wall Campground that allows hand carrying of non-motorized craft to or from the river. Infrastructure for boat launches or take-outs will not be constructed. Consensus was reached.

The first paragraph of the Subgroups recommendation for Level 2 remains the same. The second paragraph will

read, "Public access will be allowed, with evidence of a county road into the Hole in the Wall Campground, for hand carrying of non-motorized craft to or from the river. Infrastructure for boat launches or take-outs will not be constructed.

Level 3. Primitive boat camp. A motion was made by Bob Doerk, seconded by Charlie Floyd, to accept as written. Consensus was reached.

Level 4. Undeveloped public land. A motion was made by Bill Cunningham, seconded by Dale Slade, to accept as written. Consensus was reached.

#4 Signage for Public Lands and Campsites

A motion was made by Stan Meyer, seconded by Arlo Skari, to change the language of #4 to read: "Establish guidelines for small campsite sign placement on all Level 1-3 campsites. Signs may be placed that delineate private land boundaries or other sites that need to be marked (for example, on trails adjacent to private lands). Work with private landowners to identify the types of markings that are sensitive and fit well with the landscape." Consensus was reached.

Discussion by the RAC included the following points:

- Federal land should be marked by signs to keep people from trespassing on private property. Many people cannot read maps. This could be a proactive approach to solving the problem.
- BLM would have to maintain the signs.
- Concern that putting in a sign marking a campsite will take away from the primitive nature of the river.
- Don't want to micro-manage the BLM. RAC is suggesting that if appropriate, signs may be put up.
- The public is more comfortable with campsites delineated and the private landowner is protected.
- Signage must be consistent for the public.

Jim Burchfield said the first concern of the Subgroup was the importance of protecting private property. The second concern was that the river be as natural visually as possible. Less is more. Fifty-seven signs would be needed from Coal Banks to Slaughter River. The third issue of concern by the Subgroup was maintenance of signs, and the fourth was the distance between some signs. The public could still be confused. Also, if a sign is as visually unobtrusive as possible, it may be missed by floaters.

#6 Duration of Stay within Campsites.

A motion was made by Stan Meyer, seconded by Bob Doerk to approve as written. Consensus was reached.

Discussion included the following points:

- It would include people from the local community who come down to the Hole in the Wall campground.
- Does this just add another layer of regulation that is not needed at this time?
- This might be a problem in a very localized situation (e.g. party of 33 at Eagle Creek).
- The purpose is to get ahead of the curve and be proactive, instead of reactive.
- BLM has never come across the problem of people staying too long.

#7 The Use of Information to Direct Use

A motion was made by Stan Meyer, seconded by Arlo Skari, to approve as written. Consensus was reached.

Discussion included the following points:

- Full consensus was reached by the Subgroup on this recommendation. It was an issue for the RAC in the January meeting because of the link to #10 and signs already placed in homestead buildings.

- Rather than try to change wording, trust BLM's management.

#10 Interpretation Levels

A motion was made by Stan Meyer and seconded by Randy Gray to approve as written. Consensus was reached.

#15 Role of Outfitters

A motion was made by Bob Doerk, seconded by Dale Slade, to accept as written. The motion was withdrawn.

A motion was made by Randy Gray, seconded by Bill Cunningham, to delete the word "existing." The statement will read: "The subgroup affirms a statement of principle; the commercial permittees, the river outfitters, provide substantial benefits to river visitors and local economics, and they should be sustained. Consensus was reached.

Discussion included the following points:

- The outfitter committee of the Subgroup wanted a statement of principle.
- What is meant by, "and they should be sustained"? Are we in fact saying the existing outfitters should remain in perpetuity?

#16 Allocation System

Prior to discussion on #16 and #17, Jim McDermand stated that his principle as a member of the recreating public is that the opportunity to float the river must not be dependent on economic status. It must be even all the way across the board. There were many discussions in the Subgroup that the allocation and moratorium issues should be totally separate. He disagreed, saying we have an opportunity now, through the Subgroup and the University of Montana (UM), for them to work on developing an allocation system that could be maintained. An extension of the moratorium buys the time to develop an allocation system based on current usage. It would be a terrible mistake to not take advantage of that resource and expertise in case an allocation system is needed. That is a proactive approach, rather than reactive.

Discussion by RAC members included the following points:

- It is proper to set into motion a process to study allocation while the professional resources are available to us through the university, although we may never need it.
- In most cases, people with money have a better opportunity to get a permit on those rivers with an allocation system because they can afford to use an outfitter.
- The main concern is privatization of a public resource.
- If the moratorium and allocation are kept together, one model would be to look at average bookings for the past two years.
- Would like to have UM look at a model of one big pot of permits. Everyone applies as an individual. After permits are allocated (in early October) either through drawing or first come-first served, the individuals would then have an opportunity to contract services of an outfitter. One mechanism would be for all successful permit holders to be listed on the internet. Outfitters could then go to the list and recruit business from that list. It would be the choice of the permit holders to hire an outfitter or not.
- Big supporter of outfitters based on historical interest. Outfitters (1) serve as extra ears and eyes for BLM; (2) they are protecting the resource (one fire pit, tents close together, pack-in and pack-out); and (3) this river is not like the Smith. It is unique with a lot of history, and all the historical nuances are brought out by the outfitters.
- Has heard a lot about not using a public resource for private gain, but in the instance of Glacier Park, there are private companies offering horse rides, etc.
- Would have a big problem with a lottery system. A group of history buffs, family reunions, etc. would have no chance to go down river together if a lottery system is in place.
- Agree if we could use the UM to work on an allocation system as something that could be brought back to

the RAC, no problem with it.

- Concern that a permit system not be limited to one's economic ability. Keep it as fair and equal as possible among all members of the public.

A motion was made by Art Kleinjan, seconded by Glenn Terry, to have the University of Montana, in conjunction with the RAC Subgroup, prepare a study of an allocation system for the UMWSR and to report a system or systems for the RAC to consider. The due date for the study report is one year from today. The motion was withdrawn after discussion, which included the following points.

- If the ratio of private/outfitted floaters changes, outfitters could be out of business.
- The Subgroup wanted to have something understandable. The whole idea is a proportional level system based on demand by three user groups - private individuals, commercial permittees, and one-time noncommercial groups (Boy Scouts, church groups) - based on a cap yet to be determined, and no allocation system unless the threshold or trigger has been reached.
- The Subgroup plans to start on standards at its next meeting on March 26. The total demand among the three groups would be calculated. If it exceeded the allowable demand (or cap), then each group would be reduced proportionately. Demand might shift. This system has not been implemented anywhere and would take a tremendous amount of paperwork. More time is needed by the Subgroup to study the issue, talk with outfitters.
- A one-year timeframe is reasonable. Would be looking at various allocation models.
- Objection was made to the word "equitable" in the Subgroup's recommendation. Felt that there should be guidelines built in before it is studied.

A motion was made by Randy Gray, seconded by Art Kleinjan, that BLM continue to contract with UM to work with the Subgroup and RAC to determine a system for access that is equitable to all user groups, to determine when and if such a system should be implemented, and to report in one year. Consensus was reached.

#17 Moratorium on River Outfitters

A motion was made by Bill Cunningham, seconded by Bob Doerk, to approve the recommendation as written. The motion was withdrawn.

A motion was made by Bill Cunningham, seconded by Bob Doerk, that while developing a series of indicators and the details of a fair and equitable system for any future river allocations, the RAC recommends a one-year extension of the moratorium on river outfitters, not to be extended beyond that time. It is our present intention to not extend the moratorium beyond one year and it will be reevaluated at that time. The motion failed.

Discussion included the following points:

- Who is going to write the letter telling outfitters they can't come on the river? The river isn't crowded, the quality is high, but they can't come in. We would miss an economic benefit to many communities. What precedent do we have to take that position?
- The issue is that you have Montana-based businesses paying Montana taxes, buying equipment, supplies, food in the gateway communities versus the bigger hitters that come in from the outside. Do we try to give the benefit to the home-based and regionally based outfits or let national groups come in? There is no real answer.
- We are one country and this is a federal resource. We have no justification for trying to create an artificial barrier to others so local folks have an advantage. People may not come on the river unless they are with an outfitter, possibly from outside Montana, who they have gone with on other outfitted trips elsewhere.

RAC members then asked Wade Brown several questions:

- In the absence of a moratorium, what criteria would BLM use?
- BLM would fall back to current policy, so anyone applying would have to meet the criteria on a checklist

(insurance, etc.). Anyone who applied and could meet the criteria would get a permit. Outfitter permits and all special recreation permits that relate to the river goes into pilot fee demo and stay on site. Last year around \$17,000 was generated from this program.

- How many outfitters used the river last year?
- Of 23 outfitters last year, 19 actually used their permits. Four reported non-use. Some are one-time-per-year users. These are all strictly summer outfitters. There are no hunting outfitters in the fall with commercial permits from BLM.
- How many were rejected last year who applied for a permit to outfit on the river?
 - Five residents and one nonresident were rejected last year who wanted a license to outfit on the river. New outfitters wouldn't necessarily be competing for the user base out there now. Many have a market somewhere else and would bring their users with them. As an example, one is a Montana resident with a ranching business. He is looking for a way to increase activities for his guests.

One-time commercial users were allowed last year and at least eight are waiting now for a one-time user permit. Examples of this type of user are the UM outdoor program and the School of Environmental Studies in Minnesota. Because of the moratorium BLM was not allowed to issue them a permit to float on the river. A change was made last year so one-time educational groups could go who qualify under the commercial criteria.

- Is it permissible or legal to contact a local outfitter and for a negotiated fee operate under that individual's license?
 - No. Under an allocation system permits are based on a specific number. It would be a third-party agreement and under BLM policy that is not legal.
- What was the original rationale for the moratorium?
 - After Stephen Ambrose's book *Undaunted Courage* came out, each year from 1996 through 1998 showed about a 30% increase in river usage. The concern was that the escalation would continue. However, the numbers flattened out in 1999 through 2001.

RAC discussion continued with the following points being made:

- Four outfitters didn't use the river last year. Maybe that is something for the subcommittee to address. If they don't use it, maybe it should be given to someone else.
- Agree with adding more outfitters. It would bring more people, which means more commercial opportunities for Montana. No rationale exists for continuing the moratorium.
- The rationale is we are dealing with a public resource, not private land within a community. We are not limiting the number of trips, just the number of outfitters. Nothing prevents an outfitter from doubling the number of trips offered.
- Have nothing against free enterprise. The problem is with the "K-Mart" of outfitters. Every outfitter we have is barely hanging on due to the country's economy. Who takes people down the river if the locals are gone because they can't compete?
- Outfitters don't get big by giving schlock service. The outfitters in this area will be able to survive and grow if they are good outfitters and provide a quality experience, regardless of how the other outfitters work. Outside outfitters have their own clientele and serve different groups of people.
- What has changed today compared to two years ago to where the moratorium might not be necessary now? We are at the beginning of the bicentennial celebration. It seems more important to continue it for another year while we look at an allocation system and moratorium data.
- Part of the reason for a moratorium was because we had no idea of number of floaters and number of people using campgrounds. We now have a lot more information on visitor use.
- Don't like idea of a moratorium at all, but would compromise on a one-time renewal. The reason for the extension was to give UM time to develop data.
- We have 12 months to develop indicators and to develop an equitable allocation system.
- The period of concern starts a year from now, from 2003 to 2006. Seems foolhardy to not consider and possibly extend the moratorium again if needed. We should keep all options on the table and see what is

appropriate and needed a year from now.

- If consensus is not reached the fallback is a majority vote in each category, by which three members from each category must vote for a motion.

A motion was made by Stan Meyer, seconded by Bill Cunningham, that while developing a series of indicators and the details of a fair and equitable system for any future river allocations, the RAC recommends a one-year extension of the moratorium on river outfitters and it will not be extended. The motion failed consensus as reworded and a fallback vote was taken.

Vote on fallback: Category 1: passed (4 up). Category 2: passed (4 up, 1 down) . Category 3: Passed (4 up). The motion passed with quorum voting.

Other Business

A motion was made by Stan Meyer, seconded by Jim McDermand, that BLM prepare a schedule of proposed fees for individuals floating the river and present it to the RAC Subgroup. We need to develop a fee system and make recommendations. We need the logistics of collecting fees. It would be a fee demonstration site. Consensus was reached.

Discussion included the following points:

- The goal is to have fees generate 50% of the operating costs on the river. No fees would go toward capital costs.
- We need to study what is being done on other western rivers.
- The expectation would be to have a fee in place by the 2003 season.
- It would give us the fallback of having the logistics to collect a fee.
- It would not be tied to an allocation system.

Discussion on conflicts between floaters and cattle along the river.

The RAC revisited the Subgroup recommendation that BLM encourage hot season grazing. Discussion included the following points:

- This question is being addressed in watershed plans through Standards and Guidelines.
- The word "encourage" is too weak.
- Even though it's been left up to Standards and Guidelines, from the perspective of floaters it should be put back on the table.
- Not every area on the river will grow riparian vegetation. As I read it, it says "universally eliminate hot season grazing." Where there is no potential for riparian vegetation in an area, it is not necessary to eliminate hot season grazing.
- If we can encourage the development of alternative water sources away from these plant communities, it is a win-win situation for everyone.
- BLM is doing that already through watershed plans.
- BLM will continue to increase the development of off-site water sources to encourage the use of no hot-season grazing.

A motion was made by Bill Cunningham and seconded by Bob Doerk, that the BLM will continue to encourage hot season grazing off the river as well as the reduction of camper/cattle conflicts on riparian areas along the river. Need to have alternatives for off-site water. The motion failed and no fallback vote was taken. Due to the time of day, the RAC decided to stop discussion.

Wrap-Up

A discussion of fees was added to the May agenda.

Craig Roberts and Dale Slade will prepare the Recommendations for the Monument Manager and all RAC members will receive a copy.

Motel reservations for the May meeting in Choteau must be made by April 22.

The meeting adjourned at 3:30 p.m.

Central Montana Resource Advisory Council

Public Comments

March 8, 2002

Jack Lawrence

I am here to protest a problem with the monument, the watershed, and the road right-of-way. I'm a landowner about 30 miles east of Fort Benton here, on the Missouri River. One thing that's been kind of hitting me is this Hole in the Wall road. It's been used by the public in our area forever, and now it's up to be closed.

The information that I have dug up, and if I had a little more time could have gotten a little more here, but in 1873 the U.S. government recodified the 2477 road law. It states that all roads or highways laid out and now traveled in the various counties in the Territory of Montana are hereby declared public highways, excepting such roads and highways upon which franchises have heretofore been granted. As far as I can tell there is no franchised road. It goes on to say - and I'll cut things a little bit short here because I know the comment period is only a half hour this morning - only the county commissioners have the right to close any road. The federal government, the state government cannot close any public right-of-way. Only the county commissioners have the right. Those are case law, there's a dozen of them here, and trials have been performed throughout the country. These are on the record. So I do not think that the BLM or anybody else has any more right to close these roads than I do.

I've got land down at the end of this road that I cannot get to because of the chain across the road right now. The chain across the road was put on the top of the hill and ordered to be taken down by the Chouteau County commissioners, which it was, and moved down to the bottom of the hill. That still does not open that road to open travel. If this thing persists you will have two roads down there, because right above, within about 200 yards of that campground, my private property line ends. I will take a cat and dozer, and I've been in the construction business in Canada and all over in the logging business. I've got the equipment and I will take a cat and dozer and build another road right down to the bottom of this Hole in the Wall road, or right very near to it, to the edge of my property line.

If they want to keep pursuing this, that's fine. Property rights in this county are getting walked all over. I look around here today, and how many of you people are from Chouteau County? Maybe five percent? The county commissioners have more authority on these rights than the federal government does, and they will be exercised. If the federal government does not back off of some of these things, private rights are going to take over. The county commissioners have the authority. Case laws will protect them.

This watershed thing is another thing that I look at that it's a federal government takeover of the rights of private property on this water. It's not called a watershed for nothing. It's control of the water that runs over private land on to public land. It's just another right that we in Chouteau County, or any other county, not just Chouteau, have been paying taxes on this stuff and we're losing the rights for it.

I'm kind of ticked off about this, and I don't think I'm the only landowner along this river that is very ticked off on this whole situation. With the Wild and Scenic River Act we lost value to that land. With the monument designation we definitely lost value. The monument can be declared a park with the sign of the President, as happened in the Gunnison Gorge in Colorado when Mr. Clinton decided to make that a park when it already was a national monument. The private property within the bounds of a public park is worthless. I think we all kind of know this. Those are rights taken. Taxes have been paid on those lands for 100, maybe 200 years, depends on what state you're in and when taxes were established. That money has supported public business such as your

county and your highways and all of this, and now your rights are taken away. I don't think that's fair and I don't think that we in this county or any other county should stand and take that kind of stuff from the federal government. We do not have to. The laws and the cases are here to prohibit that. Thank you.

Peter Grubb

Good morning. My name is Peter Grubb. I run an outfitting business on the Upper Missouri called ROW (River Odysseys West). I've had the pleasure of speaking with some of you on the phone. I don't know a lot of you, and I don't have the advantage of having been intimately involved in the RAC process since the beginning. However, I've been an outfitter for 23 years. You can tell that by the top of my head. Our company runs trips in three different states - Idaho, Montana and Oregon. We operate under federal permits from the BLM in four different districts, four different ranger districts of the Forest Service on three regional forests. In 23 years I've had the opportunity to be involved in a lot of land management processes, including limits of acceptable change processes, etc.

I'm here today basically to address two issues which I understand that the RAC will be looking at today, which is the question of the outfitter moratorium and the question of allocation. I did bring notes that I can give you later, but I'll work off of them a little bit if I might to make sure I don't leave anything out.

As I mentioned, I've been outfitting for 23 years. It supports my wife, myself, my family, and about 50 seasonal employees and seven year around people. We operate our Upper Missouri business in Great Falls during the summer and rent property there and have a reasonably significant economic impact to the area. Because of our services thousands of American people have been able to access places like the Upper Missouri that they couldn't have otherwise. That is, after all, what outfitters can provide.

I certainly appreciate the time and energy that you have all committed to this process. I know it's a big commitment and I appreciate that and the opportunity to speak this morning. First of all, I understand that there has been some discussion, if not in the RAC itself in the Subgroup that's dealing with outfitter issues, regarding tying together the outfitter moratorium and some sort of an allocation plan. If that's true, then I would say that that's not a good way to go about this and that each of those issues should be addressed independent of the others.

I would like to first speak to the moratorium. It's obvious that as an existing outfitter on the Upper Missouri, it's completely self-serving to support the moratorium on outfitting. On the other hand, I think there are some legitimate reasons. If the RAC is, indeed, concerned about increased use, then the conservative choice is to continue the moratorium. One reason is you have a small group of outfitters who are a known entity. You know who we are. None of us are very big. I don't think there's anybody that takes more than 150 to 200 people down the river in any given season. In some places in this country outfitting businesses have been taken over by huge corporations like Aramark, the big food service corporation. If the moratorium is lifted, there is certainly a chance that companies like that could jump in there and there could be a severe increase in marketing muscle and use on the river.

Another question I think that the RAC needs to consider when thinking about this, is there a demonstrated need for more outfitters? In other words, is there any compelling reason to have more than the 15 or 16 that are currently permitted from the BLM? I believe that the answer to that question is no. My own business last year saw a decrease in use of about twenty percent. I know that was true for some other outfitters. My experience in this business is that use on rivers is cyclical and it has to do with a lot of things. It has to do with water levels, it has to do with the economy, it has to do with things going on like bicentennials. Even on rivers that are very, very popular like the Middle Fork of the Salmon in Idaho, for example, we've seen a less than one percent growth in use in the last decade. That's a river that's been severely managed and limited and yet at the same time, there's been room for up-end growth. It just hasn't happened.

Another question about demonstrated need is, are the outfitters that are currently there providing the services that the public might demand. I believe, again, that they are. We have everything on the Upper Missouri from two-person canoes to keelboats to large voyageur canoes, the 34-foot canoes which is what my outfit runs, to companies that specialize in trips for physically challenged people. There's a lot of opportunity there. I think that the broad spectrum needs of the American public are being met.

One other thing is simply that as we all know, the BLM is taxed as it is with limited resources and lots to do.

Administering permits is one of those things, and to have the possibility of dozens more outfitters and more permits to administer, the more people they need to deal with would just be a taxpayer burden that I don't think is necessary.

So again, to just summarize on the moratorium, I think the two questions that the RAC should focus on, is allowing more outfitters best for the resource, and is there any demonstrated need for more outfitters.

As far as allocation, I would like to address that now. I believe, if I'm understanding what's been going on in the discussions of allocation both in the Subgroup and maybe to some degree in the RAC, I believe that it's putting the cart before the horse in terms of the fact that the discussion is even happening. Before a person can really speak to allocation there has to be some foundation laid. That foundation needs to ask some questions like what do we want the river to look like in the future, what kind of recreational experiences do people want, should cattle and other land management resources be managed the same way they are now or differently.

Once these conditions are identified, these future desired conditions, we could figure out what should be the trigger that would determine that allocation has become necessary. Is it a benchmark of resource degradation? Is it a sociological determination such as the point at which users feel the resource is too crowded? And what total number of users would lead to either of these conditions occurring? In other words, based on the identified desired future conditions, what's the carrying capacity of the river. That's pretty established in river management all over the west, in fact, all over the country. Carrying capacity is a key question. That can be measured in a lot of ways. Are there ways to address those issues that are different than simply looking at total numbers? For example, on a lot of rivers launch dates are spread out through the week so that everybody isn't launching on Friday. There's lots of simple things that can address these needs.

Almost every popular recreational river in the west has some sort of permit system, whether it limits use or not. Again, I'll just say that in my experience, even though those of you who live here and have seen the growth on the Missouri grow a lot, which it has certainly in the last ten or fifteen years. On the other hand, relative to other rivers in the west it's still not a crowded place. The BLM study that was contracted with the University of Montana bore that out in terms of public opinion. The day may come when an allocation system is necessary, but I believe that before that happens there needs to be more data and research done. One example would be a campsite inventory to figure out what camps are available. We now have the developed camps but there's a lot of undeveloped camps.

As the RAC is looking at this whole issue, I hope that outfitters per se don't become the scapegoat. I would like to say that what I've spent 23 years of my life doing is serving the public, taking people that couldn't otherwise visit places like the Upper Missouri and sharing them, and helping them become advocates for that land and people that are concerned about its future. I really don't like this outfitter versus non-outfitter terminology. It's the outfitted public versus the non-outfitted public. Members of both groups are taxpaying citizens that have rights.

My understanding of the RAC's role is to advise the BLM in terms of direction and priorities, and I think that if you start to get into the nitty gritty of allocation issues and numbers and all that kind of thing, it seems a little bit like micro-management to me, and I would just encourage you to use the resources of the BLM to do the nuts and bolts work.

To summarize, I have five points. (1) that the issues of outfitter moratorium and allocation should be addressed and considered independently of each other; (2) that before allocation is addressed, the "desired future conditions" must be identified; (3) that would in turn lead to a determination of carrying capacity and an appropriate trigger point that would begin the implementation of an allocation scheme developed within the context of desired future conditions; (4) that the RAC should provide direction and advice to the BLM but let them do the hard work necessary to create the plan; and (5) that all these issues should be driven by consideration of how to best preserve and protect the Upper Missouri and how to best serve all recreationists, outfitted and non-outfitted, to enjoy this magnificent resource. Thanks very much.

Dale Hankins

Good morning and welcome to the colder part of Montana. Most of you know me as Chouteau County Planner. I'm here to let you know that I have also recently purchased Bud Heidlebaugh's 3 Rivers Canoes guiding and outfitting business out of Loma, Montana. I did not purchase property, as far as real estate. I purchased his entire inventory of guiding and outfitting and I will be moving the business to Fort Benton, although I'm going to continue

on with his scheduled float trips out of Loma. I just wanted to let you know what's transpired with me. I will continue to be Chouteau County Planner and during the summer I will be putting as much time as I can with Chouteau County, but an extreme amount of time on the river.

As far as the rest of the comments, I have some comments about the moratorium but I will hold those back and see what happens. Thanks.

Michael Gregston

I'm Michael Gregston. I own Adventure Bound Canoe and Shuttle based in Lewistown, soon to be from Fort Benton. I've spent a bit of time this past month researching allocations on river systems throughout the United States. A pattern has emerged. Allocated rivers seem to have several things in common, including one or all of the following: trout, white water and rafts. Then the question becomes, what rivers in the western United States are similar to the Upper Missouri. I looked for large flat water rivers without trout and enough public land to support canoe camping, which according to Burchfield and Moisey, is our largest user group. I came up with two, the Lower Rio Grande and Big Ben National Park. These rivers are similar to our rivers. They are large flat water rivers. Trips are about three to eight days, and they're about a hundred miles each. Thank you.

John Cloepfil

Good morning. I represent probably a group that is unrepresented. I don't own land. I'm not an outfitter. I'm retired and I live in Fort Benton and I really enjoy fishing. With that said, my concern is also with the roads, and the roads in this matter. I would like to see the access to the river remain open. But I don't think that BLM is the bad guy in this. I also know that sometimes in order to access public land, BLM land if you will, you do need access across private land. Very often when feelings and emotions are running high and there's disagreements, there is a tendency to shut down access, perhaps from both sides. I'm not sure anything good is accomplished with that. But what I am aware of is that my access to a fishing hole is very often removed. This river has great fishing and thus far, I've been pretty lucky. It's taken nine years to develop a relationship to be able to get in to some of this ground, and depending upon the attitudes and the feelings that are going to emerge from the recommendations of this meeting, those nine years I hope will not be spent in vain. Please understand I'm not upset or angry with anybody. I just don't think BLM's the bad guy. I don't think the private property owner's the bad guy. I do enjoy fishing. I would like to be able to do that in the future. Please keep my group of one, at least, in mind when you start discussing some recommendations. I would appreciate it. Thank you.

Central Montana Resource Advisory Council

Choteau, Montana

May 1, 2002

The meeting convened at 1:00 p.m. at the Stage Stop Inn. RAC members present were Craig Roberts, Bill Cunningham, Bob Doerk, Arlo Skari, Charlie Floyd, Art Kleinjan, Bill Old Chief, Jim McDermant, Glenn Terry, Larry Ostwald, and Randy Gray. Absent were Dale Slade, Kim Lacey, Stan Meyer and Joy Crawford.

BLM personnel in attendance were Sherry Barnett, Bruce Reed, Dave Mari, Gary Slagel, Chuck Otto, Don Judice, Lou Hagener, Kaylene Patten and Kay Haight.

Public Comment Period

One member of the public gave comments which are attached.

Welcome/Chairperson Synopsis/Meeting Minutes

Kaylene reviewed the meeting agenda. Bruce Reed introduced the new Acting State Director, Sherry Barnett.

The minutes of the March 8 RAC meeting were signed as approved.

Craig Roberts stated that no responses have been received on letters the RAC sent to the congressional delegation asking for more recreational funding dollars (see minutes of 1/30/02 meeting).

Monument Resource Management Plan Core Team Update

The open houses have been rescheduled for the weeks of July 8 and July 15. The next meeting of the core team will be held on May 21. Craig noted it is worthwhile for a RAC member to attend the meetings. Since his term expires soon, another RAC member will be selected to attend the meetings.

Fee Demonstration System

Gary Slagel distributed Guiding Principles for a Recreation Fee System, which states that a recreation fee program must be fair, efficient, consistent, convenient, accountable, collaborative, and have integrity. A BLM team has been put together to work on this issue. Team members are Gary Slagel, Wade Brown, Clark Whitehead, Howard Lemm, and Kim Prill. The first meeting will be held on May 8 in Billings to begin developing a fee system for the Upper Missouri River. The intent is to implement fees in 2003, at the beginning of the float season.

Gary also distributed copies of an Annual Operating Plan from the South Fork of the Snake River as a sample of what could be developed by the team. Concerns include whether to call it a launch fee, campground fee, or parking fee; the amount to be charged; and who would be charged. Other considerations will be season permits and outfitter permits. The team's work product will come before the public for review and comment.

Gary invited RAC members to attend the May 8 meeting. Travel expenses would be paid by the BLM. Bill Cunningham and Jim McDermant expressed interest in attending.

Upper Missouri River Breaks National Monument

Scoping Process

The Federal Register Notice of Intent, which officially starts the scoping process for the Resource Management Plan/Environmental Impact Statement (RMP/EIS), was published on Wednesday, April 24, 2002. A copy was distributed to RAC members along with a news release and a letter Secretary Norton sent to Governor Martz.

The Notice states that the comment process will end after 120 days, but BLM will accept written comments throughout the entire planning process. An e-mail site has been established for accepting comments: monumentrmp@blm.gov. The Monument web site will be continually updated.

The next core team meeting will be held May 21 when they will schedule the open houses and county government briefings in the communities previously identified. More locations may be added to the schedule such as the Cleveland School (south of Chinook). Art Kleinjan offered to arrange for use of the schoolhouse.

The open houses are tentatively scheduled for the weeks of July 8 and 15 in order to give the public considerable advance notice. BLM would like to have a RAC member in attendance at each open house, and they will be contacted when the schedule is drawn up. Gary asked that anyone with questions about the Monument or the process call him.

Monument Boundary

Secretary Norton has said that she is not going to adjust the Monument boundaries, and the planning process will not be used to adjust the boundaries. That would occur only through congressional action.

Weed Control

BLM will continue working to control noxious weeds within the Monument. Art Kleinjan asked about the availability of funding for weed control, and Lou Hagener said he will follow up on it.

Subgroup Recommendations

At the RAC's request, Mark Good gave a briefing on the Subgroup's activities. The Subgroup is looking at ways to accommodate use on the river, and if usage increases, ways to identify indicators of negative impacts on the river. They will come back to the RAC with a plan to establish thresholds for implementation of changes. That process is just beginning and will probably take most of this year. The next meeting of the Subgroup will be held in June.

The Subgroup also has discussed fees, and they unanimously oppose use fees for the river. Some of the rationale is that such a tiny amount of tax money is going to manage public lands, the public doesn't mind the money going there. They also believe that charging fees will create a continuous cycle of more services to generate more fees.

Dave Mari stated that the RAC recommendations to limit development, and indicators of negative impacts on the river that would trigger restrictions on use, would help prevent such a thing from occurring. RAC members restated one of the major principles they adopted concerning the monument, "less is more," and said that any fee collection should stay within that parameter.

Dave noted that the entire Upper Missouri River was set up as a fee demonstration area, although currently fees are collected only at Kipp. BLM's budget for recreation funding has not been increasing, and a fee demonstration area is a way of supplementing that funding.

The RAC requested and it was agreed that any proposed fee system will be presented to the RAC before a final decision is made. Gary Slagel requested that the RAC make any recommendations on the proposal by late fall of this year.

Rights-of-Way/Easements

Art Kleinjan said that Blaine County is no closer to working out easements with BLM than they were at the last meeting. Owen Billingsley had suggested the possibility of making a blanket easement or right-of-way for all established county roads going through or adjoining BLM lands without going through the whole survey process. They were heading in that direction when Owen got transferred.

Dave Mari and Chuck Otto stated that issuance of rights-of-way would include cultural clearances. A 28-month backlog on realty issues currently exists in the Havre Field Office. Adding this workload would further the backlog.

Bill Old Chief noted that the tribes formerly owned lands in those areas, and without a cultural study there is no way of knowing what may be out there. There is already a set plan, or protocol, that needs to be followed so that the cultural aspects are considered.

A motion was made by Art Kleinjan and seconded by Charlie Floyd to have BLM expedite the process of establishing and recording rights-of-way/easements on petitioned in or properly established county roads. The motion was tabled until the next meeting due to lack of a quorum.

RAC discussion included the following points:

- Several counties are in the process of inventorying county roads due to a lack of records.
- Another side of the issue is abandonment of county roads, which means the county no longer maintains a road and it reverts back to the landowners.
- Because the issue is complicated they would like an expert to present information at the next meeting (including BLM and DNRC representatives to review the process on BLM and State lands, Public Lands Access Association).

Oil and Gas Issues

Don Justice briefed the RAC on the status of drilling applications within the Monument, north Blaine County activity, Rocky Mountain Front activity, and the intent and objectives of today's tour.

A fact sheet was distributed on BLM's responsibilities for leasing oil and gas and geothermal resources on all Federally owned lands, including those lands managed by other Federal agencies. On tribal lands, the BIA issues the leases and continues to have a role in how the surface is managed, but the BLM oversees oil and gas operations and is training inspectors on BLM standards. BLM has a cradle-to-grave role on mineral activities on tribal lands, and the Great Falls Field Station is responsible for approval of drilling on any reservation lands and downhole maintenance. EPA only gets involved in oversight of the Underground Injection Control program to ensure wells meet casing integrity.

Status of Macum/Klabzuba/Ocean Drilling in Monument

Don reviewed the briefings that were held on the draft Environmental Assessment (EA). BLM received 36 comment letters from government, industry and the concerned public. A content analysis team reviewed the letters and prepared responses/corrections. The tentative date for release of the final EA is next week. Don has concluded that he still supports a Finding of No Significant Impact (FONSI). When the FONSI is signed, he will also sign eight of the nine drilling applications. The ninth application is tied up in a lawsuit.

North Blaine - Battle Creek

This is a 16-township area (T34N-37N, R21E-18E) where there is interest in natural gas development by Pan Canadian. Nexen, Klabzuba, Ocean, and Summit Resources are other companies doing work in the area.

BLM is gathering data from the companies as to their intent. Once the scope of planned work in the area is determined, BLM will decide the level of NEPA analysis needed to address the issues.

Most of the federal acreage in the area is leased. Art Kleinjan stated that he supports production only to the point that it doesn't interfere with AUM's for livestock producers.

Don talked about a procedure companies in Canada use to minimize disturbance. The companies do not build a location. They have self-leveling rigs and drive over natural ground without building roads. A small pit is dug to discard cuttings. Liquids are captured and held in tanks on the rig. Vehicles on low pressure, big profile ATV discharge the mud onto cultivated farmland. This is a regulated, ongoing process in Canada. He suggested that anyone interested search Alberta Guide 50 on the internet.

Part of the proposed action for North Blaine is that BLM will institute this type of minimal disturbance. Current

spacing of wells is 320s (two wells per section). The companies have been petitioning the Board of Oil and Gas and getting approval on a site-specific basis to downspace to 160s (four wells per section), which is what BLM would analyze. Field work is being done to gather resource data.

No large filing of applications for permits to drill has triggered this action, just ongoing small requests (6-8 at a time). Of 50 wells drilled in the past three years, there are no dry holes yet and no plugging instructions have been issued.

For gas wells on Federal lands, waters are currently disposed of in surface evaporation pits with impermeable liners and a leak detection system.

Don will brief the RAC again at its next meeting.

Rocky Mountain Front

Nothing new has occurred. Two companies have proposals filed - Startech and Grizzly Resources - and they are waiting for submission of a proposal from Boone and Crockett - Dorothy Tripp Rutter Trust out of Texas.

BLM has studied what it will take to analyze those proposals and has decided that enough changes have occurred since the 1992 Blackleaf EIS was prepared that a new EIS is necessary. They have petitioned the Washington office for funding to have a third-party contractor write the EIS and are waiting to hear back from them.

In the Badger-Two Medicine area, leases are totally on the Lewis and Clark National Forest. The Keeper of the National Register has determined the area is eligible for listing on the National Register, but a formal nomination would have to come from the Blackfeet Tribe. There are two long-standing proposals for drilling in this area. One proposal is inside the cultural district boundary and the other is outside the boundary. A 1991 Record of Decision (FINA) will be reviewed to see if the document is adequate.

Tour Objective

Don stated the purpose of today's tour was merely to allow RAC members to see the Rocky Mountain Front. He offered to conduct a separate tour in the future to three producing wells in the Blackleaf area.

The meeting adjourned at 4:00 and the tour to the Front took place from 4:30 to 6:30.

Attachment to

Central Montana Resource Advisory Council

Minutes of May 1, 2002

Public Comment

Mark Good

I'm Mark Good. I work for the Montana Wilderness Association in Great Falls. I noticed that on the agenda there's some discussion about the Rocky Mountain Front and oil and gas. Typically those discussions usually focus just on oil and gas, and I guess it's always important to remember that the Front is about a whole lot more and there's a whole lot of other values that contribute to making this area as unique as it is.

One of those values, or resources, is wildlife. Mike Aderhold, a former RAC member, described this area, as have other biologists, as being probably among the top one percent of wildlife habitat in the entire United States. I think he went as far as including Alaska in that. But it's important also to remember that it wasn't always like that. It didn't just happen, that it happened because a lot of commitment and efforts that people have made over the years, really since the turn of the century when much of the wildlife was destitute, partially a result of commercial hunting and conflicts with livestock. Since then landowners, ranchers, hunters, conservationists and others have worked together to address the question about just how to live with recovering wildlife populations within the

human patterns of land use. They concluded that if we're really going to have wildlife, we're going to have to provide some natural range for them. That includes, in this case, a mix of federal, state and private lands, much of it in the Front, in the foothills and the plains which are used by a variety of species, each of its own kind.

In the case of grizzlies in the spring seeking their break from winter fast in the high country when it's still snowbound, to elk seeking their winter's forage as the deep snows come again. The high wildlife values which exist are a result really of the creation of the Bob Marshall Wilderness Area and some of the subsequent additions - the Scapegoat and then the Great Bear. In addition, the State has always recognized the need and they invested heavily from the beginning, first with the creation of the Sun River Wildlife Management Area followed by the Blackleaf Wildlife Management Area and Ear Mountain Wildlife Management Area. All of these projects lie in this wildlife corridor leading from Glacier National Park south down to Yellowstone, all along the Rocky Mountain Front.

These efforts have in turn been augmented by private efforts, by The Nature Conservancy, High Butte Reserve, Boone and Crockett Club. Of course, a lot of the landowners there have also obtained conservation easements and I know that's a great concern for them that this area still remain much as it is. It's pretty much unlike, certainly if you look at Yellowstone Park where you see all the development going in around there, this is unique.

As a result of these efforts and this whole Bob Marshall Wilderness complex and the lands outside, it's probably become one of the last, or largest intact ecosystems remaining in the entire nation. Jim Posewitz, who some of you may know, has documented this long conservation history in the Rocky Mountain Front and the commitment of ranchers, hunters and others, and described the Rocky Mountain Front and wilderness to the west as probably one of the most significant conservation achievements in the nation. He went further, perhaps even in the world.

My point is simply that the issues surrounding development of the Front, the energy subdivisions, roads, off-road vehicle use, need to be discussed within this context, the context of this history. The question must always be raised, "How will these activities contribute to this conservation legacy?" The answer I think is probably that they won't. I think there's a place for these activities and, in fact, most public lands are open to these activities. But there needs to be places that are managed for other values and the Rocky Mountain Front is one of those places.

So I just want to encourage you in these discussions in the future that you bring in some other people to talk about some of these other kind of values.

Thank you.

Central Montana Resource Advisory Council

Choteau, Montana

May 2, 2002

The meeting convened at 8:00 a.m. RAC members present were Craig Roberts, Bill Cunningham, Randy Gray, Bob Doerk, Arlo Skari, Charlie Floyd, Art Kleinjan, Larry Ostwald, Jim McDermand, and Glenn Terry. Absent were Bill Old Chief, Kim Lacy, Dale Slade, Joy Crawford and Stan Meyer.

BLM personnel in attendance were Sherry Barnett, Bruce Reed, Dave Mari, Gary Slagel, Chuck Otto, Lou Hagener, Kaylene Patten and Kay Haight.

Public Comment Period

One member of the public offered comments which are attached.

Draft Sage Grouse Conservation Plan

Roxanne Falise, wildlife program manager in the BLM State Office, gave an update on the draft conservation plan for sage grouse. There is a stable population of sage grouse in Montana, but the greater sage grouse is considered one population, and if it is listed in Oregon it will be listed in Montana as well. However, if a conservation plan is in place, it helps the Fish and Wildlife Service make a determination that a listing is not

warranted at this time because measures are in place. Also, if a plan is implemented and effective, we can function under different rules and don't have quite as much oversight by the Fish and Wildlife Service.

The work group is trying to understand what the sage grouse population is doing and build in conservation actions to maintain the populations over time. The plan discusses what sage grouse need, potential issues, how we can consistently monitor and collect data, and a host of suggested conservation actions to address the issues. The working group hasn't taken a hard look at any specific geographic areas because of different components in different areas, but has a plan to set up work groups in 11-14 identified communities to work on local issues and identify specific objectives. They will implement the local work groups in tiers and kick off 2-3 every year to ease the workload. The plan contains a list and rationale for the sequence of a tiered system.

Some landowners have been concerned the focus is too much on grazing, so the working group has tried hard to talk about all the issues affecting sage grouse, not just grazing. There is no single issue because conditions vary across the state. This is more of an umbrella conservation plan that tries to help people know what to do.

Typical attendance at committee meetings is about 30-40 people. A couple of landowners are full-time dedicated members. The working group keeps reassuring the public that specifics and objectives for particular areas will come out of the local groups.

Randy Gray stated that sage grouse is an indicator species that the resource is being well-managed and that there are people all over the state and elsewhere who would love to participate in sage grouse populations surveys. He encouraged the agency to reach out to those willing volunteers. Roxanne responded that education and outreach are components of the plan.

BLM's information is shared with the National Wildlife Federation and Fish, Wildlife and Parks. They have a central database and have established protocol for gathering data. BLM can't do NEPA analysis on this plan because it is so broad. The State may come out with a few different alternatives for population levels under a MEPA document.

Roxanne requested that the RAC think about the role it could play, either in commenting on the plan or establishing work groups. The draft plan will be released by the end of May and RAC members will receive a copy.

The RAC members agreed to individually review the draft plan prior to their next meeting and to make a RAC recommendation at that meeting. They requested that a press release be issued to smaller (weekly) community newspapers before the draft is released and the local work groups are named.

Craig Roberts noted that predation and hunting were common themes expressed at public meetings held before the working group meetings. It is a sensitive issue that we still allow shooting of birds when hunting. The State wants to maintain authority over hunting through adaptive management. Many working group members felt the State's proposal was too general and no commitment was made to adjust hunting as needed if populations decrease. The State will give more details in the draft plan on an adaptive management scenario.

Predation is a dilemma. Some people would like to see more predator management, but unless we improve habitat, we will only be spending funding on predator control. The draft plan has an issue statement that discusses predator control.

Sharptail is not considered at risk in Montana, where the Conservation Reserve Program (CRP) has helped populations.

Swift Fox

Canadians have been reintroducing the swift fox for several years. Two years ago they asked Montana to be partners in census work. At least 300 swift fox are in Montana now and they seem to be reproducing and expanding their range. During next winter, survey work will be done in southeastern Montana. Crop conversion and poisoning contributed to the population demise.

Swift Fox is still a special status species in BLM, but has no federal listing because of successful reintroduction.

While coyotes are a deterrent, they are not to the degree where swift fox are not expanding.

Field Manager Issues

Bruce Reed, Malta Field Office

- Zortman/Landusky

- The Ruby Gulch tailings project should be done by late May, early June.

- The Zortman townsite contains public land tracts. A Federal Register Notice came out this week about a land sale to solve a trespass issue on one of the public tracts.

-- The Record of Decision for the Final Supplemental Environmental Impact Statement for Reclamation of the Zortman and Landusky Mines was signed yesterday (May 1). A 30-day protest period now begins.

- RAC Nominations

-- The BLM will extend the nomination period until May 7. Bruce encouraged RAC members to solicit people to apply. There are five openings on the Central Montana RAC. Of those, two cannot reapply because of term limits.

- Fire and Fuels

- They hope to finish the fire management plan by 2004.

-- Hazardous fuel reduction projects are going on in the Zortman/Landusky areas.

- Ferrets

-- Spring spotlighting was done three weeks ago. Out of the original 20 ferrets released last fall, 2 were found (male and female).

-- An additional ferret allocation is being requested this year.

-- Release sites are fenced with an electric fence to keep predators out.

- An Administrative Rule has established a hunting season for prairie dogs.

- Of 220 BLM dams in the State of Montana, 150 are in the Malta Field Office area. A preliminary inventory has identified 76 to be surveyed this year, 50 of which are in the Malta Field Office area. They will be looking at unsatisfactory/poor dams to determine if the dams should be repaired for continued use or decommissioned.

- Due to drought conditions, they are working with individual permittees on a one-on-one basis.

Dave Mari, Lewistown Field Office

- Watershed Plans

-- Vimi Ridge (public lands around Loma) plan is in the final stages.

- Upper Missouri. Due to the many requests received for extensions of time, the comment period did not close until April 5. Only 3 allotments had minor technical adjustments. They hope to get the final out by the end of May. A 30-day protest period then starts.

- Arrow Creek. This is a new watershed plan on the south side of the Missouri River. It includes some allotments within the Monument that weren't covered in the Upper Missouri Plan.

- The next watershed plan will cover grazing allotments on the north side of the river within the Monument.

- Judith Mountain Landscape Analysis. This plan is associated with forestry and fuel reduction issues in the Judiths north of Lewistown and the surrounding area.

- Oil and Gas Issues

- A large realty workload exists in the North Blaine County area because of roads associated with oil and gas development.

- The Blackleaf area EIS will be contracted out. No funding has been received yet, but they anticipate funding next year.

- Other Planning Efforts

- Monument Resource Management Plan. The Notice of Intent has been published in the Federal Register which starts the scoping process. BLM will develop alternatives by the end of summer 2003.

-- When the Judith-Valley-Phillips Resource Management Plan was finished, a protest was received about wildlife impacts from oil and gas development not being adequately addressed. The plan amendment is back on target and will be wrapped up this year.

- Monument Operations

-- \$2.9 million was received for architectural and engineering studies and construction of the Fort Benton Interpretive Center. Roadblocks to the construction have included the water treatment plant being considered a historic structure so they must comply with the National Historic Preservation Act; concrete chunks were used in the past as fill in the river, and they cannot be removed without consultation with the Fish and Wildlife Service because of pallid sturgeon populations.

-- Knox Ridge Road graveling. This was viewed as fairly routine maintenance of the road when the project first started. However, the project has generated a great deal of interest because it was the first one proposed in the monument post designation. Also, counties were concerned that all the available gravel in the area would be used. They have subsequently found other sources. Conservation groups are concerned about wildlife impacts from the project. BLM will make a decision in the next week or so whether to just maintain the road by putting gravel on it and not eliminate blind curves, or abandon the project and wait for Monument Resource Management Plan. Originally the project included the Middle Two Calf Road and DY Trail. A decision was made to defer any

work on those routes until completion of Monument Resource Management Plan.

-- Coal Banks Landing improvements are ongoing.

-- The University of Montana studies and work with the RAC subgroup are continuing.

-- BLM will be designing improvements to the road at Wood Bottom with the assumption that funding will be received in next year's budget to do the work. This is the road from Decision Point going upstream three or four miles.

-- Office space and remodeling projects. Work is being done on the fire dispatch center in Lewistown and the Zortman fire station. BLM is looking at options, including new office space, for the Lewistown field office. Numerous problems with the building include inadequate wiring and mold in the walls.

-- The Two Calf pipeline should be completed this fall.

-- Monies received from resolution of a trespass issue involving the Burnett Peak Fire of 1991 are being used to put in a recreation trail in the Judiths.

-- Hole in the Wall Road. Chouteau County is reviewing historical records to determine whether it is a county road.

-- The RAC nomination process was reviewed. Around February of each year the announcement goes out that BLM is looking for nominations. They are usually due by late April. They review the applications and make a recommendation at the field office level for two people for each position. The recommendations are sent to the State Office, who then coordinates with the Governor's Office in June. Around August or September we are notified who the Secretary has picked. Typically, new members would be at the September meeting.

-- The new administration has been impressed with the work of the Resource Advisory Councils and would like to continue use of the Councils. The Secretary is considering meeting with the chairpersons of the RACs sometime in October. No firm date or particulars are known at this time.

Lou Hagener, Havre Field Station

- The Montana Air National Guard has released the final EIS on the target range. The area in Blaine County was selected as the preferred site. This is an area about 3x5 miles in size, two miles north of the northernmost boundary of the Monument. It will not have great impacts within the Monument. Overflights will continue to be 1000 feet or more above the area. Noise would not carry the two miles to the Monument when the target runs are being made. Fort Belknap has been heavily involved in this process and is receiving compensation. The bulk of the land in the preferred site has been held in trust for the tribes. The land has been turned over to the tribes, but is outside the reservation boundary.
- Weed progress report. A comprehensive plan has been finished to deal with weeds within the Monument. A proposed weed inventory prepared with weed districts and conservation districts would provide necessary baseline inventory, but some landowners are not in favor of the proposal. Lou proposed a one-day field trip for RAC members to see the situation on the ground. The RAC members agreed they would like to do this.
- Drought. The Havre Field Station has met with the cooperative state grazing district each month. Blaine County has less than half the normal numbers of cattle. A fair amount have gone to North Dakota and probably will never be back on the tax rolls.
- North Blaine County gas development. Agas company agreed to do sage grouse inventory on leks in north Blaine County this year using their own biologist, but he had trouble getting a work permit this year so we lost this window of time.

- Cow Island Trail work will be part of the Monument Resource Management Plan.

Ferry Project Update

Art Kleinjan briefed the RAC on the ferry projects (Carter, Virgelle and McClellan/Stafford). Funding of \$1.6 million was received, of which the State and three counties had to come up with 13 percent. The engineering work took one-third of the money, so now they have complete plans and not enough money to complete the project. They are applying for \$1.7 million in discretionary funds. The State has agreed to put up the 13 percent matching funds for that money, and no more would be needed from the counties.

The projects will consist of better docking areas, new ferry boats and terminals. No problems exist at the McClellan/Stafford ferry site. The Carter ferry is on private land and they do not want to contract with the State of Montana. The Virgelle ferry sits in a floodplain and a building cannot be placed there, plus the sewer must be pumped up out of the floodplain. Discussion now involves how extensively one can rebuild a house and still call it a rebuild.

The ferries will remain free of charge and run from 7-7 every day. The buildings will be ferry terminals, not housing for the operators. A small portion within the building will be open for floaters to come in and get informational pamphlets. They are unsure yet what kind of outside facilities (bathrooms) to have. It would be feasible to build vault toilets at McClellan but not at Virgelle because of the floodplain.

Budget Update

Dave Mari reviewed budget costs for this fiscal year which did not include salary or vehicle costs:

Seasonals	\$86,000
Volunteers	43,000
Maintenance	<u>32,000</u>
Subtotal	\$161,000
Coal Banks Landing	324,000
Decision Point	5,000
Wood Bottom	<u>5,000</u>
Subtotal	334,000
Cooperative Ecosystem Studies Unit	10,000
Aerial Flights to Monitor WSAs	<u>5,000</u>
Subtotal	<u>15,000</u>
Total (FY2002)	\$510,000
Also received: Monument RMP	\$200,000
Fort Benton Interpretive Center	\$2,900,000

The RAC members discussed the letters they sent to the congressional delegation in early March to request more funding for BLM and the lack of any response to date. They decided to send a short follow-up note to the delegation, with a copy of the original letter attached, to let them know that the RAC is serious about the request and would appreciate their assistance and would appreciate hearing from them. It should be mentioned in the letter that the funding request was a major topic of discussion by the RAC. Two letters were sent previously, one

specifically geared toward the Monument and one toward general recreation.

The RAC then held a discussion on the possibilities of foundation funding. People from various foundations could be invited to come out and participate in activities where funding is needed, particularly for research projects, weed issues. Activities like counting prairie dogs give people ownership.

Open Discussion

Optional tours, outside regular RAC meetings, were discussed. The oil and gas tour to the Startech wells in the Blind Horse Outstanding Natural Area could be reached by hiking or on horses. The site is 1.5-2 miles from the road. A tentative date of June 6 or June 7 was chosen. The weed tour in the Monument could be held on the same day as one of the open houses at Big Sandy or Fort Benton. Tentative dates of July 16, 17 or 18 were chosen.

The next subject of discussion was lack of a quorum for this meeting. It was troubling to the members to spend two days at a meeting and not be able to vote because of no quorum. The by-laws state that a letter will be sent by the Designated Federal Official if two successive meetings are missed. If it is known that a quorum will not be present, the Official would recommend not holding a meeting.

Bruce Reed presented a letter and token of appreciation to outgoing member Craig Roberts for his participation on the Resource Advisory Council.

Agenda/Next Meeting

- Monument Resource Management Plan/open house update
- Fee system proposal
- Easements presentation
- Briefing on north Blaine County project
- Sage grouse recommendations
- Subgroup recommendations on indicators (invite Burchfield and Moisey)
- Follow-up on tours - oil and gas, weeds
- 2002 floating season - lessons learned, problems, numbers, management, etc.
- Responses to congressional letters
- Election of officers and representative on core team
- Presentation from Richard Hopkins on shell masks found in Sweet Grass Hills and liaison work with tribes related to Lewis and Clark Bicentennial
- Update on OHV trespass in Sweet Grass Hills
- Field Manager issues - State Director

When: October 2 and 3 (Wednesday and Thursday)

Where: Chinook Motor Inn

Time: 1:00

Public Comment: 1:00 and 8:00

Social: Chief Joseph Museum and Battlefield site tour

Craig Roberts said he will contact those members who did not attend the meeting and restate the importance of attendance. Letters will be written to follow up on the funding requests. He thanked everyone for his experience on the RAC.

The meeting adjourned at 12:25 p.m.

Central Montana Resource Advisory Council

Public Comment

May 2, 2002

Gene Sentz

My name is Gene Sentz from here in Choteau. I'm a school teacher. I've taught here about 12-14 years now, which really isn't very long for people my age, because most people my age are retiring, I guess. Before I was a teacher here I worked in the mountains for about 15 years and I have been here a total of 32 years now. When I first came I worked for the Forest Service as a seasonal ranger back in the mountains, and then I started guiding and packing for outfitters.

It was just about 25 years ago this fall a group of us got together, probably not more than 15 or 20, mostly guides and outfitters and a few farmers and ranchers that go in the mountains a lot, in response to a Forest Service plan that was going to lease the whole Rocky Mountain Front for oil and gas leasing and pretty much open it up for potential development. Most of us didn't want that and we're still going. We're not really a real organization, I guess, we're more of a loose knit network. But we are networked in with a lot of organizations. I guess we've got about 500 people up and down the Front locally in the towns along the Front.

I guess my biggest point that I wanted to make here is that I understand that you folks took a drive up to the Front yesterday and I'm glad that you did that just to see it from a bigger, broader perspective. I urge you just to do that. This morning I just drove up to the airport and came down off of the hill just to see the whole sweep of that country up there. This is the only place along the Rocky Mountain Front from Canada to Mexico that's basically not developed. If you go up to Alberta just 150 miles north of here, the oil and gas industry has developed those mountains and it's major industry. It looks like major industry, and in fact, I brought some pictures here of the Shell Canada Waterton gas plant between Waterton and Pincher Creek which is not very far from here. It's about the size of a pulp mill. I'll just let you pass these around and take a look at them.

I guess that's the kind of heavy development that we'd rather not see around here. I know that BLM has to deal with oil and gas applications for permits to drill, and I know there's one up on the bench under Choteau Mountain in the Blind Horse Outstanding Natural Area and that's going to be extremely controversial. First of all, we feel that those leases were granted before any EIS was ever done. Even though I know that BLM now has to go through another whole EIS process, it's extremely controversial.

We were up there last summer with the people from Startech Corporation that want to drill that site, and they're talking about hauling a hundred semi loads of equipment up there. That's right in the middle of our area where we guide and pack through every summer with one of the guest ranches that I work for.

The grazing permittees that are up there, I'm sure they don't want it. The private landowners three different directions to get into, none of them want these oil companies going through their property. I know that BLM is going to have to deal with it one way or the other and do the best they can, but I guess from our standpoint, we'd really rather not see any of that kind of major industrial impact up in that country there that's virtually been untouched by that kind of impact.

I've got a couple of books here. When we met with BLM in Great Falls last summer and the Director from Billings was there at that time, Mat Millenbach, and I remember that one of the BLM people from Great Falls, Don Judice, was saying that Secretary Gale Norton was from Colorado and when we talked about the Rocky Mountain Front she thought that the Front Range was just this mountain front that runs all the way from Canada to Mexico, which it is, and I said, "Well, tell the Secretary that this is Montana's Rocky Mountain Front, not Colorado's Rocky Mountain Front, and we really don't want it to look like Colorado's Rocky Mountain Front."

I think it is really an entity and I just gave a copy of a book on the Rocky Mountain Front to the Acting Director here and a copy of this one. This is called The Making of a Masterpiece, and it's about the conservation history that's taken place along this Front country for the last hundred years. I'd be glad to, I've got these copies if anybody doesn't have one I'd be glad to just let you have them.

The only other thing I want to leave with you is something I wrote for a book. Actually, I wrote it as a newspaper editorial to start with and then it got into a book, but I've reworked it a little bit. I can probably express my feelings in writing better than I can by talking about it. I made, I think, enough copies probably to go around here of what I feel about the Front and I think what a lot of us local guys that pack and guide up here and use that country and probably know it as well as anybody knows it. I'll just leave those with you and if you have any questions.

These were actually put together partly by the Boone and Crockett Club, and I don't know who else for sure put this together. Thank you for this opportunity.

Question: What is your group called?

Response: Friends of the Rocky Mountain Front

Question: Does it focus just on, what's the geography that you're working on here?

Response: When we talk about the Rocky Mountain Front, we haven't taken positions on private land issues. It's been totally the public lands along the Front. When I say public lands, it's mostly the area from Highway 2, Marias Pass at Glacier Park, all the way down to Highway 200. That's generally speaking. It's that narrow strip along the Bob Marshall, Great Bear, Scapegoat Wilderness boundary. The wilderness areas and the national park are already off limits for any kind of development like that. So we're talking about the National Forest and BLM lands, and also there's three State wildlife management areas - the Sun River Game Range out of August which winters the second largest migrating elk herd in the country, and the Blackleaf Game Range and the Ear Mountain Game Range, which I think you probably at least got a glimpse of yesterday, well, all three, really, you saw Sawtooth if you went up just due west you could see Sawtooth. That's where the Sun River Game Range is, right under that, and then Ear Mountain Game Range, and then the Blackleaf Game Range. So we've been focused mostly on the public lands - National Forest, BLM and State - along the Front that are not protected by wilderness designation.

Thank you very much for letting me speak. I appreciate it.

Central Montana Resource Advisory Council
Meeting on November 19-21, 2002
Lewistown, Montana

The meeting convened at 1:00 p.m. on November 19 in the BLM Lewistown Field Office. RAC members present were Bob Doerk, Francis Jacobs, Larry Ostwald, Arlo Skari, Art Kleinjan, Jim McDermand, Glenn Terry, Darryl Seeley, Bill Cunningham and Dale Slade. Stan Meyer was in Phoenix, representing the Central Montana RAC at the national RAC meeting. Absent were Randy Gray, Joy Crawford, Bill Old Chief and Charlie Floyd.

Present for the BLM were Dave Mari, Chuck Otto, Gary Slagel, John Fahlgren, Jodi Camrud, Vinita Shea, Kaylene Patten and Kay Haight.

Public Comment Period

One member of the public gave comments, which are attached to these minutes.

Welcome

Kaylene Patten welcomed new RAC members Francis Jacobs and Darryl Seeley and the other RAC members introduced themselves. The meeting agenda was reviewed and minutes from the previous meeting (May 1-2, 2002) were approved and signed.

Dale Slade asked if anything could be done by the RAC toward resolution of Wilderness Study Areas (WSAs) by Congress. Dave Mari responded that it would take a consensus on the part of Montana's congressional delegation to move the wilderness bills forward. Lands in the WSAs on BLM and CMR are managed under two different interim management policies. The CM Russell National Wildlife Refuge has closed all roads until Congress acts. BLM has continued uses that were taking place at the time lands were placed in a WSA, so long as those uses are not impairing the wilderness values.

Kaylene reviewed the RAC's consensus process, agenda development and distribution, team guidelines ("do's") under which the RAC operates, and administrative procedures.

Dave Mari reviewed the selection process for RAC members and the disposition of RAC recommendations. If BLM has the authority to implement recommendations, they can do so right away. Some recommendations must cycle through a management plan, and others are beyond BLM's ability to implement. RAC meeting minutes are posted on the BLM web site. The State Office is usually well aware of issues that lead to RAC recommendations, and all resolutions are forwarded to the State Office.

Dave noted that BLM uses the RAC for advice on resource issues, as a sounding board, to foster public involvement and understanding, to provide feedback to constituencies, and for help on tough, contentious issues. RAC members can establish subgroups, be advocates for the BLM, and can petition the Secretary of the Interior if they feel recommendations are being ignored. BLM expectations for RAC members are honesty, open discussions, come to meetings prepared, act in a timely manner, seek out fellow RAC members, and focus on peoples' needs, not their positions. Due to time constraints, BLM can't always wait for a RAC recommendation before making a decision. In past meetings the RAC has made recommendations for managing lands in the Wild and Scenic River, ACEC, and WSAs, but made no recommendation on whether there should be a monument and what the boundary should be because consensus was not reached.

Election of Officers/Representative on Monument RMP Team

Election of officers was postponed until the next day due to lack of a quorum.

Montana Air National Guard Target Range

Lieutenant Colonel Bill Schulz from the 120th Fighter Wing of the Montana Air National Guard (MANG) in Great Falls briefed the RAC on the local training airspace in the Hays Military Operating Area (MOA) in T27N R21 E, Sections 13-17 and 20-29. The impact area is in Section 22, which is currently Indian Trust land in CRP. The range is located approximately seven miles north of the northernmost boundary of the Monument. It is comprised of 740 acres of BLM land, one school section, Indian Trust lands, and the remainder owned by four individual ranchers. The Indian Trust lands comprise sixty percent of the total

acreage. For the BLM lands, they have worked closely with Dwight Hempel of the Interior Department who has recommended a transfer of the public lands from Interior to the Department of Defense. With the exception of one 40-acre plot, all the included BLM lands are identified for disposal in the West HiLine Resource Management Plan (RMP).

The training area will be utilized by F-16s using non-explosive training ordinance. No live ordinance will be used. The range will be used for bomb drops, strafing, and laser-guided delivery short of the drop. Air-to-ground training will take place approximately 250 days per year. The earliest they can expect to come on line would be the summer of 2004, although it will probably be 2005. Civilian IFR flights will be restricted from the MOA for safety considerations, but VFR flights through the area will be allowed.

Ranchers with concerns about flights at times when they will be working with cattle (e.g. branding on a specific weekend) should contact MANG, who will work out a schedule with the ranchers. Visitors can be brought in, as long as the visits are pre-planned.

Community opportunities from the training range include six to eight contract or civilian jobs and improved roads. They will also do hiring to build the facilities and will try to keep the hiring local. Firebreaks will be built around the target area, possibly with the use of controlled burns. Fire fighting equipment will be located on site and manned when the range is being used. During severe fire danger, the range will not be used. The opportunity exists for joint use agreements for the fire fighting equipment.

One of the issues faced by MANG is public concern about overflights of the Missouri River. Pilots try to minimize noise by staying 2000 feet above the rim and avoiding the river corridor by three miles in the summer. Noting that mistakes are made and occasionally the jets are closer than stated above, he requested feedback from the public when problems or questions arise. No supersonic use is anticipated, although occasionally errors occur.

Easements

Craig Haynes, Lands and Realty Program Lead in the BLM State Office, gave a presentation on roads and rights-of-way through BLM lands. RS-2477 was the primary authority under which many existing state and county highways were constructed and operated on Federal lands in the western United States. Highways could be constructed without any approval from the Federal government and with no documentation of the public land records, so few official records exist to document rights-of-way or indicate that a highway was constructed under this authority. RS-2477 was repealed by the Federal Land Policy Management Act (FLPMA) in 1976, although no valid rights-of-way were repealed.

BLM looks at four questions to determine the validity of an RS-2477 road:

- Are the lands public lands?
- Were the public lands reserved for a public use?
- Was there actual construction?
- Was what was constructed a highway?

BLM is prohibited from developing, promulgating, and/or implementing any final rule concerning rights-of-way under RS-2477. In the meantime, counties can file for FLPMA rights-of-way using a four-page, standard form application. The application should include a map. BLM would do a NEPA analysis and prepare a grant that could include mitigation if warranted by the NEPA analysis. BLM can offer an "in perpetuity" grant to the county, which the county would sign and send back. Energy-related rights-of-way have priority within the Bureau, and BLM tries to get them out as quickly as possible, depending on the workload of local staff. By going with a FLPMA right-of-way, the matter is settled now, rather than waiting to go through RS-2477. For a minor activity, after a cultural assessment is done the county could submit a detailed plan, and a one-time letter of authorization could be issued to do the work.

Field Managers Update

Malta Field Office

John Fahlgren, Acting Malta Field Manager, gave an update on behalf of Bruce Reed.

- Zortman/Landusky. Reclamation is ongoing at the mines. A settlement meeting with the Tribes is scheduled for 11/21.
- Ferret reintroduction. Twenty-one ferrets were released in September, three were released last week. The towns are being mapped to get updated acreage numbers. The Montana Shooting Sports lawsuit concerning the shooting closure in the 40 Complex is waiting to be heard. The suit may be moot because Montana Fish, Wildlife & Parks (FWP) now has purview over prairie dogs and BLM has rescinded the closure. FWP is developing a statewide conservation plan for prairie dogs, which should be finalized this week. A request has been received from the National Wildlife Federation that all prairie dog towns be determined an ACEC.
- An ACEC nomination in Valley County for mountain plover and the Bitter Creek area has been in the Washington Office for almost two years. They are planning to start on it soon.
- Watershed assessments are ongoing to make sure permittees are meeting Standards and Guidelines.
- A sage grouse meeting to present a draft plan will be held in Glasgow on December 3 at the FWP office and in Lewistown on December 4.
- Deferred maintenance projects. Eighty large dams were built on public lands in Valley County during the 1950s and 1960s, many for watershed protection. The majority have been abandoned. Over the past couple of years funds have become available to maintain the dams BLM wishes to retain. Work is ongoing.
- Graveling of TC access road is taking place. The work includes culverts and minor alignments. This is a \$5 million project.

Lewistown Field Office

Dave Mari, Lewistown Field Manager, gave an update.

- On or about November 29, the Gallup organization will survey BLM and many RAC members with 25 questions to be completed via the Internet. Information was previously mailed to the RAC members who may be contacted.
- Fort Benton Interpretive Center. The biological opinion has been completed on potential impacts to pallid sturgeon in the river. Discussions with the State Historic Preservation Office are on going. The final interpretive prospectus was just received today. Acting State Director Barnett made a decision to locate the monument headquarters in Lewistown rather than Fort Benton. Residents of Fort Benton were not happy with the process used and are still upset. They are indicating that if BLM doesn't move some positions into Fort Benton, they may back out of donating the site for the Interpretive Center. BLM is proceeding as planned unless the City of Fort Benton advises they are backing out. If differences are not resolved very soon, the facility will not be ready for the Lewis and Clark Bicentennial signature event in 2005.
- Pending Applications for Permit to Drill in the Blackleaf area. BLM has hired a project leader with the notion of contracting an environmental impact statement. The project has not yet been funded in the budget for this fiscal year, but based on a meeting with the Washington Office, funding should be forthcoming. BLM is aware there are many hardened positions on development in the area. The Star Tech lease is on BLM land. They are proposing one well site, with three wells to be directionally drilled from that location (Blind Horse site). Grizzly Resources has two separate locations; and Rutter Trust has proposed one well, although no APD has been received. One of the Grizzly Resources sites has an existing lease in what is now a no-lease area. The proposed drilling site is located on unleased Forest Service land, and they propose to slant drill from there to the existing lease.
- A recurring grazing trespass involves what are now Monument lands. BLM issued a notice of impoundment to the same lessee a couple of years ago. The situation improved for a while, but has deteriorated again. A decision has been made to proceed with a notice of impoundment, but BLM needs to coordinate notice with all officials before proceeding.

As a follow-up question on the Fort Benton Interpretive Center, Bob Doerk asked if BLM has had any more discussion about the River and Plains Society handling operation of the Center, especially in light of the President's announcement last week about contracting out services. The Society could operate the Center for about \$175,000 a year. BLM would contract with the Society for an amount somewhere in that area. Dave responded that the annual operating and maintenance costs, estimated by BLM to be \$400,000, was for a world-class facility staffed by BLM people and open year round, more than eight hours a day in the

summertime. From a management standpoint, having the River and Plains Society handle operations seems viable and could substantially reduce operating and maintenance costs. Dave Mari noted that at a minimum, BLM should have an on-site Interpretive Center Director. The Center will be a BLM facility, telling the story of BLM, the City of Fort Benton and the river areas. However, no further research has been done because people in Fort Benton seem focused on the issue of permanently located employees there, rather than the actual operation of the Center.

Jim McDermand requested an update on an assumed illegal road along the Marias River. The information was furnished to BLM earlier this summer and passed on to the Havre office they did a GPS of the road and determined that part of the road is on BLM land. It has been added to a list of pending realty trespasses. There is a backlog in the Havre office, but they will get to it as soon as they can.

At the request of RAC members, Dave supplied background information on the claims of Joe Trow. Mr. Trow had mining claims along the Missouri River, which were located after the 1976 Wild and Scenic River (WSR) designation. The documentation required to be filed with congress were prepared by the local office and sent to BLM's Washington Office. No record exists of them ever being transmitted from the Washington Office to Congress. Mr. Trow appealed the designation to the Interior Board of Land Appeals and prevailed. While this doesn't change the WSR designation, a cloud still exists. BLM has drafted legislation to correct the situation but it has not passed in congress. Language in the proposed legislation states the boundary description would be retroactive. Mr. Trow has been told repeatedly that BLM does not have proof that it was transmitted to Congress.

The meeting adjourned for the day at 5:15 p.m.

Central Montana Resource Advisory Council
November 19-21, 2002 Meeting
Lewistown, Montana

The meeting convened at 8:00 a.m. on November 20 in the BLM Lewistown Field Office. RAC members present were Bob Doerk, Francis Jacobs, Larry Ostwald, Arlo Skari, Randy Gray, Art Kleinjan, Jim McDermand, Glenn Terry, Darryl Seeley, Bill Cunningham and Dale Slade. Stan Meyer was in Phoenix, representing the Central Montana RAC at the national RAC meeting. Absent were Joy Crawford, Bill Old Chief and Charlie Floyd.

Present for the BLM were Dave Mari, Chuck Otto, Gary Slagel, John Fahlgren, Jodi Camrud, Vinita Shea, Kaylene Patten and Kay Haight.

Public Comments

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

Election of Officers/Representative on Monument RMP Team

Election of Chairman. A motion was made by Bob Doerk and seconded by Bill Cunningham to nominate Dale Slade as the new chairman. Dale Slade nominated Art Kleinjan, and the motion was seconded by Glenn Terry. Dale Slade was elected by paper ballot.

Election of Vice-Chairman. Arlo Skari nominated Bob Doerk, seconded by Randy Gray. Jim McDermand nominated Darryl Seeley, seconded by Dale Slade. Bob Doerk was elected by paper ballot.

Election of RAC representative on Monument Resource Management Plan Team. Glenn Terry offered to serve in that capacity, which was agreed to by all RAC members.

RAC members then talked about attendance at meetings. Some RAC members have consistently missed meetings and the issue was brought up at the previous RAC meeting. The procedure followed is that after a RAC member misses two consecutive meetings, the Designated Federal Official sends that person a letter. If a third meeting is missed, he/she is to be replaced. Kaylene will follow up on this with Bruce Reed, the current Designated Federal Official.

Sage Grouse

Dave Mari gave an update on the sage grouse conservation plan. A draft of the plan will go to the printer this week and will be available on the FWP web site. A 60-day comment period is scheduled. The plan provides a framework to promote conservation of sage grouse across jurisdictional boundaries. It includes: a) coordination of information gathering and sharing; b) a toolbox of recommendations to address potential issues; c) population and habitat objectives; d) a framework to organize local implementation groups; and e) monitoring and reporting to allow adaptive management and modifications in the approach as more information is known.

Public meetings will be held in six communities from December 3-10, as follows:

- December 3 Glasgow
- December 4 Lewistown and Miles City
- December 5 Billings
- December 9 Great Falls
- December 10 Dillon

Dave requested feedback from the RAC on how they would like to review the plan and provide comments. A motion was made by Francis Jacobs and seconded by Jim McDermid to address the sage grouse issue at a special one-day meeting in January. Consensus was reached. They will hear presentations by specialists and the remainder of the day will be set aside to come up with recommendations. Individual RAC members will come prepared with possible comments. The meeting will be held as part of a regular RAC meeting.

Suggested presenters include: Roxanne Falise, BLM; Ben Deeble, National Wildlife Federation, Mike Hedrick, CMR, and someone from the Montana Wildlife Federation. There is potential for future involvement by RAC members on local working groups to be established in the future.

Partnership Series Workshop

Jerry Majerus reviewed the partnership series workshop to be held in Lewistown on December 3-5 at the Yogo Inn. The BLM-sponsored workshop will focus on partnerships with local communities for public lands management. Several of these workshops have been held elsewhere in the west and have received positive feedback. The last one held in Montana was in 1996 in Dillon. Letters were sent to 90 individuals. Registration is currently at 55 participants. Three slots have been reserved for RAC members and seven for BLM people.

Art Kleinjan will be attending as a County Commissioner, and will also represent the RAC from Category 3. Dale Slade will attend for Category 1, and Bob Doerk for Category 2.

Satellite Broadcast of National RAC Meeting

A two-hour satellite broadcast of the National RAC meeting being held in Phoenix was viewed by the RAC, who had the opportunity to participate verbally while watching the broadcast.

RAC members called in questions to the National meeting and received responses first hand over the broadcast in regard to their questions.

Stan Meyer from Great Falls was the Central Montana Resource Advisory Council representative for the National RAC meeting. He was selected by his peers to attend the meeting, in absence of an elected Chairperson at this time.

2002 Floater Statistics/Visitor Use/Fee System

Floater Statistics

Wade Brown reviewed the 2002 floater statistics, starting with visitor use history from 1976. A total of 5410 floaters registered to float the river, of which 1272 were commercial (oufitted). Both numbers were slightly down from 2001. Launch information was taken this year at the 5 locations listed below:

- Fort Benton Fairgrounds
- Fort Benton Boat Ramp
- Loma Wood Bottom Bridge
- Virgelle/Coal Banks
- PN Bridge Judith Landing

The most frequent launch day was Sunday, the least frequent was Friday. July was the busiest month overall, while June 24 was the busiest day with 139 people launching from all sites. Coal Banks was the busiest launch site, with 75% of all launches occurring there. One BLM ranger observed that they were seeing users being less and less prepared, and not familiar with backcountry use. Other statistics on registered boaters:

- 50.5% were residents, 49.5% were non-residents.
- 61% of take-outs were at Judith Landing, 28% at Kipp
- 3.4% of groups were 20 or more in size, the largest group was 47, average group size was 6.1

Fee System

BLM is beginning to consider a fee system proposal for the Upper Missouri National Wild and Scenic River. Development of a fee system would be guided by specific criteria, as follows:

- Possible to implement by April 1, 2004
- Possible to link with an on-line registration system
- Simple, convenient, and easily understood
- Direct link to visitor use management goals and objectives
- Direct link to visitor services, resource protection, and facility maintenance
- Revenues help offset cost of local support services
- Minimal administrative costs and maximum return of revenues
- BLM is accountable to public for revenue expenditure

A possible scenario that could be considered is to charge a fee proposed from May 15 through September 15 for boaters using the Upper Missouri River between Coal Banks Landing and Judith Landing. The fee could be \$20 per person for anyone 10 years of age and older. It would be a one-time fee, good for the entire season. Based on 2002 visitor use data, fee revenue would have been approximately \$56,000. Added to this are \$15,000 from commercial fees and \$12,000 from Kipp campground collections for a total of \$83,000 annually. This number is estimated and could be lower.

All fee revenue would be retained locally to support local county search and rescue efforts, purchase campsite opportunities on private land, supplement the cost of weed management, supplement the cost of facility maintenance including vault toilet pumping contracts, provide services such as trash removal, and assist with the cost of volunteers stationed at access points.

On-Line Registration

Registration to boat the Upper Missouri River will become mandatory with the advent of an on-line registration system in April 2004. When boaters register on line, they will have the opportunity to pay their fee via credit card, once a fee system is in place. Boaters will have the option of registering and paying the fee at one of the launch sites, once a fee system is in place.

Subgroup Update

Jim Burchfield gave a progress report on the work of the Upper Missouri RAC Subgroup. Two new working committees were formed within the Subgroup: Indicators and Standards Committee; and Allocation and Fees Committee.

The Indicators and Standards Committee developed provisional indicators that have three principles:

- Based on different levels of development

- Desire to make sure impacts are focused on more developed campsites
- Respect the objectives for opportunity and spontaneous discovery by visitors

The committee developed four primary indicators:

- Opportunity for privacy and solitude (sight and sound, campsite design)
- Safe and conscious visitor experience (information and education for people to recognize risks and expected behavior standards)
- Sustain natural qualities
- Sustain visual appearance (infrastructure designed to fit the landscape)

The Allocation and Fees Committee recognizes the moratorium is being lifted and are looking at how to ensure high quality outfitters when the moratorium is lifted. The Subgroup is making a recommendation that lead guides be required to attend a workshop on culture, history, and safety. The main purpose is to ensure safety and an enjoyable experience for the visiting public, and to ensure that the outfitters receiving a permit are seriously committed to the Missouri River. They would not obtain a permit unless they attend the required workshop. The Subgroup requests that the workshop be conducted by the BLM.

On the issue of visitor use fees, at two different Subgroup meetings votes were taken opposing visitor fees. On July 29, the Subgroup sent a letter to BLM, the congressional delegation, and the Governor that made six points about Subgroup opposition to a fee system:

- Likelihood of displacement of launches
- Fees disproportionately affect low income families
- Fees violate public goods principle
- Difficult to accumulate significant financial gains
- Discourages repeat use or voluntary contributions
- Poor timing to build support for Monument

Future steps for the Subgroup include the following:

- Additional design improvements at the major campsites
- Refinement of indicators and standards
- Continued work on equitable allocation system
- Efficient, standardized monitoring of use and visitor impacts

A motion was made by Jim McDermid to endorse the Subgroup recommendations for an outfitter training workshop, with or without lifting of the moratorium. The motion was seconded by Bill Cunningham and consensus was reached.

Discussion included the following points:

- Subgroup member Ed Parsons stated that the Subgroups concerns were value-added benefit of outfitters and safety issues.
- Search and rescue teams were called out four times where BLM was involved. Two were guided trips and two were private individuals. One was a weather-related emergency, the others were medical emergencies.
- Outfitters have all had experiences informally assisting people in trouble on the river. Examples are providing extra blankets, potable water, sheltering individuals caught in a storm. Those acts of assistance are not recorded in statistical data available to BLM.
- Local outfitters thought the required workshop attendance was a good idea from a humanitarian standpoint, and also because it creates a commitment. Outfitters based out of state may express concerns because of the distance required to travel to the workshop.
- Has thought been given to opening workshops to general public? Expanding the scope could help people be better prepared.
- Hunting outfitters need a first aid card, which is also required for river outfitters (at least one person in the group).

- BLM would work with existing outfitters to come up with minimum level workshop. Cultural, historical and safety issues would be covered.
- Concern was expressed on the historical aspects of the workshop. Long-time guides know the area history. BLM would impart their knowledge up to a point, but how much would outfitters consider it proprietary, bringing a new outfitter up to the level of their long-time knowledge?
- There may be outfitters who want to take people down the river but don't want to discuss the history. We must be equal.
- A suggested list of reading references would be helpful.

A motion was made by Bob Doerk that the Subcommittee recommendations as outlined in the letter dated July 29 be approved by the RAC. The motion was seconded by Darryl Seeley. Discussion included the following points:

- Users have expectations and it is time that those who use the resource help share in the cost.
- If a user fee was enough to pay all costs, it would be okay, but this would not cover everything.
- If a fee is paid, a certain level of services is expected. It should remain a wild experience.
- Ed Parsons stated that the Subgroup started out looking at different options, but soon realized that the feelings of the Subgroup were so strong that options were irrelevant. Discussion quickly moved to why a fee system is not appropriate at this time. Particularly, during deliberations for the Monument designation there was a lot of talk about how the Monument would be managed in a way to not affect locals or the local economy. To turn around and immediately request a fee system seems to thumb the nose at everyone who was involved along the way. There is no need to rub it in. Also, BLM has talked about a number of improvement items (Coal Banks, sanitation at Judith Landing). When some of those improvements are in, it would justify implementation of a fee system. But just changing the name from a wild river to a monument is not justification for charging a fee.
- Timing could not be worse to talk about a fee. Perhaps when the management plan is completed, but right now when things are still very sensitive with the local people, it would be viewed as a slap in the face. There is a lot more to be lost by imposing a fee at this time.
- Aware of the lack of funding for recreational use, but don't think it is right that because of lack of funding will implement a user fee. The RAC needs to write another letter to the congressional delegation and insist upon an answer. We can do tax break after tax break for large corporations, but can't get enough money for a toilet on the newest monument. We should put those letters in the Billings Gazette and Great Falls Tribune, and say our RAC has never heard a response from our congressional delegation.
- Looking at a fee in the context of the RMP is something I can support, but doing it in a vacuum without the RMP is ill advised. Considering it as an option during the planning period makes sense.

The motion was withdrawn.

Bob Doerk then reworded the motion to read: Subgroup recommendations as outlined in the July 29 letter be approved by the RAC and the issue would be revisited through the RMP planning process within the next few years. Discussion on the reworded motion included the following points:

- Uncomfortable with endorsing the letter because it says opposed to fees. The motion could say: The subgroup opposes fees at this time and ask that it be revisited in the future.
- We are endorsing the July 29 letter and saying we are opposed to fees and it could be revisited.
- If we are opposed in principle to ever charging fees, then we are not in agreement on a motion to say the RAC concurs. It is premature to be charging fees for this resource and suggest the issue be revisited at some future time.

The motion was withdrawn.

A new motion was made by Bob Doerk that the RAC agrees with the rationale in the Subgroup's letter of July 29 as submitted by the Subgroup, and further recommends that fees not be instituted at this time. The motion was seconded by Larry Ostwald. Consensus was reached.

MORATORIUM

A motion was made by Bob Doerk and seconded by Arlo Skari to extend the moratorium for one additional year, until April 2004. Discussion included the following points:

- Would rather discuss it when Stan Meyer is present. He has strong views on the subject.
- The past motion (Fort Benton meeting of March 8) did not pass with consensus, but with fallback voting. It was a one-year extension not to be revisited.
- In this meeting several comments were made, one being this is a public resource and there shouldn't be a situation where any group of people or individuals obtain a financial reward from using that public resource. Based on information presented yesterday about permitted outfitters in Glacier National Park, Bob Marshall and other places, there is an obvious economic benefit to selected outfitters. Concern on lifting the moratorium is twofold: 1. Have discussed the quality of the experience that guided river trips give to people from around the country. Many have a historic emphasis and learn many aspects about the local history from the outfitters. Have seen experiences with less prepared local outfitters that the misinformation is astounding. 2. Safety concerns. There were four needs for emergency services, and two were outfitted. In the case of the outfitters, a lady was not told by the outfitters that when the rocks are wet, they are slippery. Quality guides would do that.
- Through economic benefits, taxes, and services from local outfitters, quality of services they provide, have reservations about opening it up on a free-for-all basis.
- Is time of the essence or can we wait for another meeting? Wade Brown responded that the cutoff date to apply for special recreation permits is March 15. Packets need to go out in the next 3-4 weeks.
- What about one-time outfitters? Wade Brown responded that educational-type groups were issued a one-time permit if they qualified technically as a commercial group but weren't part of the moratorium.
- During previous discussions on the moratorium, the allocation issue was of high interest. It doesn't seem to be an issue now because floater numbers are down slightly.
- Since the moratorium has been in effect, how many have been turned down over and above the 23? Wade Brown responded that six to eight did not receive a permit, but that includes people who have expressed interest and may not have actually applied. Current estimate is that two or three additional outfitters would apply once the moratorium is lifted.
- We couldn't get through this issue before, and it would be unfair to do so now without Stan. It was his motion in the first place.
- The next Subgroup meeting is December 3. Don't know that indicators will be ready at that time.
- The initial reason for extending the moratorium one more year was for the Subgroup to provide standards and indicators.
- Ed Parsons stated that the Subgroup would not reach consensus on an allocation system. There is disagreement on the particulars of such a system.

Bob Doerk and Arlo Skari agreed to table the motion until the January meeting.

Further discussion included the following points:

- Minutes of the March 8 meeting state that of 23 permits, only 19 were issued. Unfair to those waiting. Add to the agenda for the next meeting a discussion of unused permits.
- One of points to consider in January is that the RAC has already agreed on need for workshop to assure quality control and standards of public safety. Given the fact it can't be implemented for a year, this is a good reason to extend the moratorium. That brings us to 2004 and the Lewis and Clark Bicentennial, when the argument will come up to extend the moratorium yet again. We get into a form of incrementalism instead of taking a bigger, broader picture of whether it makes sense to have a permanent moratorium. In January, let's take a more long-term, comprehensive look at the fundamental issue of whether there should be a moratorium.
- As a manager, if it were lifted would you issue a permit to everybody who applies? Wade Brown responded that everybody who meets the criteria would receive a special recreation use permit.
- Unless the RAC reaches consensus to extend the moratorium, it dies a natural death in April of 2003. Will not be part of a consensus to change the moratorium.
- By waiting until January to discuss this, given the May 15 deadline, does that mean BLM won't issue

new permits? Wade Brown responded it would be cutting it close. May need to issue press releases.

- Maybe the Subgroup's meeting could address allocation and whether it is needed. Wade Brown responded that this issue is struggled with nationwide. The Subgroup may not be able to come up with a recommendation in December.
- Since we are only an advisory council, will BLM ever say we are tired of the RAC not making a decision? Has the BLM ever considered saying they will do what they want? Dave Mari responded that sometimes the things we think at the time are such important decisions in the long run don't always need to be made. When you recommended a moratorium initially, it was out of a concern for resource damage.
- Do not know of any new studies on expected numbers during the Lewis and Clark Bicentennial.
- The RAC supported a moratorium to support small local businesses in small towns.
- We made a decision once. To go back and rehash it again, we may never get through it.

Discussion then moved on to the dates suggested in the draft fee system proposal (May 15-September 15) and why the dates don't follow the no-wake dates of Memorial Day through Labor Day. Wade Brown responded that the no-wake rule is confusing as far as dates. May 15 and September 15 were placed in the draft fee proposal because they are easy to remember.

A motion was made by Jim McDermand and seconded by Randy Gray to change the dates of no-wake seasonal boating restrictions to between May 15 and September 15.

In further discussion it was stated that days were unfairly being taken away from fishermen to give to floaters. Wade Brown stated that BLM would like to see firm dates, not necessarily May 15 to Sept. 15. Chuck Otto then stated that these regulations have been in effect since 1976. If a change is going to be made, it should be done in the RMP, rather than piecemeal.

The motion was withdrawn.

Monument RMP Update

Gary Slagel updated RAC members on the Monument Resource Management Plan (RMP).

- 11 scoping open houses were held in July and August.
- 400 letters and 5300 e-mails were received addressing potential issues. Commenters were from all 50 states, Puerto Rico, five Canadian provinces and several foreign countries. All letters were read and substantive comments were identified and coded following a standardized format requested by the Washington office. Comments were both for and against a wide variety of issues. The biggest issues were a road system, motors on the river, and to maintain the area as it is now.
- It is important to remember that this is not a voting process. Of the 5700 letters, 5100 were form letters. Ten form letters were identified and coded. If 1000 people sent the same form letter, the comments were coded only one time. Approximately 1600 comments were coded.
- The RMP team reviewed the comments and determined if subcategories were needed. They also looked at potential issues.
- All potential issues were put into one of three categories: 1) to be addressed in RMP; 2) to resolve through policy or administrative action; or 3) beyond scope of the plan. A determination was then made on where the issues fit in the five topics in the Preparation Plan.
- A draft scoping report is scheduled to be finished by the end of this week, with the final completed by December 15. The scoping report should be available on the web site. It will be used to help draft alternatives. (Note: RAC members requested that a copy be mailed to them.)
- Inventory work will continue as weather permits. Team members will develop alternatives from April through September.
- In July or August, we will revisit the communities where scoping open houses were held, to have meetings for alternative development. The format will be either open houses or working group sessions.
- The four counties in which the Monument is located have agreed to be partners in the plan development, and BLM is developing cooperative agreements with the counties. Carl Seilstad, Fergus County Commissioner, is the representative for the counties at RMP meetings.

- We are in the final stages of an agreement with State of Montana. Clive Rooney of DNRC (School Trust Division) will represent State agencies at RMP meetings. We are still in the talking stage with the Fort Peck Tribes about being a cooperating agency. In addition, we will continue to involve the public as much as we can.

Designated Federal Official

Dave Mari stated that he would take over the duties of Designated Federal Official from Bruce Reed, effective January 2003, unless Bruce decides he wants to continue in that role.

Letters to Congressionals

No response has been received from the congressional delegation on either of the two letters sent by the RAC in the past nine months requesting additional funding. A motion was made by Arlo Skari, seconded by Jim McDermid, to have Dale Slade and Randy Gray write a cover letter to the congressionals, attaching the previous letters written regarding funding issues. The motion reached consensus.

General Discussion

RAC members discussed the pros/cons of the national RAC teleconference. The following points were made:

- A lot of issues were exposed and good points brought up. Will there be follow-up?
- The technology worked very well.
- The teleconference should have been longer.
- What was the cost to send everyone to Phoenix? Washington paid travel expenses, not local budgets.
- There should be a follow-up e-mail or street address for RAC members to provide input.
- This RAC is already doing things we heard discussed. They gave us many good ideas to work on.
- The issues are uniform everywhere, although each area is somewhat different.
- Several comments were made about re-energizing interest in the RAC. Is there a concern in the BLM that interest is waning? (Response: In some other states, they have a state-level RAC as opposed to local RACs. The local RACs work very well. Also, in those states with state-level RACs that received a special designation, many new RACs were created through the National Landscape Conservation System (NLCS) as a result of the designations.
- The moderator could have called on each RAC for questions, rather than vying to be heard first.
- Responses from BLM officials show that we are going in a different direction, going after energy.

Editorial Board Visits

Randy Gray stated that editorial boards around the state are looking for interesting ideas and concerns. If Dave Mari and a couple of RAC members were to visit editorial boards for the Great Falls Tribune, Billings Gazette, Missoulian, and Helena Independent Record, we could get very favorable write-ups that might encourage others in Montana to think about serving on the RAC.

Applications were received from 12 people during this year's RAC selection process. A year ago there were 26 applicants. BLM encourages those not selected to apply again. It was noted that diversity is needed when recruiting for RAC members (women, youth, etc.)

The issue of trespass was briefly revisited when Jim McDermid asked if the RAC could somehow assist BLM. Chuck Otto noted that trespass is a priority for BLM, and that once the realty backlog in the Havre office is caught up, they will be able to respond better to trespass issues. Rumors about a trespass in a WSA are being looked into.

Randy Gray referenced comments made during the teleconference about getting younger people to serve on the RACs, and agency comments on the shortage of resources. He stated that the Paul Allen Foundation might be willing to underwrite summer internship programs to provide qualified students with experience in range issues and resource management. One of things we should be doing as a RAC, and BLM nationally, is commit to being tutors and mentors for summer interns. It might give them a reason to step into a BLM career down the road. We need to look to private foundations for support.

The meeting adjourned for the day at 5:00 p.m.

Central Montana Resource Advisory Council
November 19-21, 2002 Meeting
Lewistown, Montana

The meeting convened at 8:00 a.m. on November 21 in the BLM Lewistown Field Office. RAC members present were Bob Doerk, Francis Jacobs, Larry Ostwald, Arlo Skari, Randy Gray, Art Kleinjan, Jim McDermand, Glenn Terry, Darryl Seeley, Bill Cunningham and Dale Slade. Stan Meyer was in Phoenix, representing the Central Montana RAC at the national RAC meeting. Absent were Joy Crawford, Bill Old Chief and Charlie Floyd.

Present for the BLM were Dave Mari, Chuck Otto, Gary Slagel, John Fahlgren, Jodi Camrud, Vinita Shea, Kaylene Patten and Kay Haight.

OHV Trespass in Sweet Grass Hills

Arlo Skari gave a slide presentation on an OHV trespass in the Sweet Grass Hills that occurred in 2001. The trail has not grown in and needs to be reclaimed. It is too steep to incorporate into a hiking trail.

North Blaine County Projects

Art Kleinjan outlined problems he has encountered in obtaining a permit to upgrade a road in northern Blaine County. The road is needed for access to an oil well. Dave Mari noted that while he did not have all the facts on this situation, generally speaking BLM must comply with the Endangered Species Act and National Historic Preservation Act. BLM can try to be more timely in processing permits and applications. It would help if the county would identify what they consider to be county roads. Once BLM has that information, they will know what rights-of-way are needed. Jodi Camrud, the new Havre Field Station Manager, will tour the site of the proposed road with Art Kleinjan.

A general discussion was held about money that is generated from the production of oil and gas, and the percentages that are returned to the counties.

Judith-Moccasin Landscape Analysis

Shannon Iverson, BLM Fire Mitigation and Education Specialist, made a presentation on the landscape analysis being done for the Judith-Moccasin Mountains. The analysis area includes 32,000 acres of Federal land. Fire is the lead for the analysis because the primary issues in the Judith-Moccasin area are the risk of catastrophic fire and forest health. Also, money is available for fire planning and one of aims of the national fire plan is to put money back into the communities by contracting out work.

North Wind Environmental is the contractor doing the inventory work for the Judith-Moccasin analysis. One of the criteria looked at when selecting a contractor was whether the company had capability and experience in hiring locally to do the field work. Their work included a complete inventory of forested lands, fuel load, insect and disease information, ground truthing of satellite vegetation data, wildlife studies, riparian assessments, and water quality monitoring.

Wildland/urban interface is extremely dangerous for fire fighters. Logistical difficulties include a long response time due to distances involved. In many situations, big trees have been logged in the past and we are left with hundreds or thousands of stems per acre of small trees growing up. For many landowners it is more work and more costly than they can do. Using assistance agreements, the local boards decide which projects get approved. These agreements allow the districts to grant money to private landowners for hazardous fuels reduction. We have one with Fergus County and they are granting money for projects in the JMLA area.

BLM will be looking at thinning those areas where economically and logistically feasible, and looking at the landscape as a whole. Once the initial thinning is done, prescribed fires can be used. The whole purpose of treatments is to have the fires come, as in the late 1800s, but not be so catastrophic. There is not one treatment that will be applied on all federal lands. Shannon noted that a firebreak will not stop a fire, but will provide a place where the crews may be able to stop it.

North Wind will be meeting with the interdisciplinary team in Lewistown on December 17. A public meeting will be held in Lewistown on January 22 to present findings from the inventories and the issues BLM thinks are critical. At that time the public will be asked for input on issues that may have been missed.

Weeds/Oil and Gas Tour

RAC members who went on the weeds tour were impressed with the biological treatments being used to combat weeds. They are still interested in an oil and gas tour. Kaylene will work with Don Judice in the Great Falls BLM office to hold a tour in conjunction with a regular RAC meeting in May or June.

Open Discussion

The decision on the Monument headquarters location was made without consultation of the RAC. Dave Mari was asked whether other decisions are pending that they don't know about and perhaps should be consulted on. Dave responded that once a year a project list is compiled for the next year. He will distribute copies of the list at the next RAC meeting so they can see what BLM has planned.

Kaylene relayed a suggestion from Craig Flentie that a letter be prepared after each RAC meeting stating the dates that the RAC met and a summary of the motions passed at the meeting. The letter would go to the Designated Federal Official. The suggestion was agreed to by RAC members.

RAC members requested a copy of the July 29 letter that Jim Burchfield sent out on behalf of the Subgroup. Kaylene handed a copy out to the members and will send it out in the next mailing to the RAC members.

As a follow-up on contacting editorial boards, RAC members agreed to be a contact person for newspapers. The editorial boards will be given a list of names and telephone numbers. RAC members further agreed to be careful that one person doesn't speak for the entire RAC on issues. Individually, they can deal with process questions, not specifics. Dave Mari will time the visits for March, when the call goes out for new RAC members.

OHV Enforcement

Enforcement is a strong deterrent. RAC members agreed that publicizing enforcement in some of the worst OHV problem areas should cut down on violations. Discussion included sending a letter to magistrates around the State urging sentences for violations. A motion was made by Jim McDermand, seconded by Randy Gray, endorsing stronger enforcement of OHV violations within BLM jurisdiction. The motion passed with consensus.

Dave Mari noted that local eyes watching for OHV violations is critical. For the benefit of new RAC members, he reviewed the history of RAC actions on this issue. About five years ago, the Montana RACs held a joint meeting and requested an EIS/plan amendment to address off-highway vehicles. The document was prepared jointly with the Forest Service and includes public lands in the States of Montana, North Dakota and portions of South Dakota. It limits OHVs to existing roads and trails, and bans cross-country travel. Protests filed with the BLM have never been resolved by the BLM Director in the past two years, so no Record of Decision has been issued for the BLM lands and OHV regulations continue to be dictated by existing BLM land use plans. For Forest Service lands, the new regulations became effective when the Final EIS was issued.

A motion was made by Randy Gray and seconded by Bob Doerk, to request all Montana RACs to seek action on the OHV protests and proceed with a decision. Consensus was reached on the motion. It was agreed that the motion should be sent to the BLM Director and to the newspapers.

Riparian

Glenn Terry forwarded the concerns of some ranchers that Standards and Guidelines might not fit the Missouri River in this area, and anyone on the river using hot season grazing at all would not be able to comply. In contrast to the Missouri River, cottonwood regeneration on the Yellowstone River is not a problem because the river is free flowing. Cattle users are carrying the brunt of perceived problems with riparian areas when other conditions may be equally detrimental (ice flows, etc.). Enclosures, which are cottonwood regeneration areas that are fenced off from grazing, are a concern because livestock will

naturally follow a fence line. The contrast will be seen by the general public and not understood. Exclosures. Currently, BLM has 12 exclosures along the river and two more are proposed in the Upper Missouri watershed. They include campgrounds. If no hot season grazing were allowed, exclosures would not be needed.

RAC members requested a field trip with a couple of experts and a permittee. Sometime during the grazing season would be best to see fence line contrasts (July or August). It could be combined with a weeds tour.

Wrap-Up

Travel authorizations and vouchers were distributed, and the next meeting was scheduled.

When:	January 15-16, 2003
Where:	Chinook, MT
Time:	January 15 1:00-6:30 January 16 8:00-1:30
Public Comment:	January 15 from 1-1:30 January 16 from 8-8:30

Proposed Agenda

Set calendar for the year (with the next meeting after January to be held in Great Falls)
Sage grouse presentations. Possible speakers:

Carl Wambolt, MSU,
Dr. John Lacey, Glasgow
Dr. Jim Knight, MSU
Ben Deeble, NWF
(get name from Randy Matchett/CMR), UM Researcher

Unused outfitter permits (only 19 of 23 in use)

Other possible agenda items for the next or future meetings

Marty Ott –new State Director
Sage grouse presentations and decision deliberation the first day
Update on land adjustment program/land exchanges. Any controversial proposals?
Brief discussion on scoping report
Project List
Revisit Moratorium
Respond to Terry Selph
Report on national RAC meeting from Stan Meyer and discussion on how useful and informative
Update on Lewis and Clark Bicentennial by Bob Doerk
Fire program update
Invite Missouri River Stewards to give comment on building roads in WSA
Subgroup recommendations
Field Managers Updates
Report on congressional letters
Shell masks, Richard Hopkins
Follow-up on decisions made at this meeting

Correction to Previous Notes

An error was noted in meeting minutes of March 8, 2002. On page 10, the notes read, “to encourage hot season grazing” and should have read “to encourage hot season grazing off the river.” The meeting notes will be corrected.

Chairperson Wrapup

Booklets to be used with the National RAC broadcast never arrived and will be sent out to RAC members as soon as they are received in the BLM office.

The meeting adjourned at 11:25 a.m.

Central Montana Resource Advisory Council
Public Testimony
November 19, 2002

Joe Trow

(Responses are from Dave Mari)

The first thing, I'd like to ask Dave Mari if I'm a criminal trespasser in this building now. *(This is a public meeting, Joe.)* Am I a criminal trespasser in this building now? *(No, it's a public meeting and you can come in the building and address the ...)* Are you allowed to speak to me? Don't you have a gag order where you're not allowed to verbally have contact with me? *(Well, the arrangement that we've had ...)* No arrangement, sir. *(Yes, we have notified you ...)* That you're not allowed to speak to me. Okay, so now you're talking to me. Why? *(Well, I won't, if that's what you want.)* But then I wanted to ask for copies of documents that you have that have been signed by the Secretary of the Interior creating any portion of the Wild and Scenic River area which is under law Title 2 Missouri, Montana. Do you have direct access to any of those records? *(As far as the establishment of the Wild and Scenic River?)* Whatever you want to take it for. You know the law like I do. *(This must be at least the hundredth time that you've posed this question to us and ...)* And you have never answered it. *(Yes, we have, every time.)* Do you have direct access to ...

(Kaylene Patten: Joe, I want to interrupt you for a minute. The public comment period is to address the RAC and to give concerns to the RAC. If you would please do that, I would appreciate it.)

Okay. To the RAC: This man has me as a criminal trespasser when I walk in this building. He has that he isn't allowed to speak to me. He has that he has not provided me with any documentation of the Wild and Scenic River. Now, of course, that's why I'm here today. But I did want to get this, that I've been a criminal trespasser because I come in and ask for records. And when I write for records, Mr. Mari cannot show in his records where he has provided me with any boundaries of the Wild and Scenic River. So that's why I'm here. That's why I'm doing this, and tomorrow I will come in the morning for a comment period and I will have it written and be titled. I just wanted today to find out if I'm a criminal trespasser in this building and if any BLM people are allowed to speak to me. I still don't have an answer unless you think you can get one for me by tomorrow. Thank you.

Central Montana Resource Advisory Council
Public Testimony
November 20, 2002

Glenn Monahan

Good morning. I just have some outlines of what I'm going to be talking about this morning. My name is Glenn Monahan. I live in Fort Benton and I operate an outfitting business on the river. The name of my company is Upper Missouri River Guides. We're a family-operated business. We've been operating since 1994, and what we do is provide guided canoe trips on the Upper Missouri. I'd like to address the RAC this morning on one single issue, which is the moratorium that is presently in place which caps the number of outfitters that are operating on the river. It's my understanding that there's some new RAC members seated here today, and especially for those people's benefit, I'd like to give you a brief history of the moratorium.

During the decade of the 1990s it was noted that the number of people with outfitting permits for the river had almost quadrupled. In the early '90s there was just a handful of outfitters in operation. By the end of the 1990s, that number was well over 20. In response to that, a moratorium was created to cap the number of outfitters. The feeling was that the more outfitters that were on the scene, the greater pressure there would be on the river and greater impact on the resource.

It seems as though the moratorium is working. If you look at the numbers from the time that the moratorium was placed up until the present time, and my numbers might be a little bit off. If anybody from BLM would

like to correct me in that event, please say so. But it looked like in 2000, the year after the moratorium was put in place, we had 5700 people head down the river. The following year, 2001, approximately 5400, and the most recent figures for this year are showing 5400 again for the summer of 2002. Now obviously, there were probably other factors that were keeping the numbers in check, but I think it could be argued the moratorium is one factor that is contributing to this flattening of the numbers.

The moratorium is temporary, scheduled to expire in the spring of 2003. I think before that moratorium expires we need to be asking ourselves some questions about whether or not it's a good thing for that thing to expire, or is it desirable for us to allow that to extend and possibly look at regulations on outfitters over the longer term as the management plan, as the comprehensive management plan for the river is developed over the next few years, rather than allowing this moratorium to expire right away. If it does, what's going to happen, I believe, is that we're going to see a spike, or an increase in the number of people who want to outfit on the river. That's going to cause increased pressure on the river. Is that a good idea? Do we want to be implementing management decisions that are going to encourage more use on the river? I would argue that that's not a good idea, and I would like to give you a couple of reasons why I think it's not a good idea.

First of all, I think we need to look at can the resource handle additional numbers. We also need to look at whether or not the agency itself, the BLM, is adequately staffed and adequately funded to handle potential increases in usage. Over the years that I've been outfitting, I've worked closely with a lot of the river manager folks. It's my belief that they're really sincere and want to do a good job managing the river, but what I've seen is that they're not getting funding to do a good job and they're not getting staffing to do as good a job as they could.

Some examples that I think are manifested by this lack of funding and lack of manpower: Since the moratorium was put in place there have been no new camp areas developed on the river. So if we're going to drop this moratorium, encourage more outfitting, encourage more use, where are these people going to go? There are busy days during the peak of the camping season, the peak of the floating season, when we have 75 to 100 people camping at Eagle Creek. If we're going to be inviting more people to come and float the river, where are we going to put them? As yet we don't have any new camp areas developed.

Another thing I think we need to look at is things like dealing with human waste. Right now there are some toilets that have been installed at some various places in the white cliffs, but since the moratorium was put in place there are no new toilets. In fact, at Dark Butte where we have some composting toilets that were installed a few years ago, those toilets are not composting the human waste at the same rate that the human waste is being deposited. The toilets are being filled up and I know of no plan to deal with that. So again, I don't see what has changed in this arena that would make us want to make management decisions that will encourage more people to be on the river.

Again looking at manpower and funding, some of the things that I have observed over the years on the river, the wells, for example, at Judith Landing and at Hole In The Wall, have both been abandoned over the last few years, apparently because there is no money to drill them deeper to get into a good aquifer to provide potable drinking water.

It seemed to me as though this past summer on the river, the number of rangers that I've seen patrolling the river is actually down from previous years. Again, this is probably a staffing and funding issue.

What I'd like to conclude with is some research that myself and a couple of other outfitters have been doing regarding how outfitting is managed under federal entities around the country, and specifically in Montana. Glacier National Park has one outfitter that does outfitting for the entire million acres and thousands of miles of trail. It is my understanding that in the Bob Marshall Wilderness Area, and I think Bill Cunningham could address this, outfitting on the Bob Marshall is regulated. There is not an unlimited number of people that outfit there. The same thing is true on some rivers here in Montana. The North Fork, Middle Fork and South Fork of the Flathead have limitations placed by the Forest Service on the number of people who can be in business outfitting there. What the Forest Service apparently has decided is that it's easier for them to manage a small, limited number of people and these people are able to have viable businesses that can provide good services for the public. I guess with that I'll conclude. Thank you.

Joe Trow

Good morning. I spoke here for a few minutes yesterday to find out if I was a criminal trespasser, because

that's why you go to jail and pay money and get a lawyer to get out of it. I am here this morning to use what this gentleman said about the Wilderness Study Area. He said how much time did we need to study this. So I take this and use it as from the no records from the office of the Secretary as the only place where the records for the Upper Missouri Wild and Scenic River don't exist. How long does it take this RAC committee to study that to prove that there isn't any boundaries for the Wild and Scenic River. And I would like to know how much time they think they need, like 17 years or 18 years? Now if there isn't a boundary at the office of the Secretary, there isn't a boundary for Mr. Mari.

I have a gentleman here because I don't read well, that said he would read what we got from Cy Jamison, Director of the BLM, and Lujan, the Secretary of the Interior, the 21st of October, 1990. Please, sir.

(Read by Dale Slade) "In response to your request for a copy of a document that indicates the established place and land boundaries for the Title 2 Missouri, Montana river area, we have been advised by the office of recreation and cultural resources that this document does not exist. Therefore, per your request a copy of this letter, which has been certified, will act as the proper notice of the nonexistence of the document."

Thank you very much, sir. Now what that is, is Title 2 Missouri, Montana, is the only law words for what the BLM calls the Upper Missouri Wild and Scenic River area. Now that had one year to be established by a Secretary of Interior. As you can see from my freedom of information, certified that it didn't exist. So when these things are no records, and then I get the same no records on the 18th and 23rd of this year that they don't exist in the office of the Secretary, they must not exist for Mr. Mari. If they don't exist for Mr. Mari, I feel it's up to this RAC committee to find out if there's boundary or if there isn't. It's like being pregnant. You can only be one. I can be this big, but I'm not pregnant. So that's what I'm up here against. So that each one of you people have a copy of this certified no records from the office of the Secretary.

Craig Flentie back here yesterday called the lady that published this to get a copy faxed to us, maybe by the time you quit on Thursday, and if not he'll send you one. So that we all have the same no record. Then it's up to the RAC committee to ask Mr. Mari for his records if there is a Upper Missouri Wild and Scenic River. That's all I have to say.

Tom Walling

Good morning. I didn't really intend to come and say anything today, but when I came through the door there was only two names on the comment sheet, so I felt that I should say a little bit of something. First of all, I would like to thank the RAC for what they're doing. Their job is really important to help the BLM manage, or be used as a resource for information, and your decisions as the RAC committee are very important to the public. I want to thank you for the time that you spend at them. I have a couple of items I want to mention.

First of all, probably one of the most important things that you have to be looking at is the money to manage the Missouri River Monument system here in central Montana. As we look at the financial situation of Montana and the United States, the money to manage the Missouri River Monument is going to become more and more critical. The thing that really brings that out is because when we first started talking about managing the Missouri River Monument, it was mentioned at that time that we weren't planning on having any fee system. Already in the planning session is to install a fee system to use the Missouri River in the future. The only reason that this is coming about is the lack of funds to keep the Missouri River Monument running. So we know that funds is very important.

One other thing that you really have to look at is all of the wildlife associations that you have, that are trying to influence the management system here in the future. These people all have the right to have the influence in managing the system and setting it up, but at the same time, the decisions of the RAC association need to consider the importance of protecting central Montana as we remember it and as we would like to see it stay. A lot of these organizations that we have that are trying to have a lot of input into managing the systems maybe don't have Montana first. How did Montana stay the way that it is for the last 200 years without the wildlife association managing the system as we look at it today?

In the past we didn't have a big BLM force to manage the Missouri River, just like in our Forest Service and our SCS offices. There were only a few people used to manage what we have managed by hundreds of people today. The first time I went to the SCS office to build a reservoir, there was one man in the office. When he came out to survey for my reservoir, it took him about ten minutes. I would say that it was

approximately ten years later, I went to get another reservoir built on my place through the SCS. The man came out there and we spent two hours looking around the area where I wanted to build the reservoir, and he finally says, you know, this is going to be too high of a fill for me. We can't approve this situation. It took him two hours to make that decision where a man ten years before that came out and surveyed me a reservoir in about ten minutes. This is what happens as we get more and more people working for the government.

I'm not against government employees. You all have your job and the things that you're trying to do, but we need to use a little common sense along the way. Thank you.

Terry Selph

Good morning. My name is Terry Selph. I am the owner of the Hole In The Wall Educational Adventures and one of the present outfitters on the Wild and Scenic Missouri River. I was raised in Winifred and presently living in Lewistown. I have two issues I would like to address the RAC with this morning.

The first issue is a boat ramp at Stafford Ferry. At this time there is no way to get a boat or a canoe on or off the river at Stafford Ferry without it becoming a muddy mess. There were 254 people who took off at the ferry, or took out at the ferry this year. The most popular spot to take out at the ferry is right at the ferry. The ferry manager doesn't seem to mind that, but it's not a good situation. I was down there a couple days ago. People are pulling right up to it. They're unloading their canoes right off the road right there and stuff. I took a couple of different groups out this summer. You're up to your knees in mud trying to get your canoes and stuff out of there.

The ferry, like I say, has been more than easy to get along with on that. So it hasn't been a problem. A simple gravel pad would be more than adequate to take out or launch from. There are a couple of spots that would work great for a boat ramp on the Fergus or the Blaine County side. As a side note, it would also be nice if there were bathrooms for both river and vehicle travelers at this spot. This is still one of the most puzzling things about all these RAC meetings and stuff that I've been to. I have to agree with Glenn on this. We worry more about cow manure than we do people waste. It's disgusting to take off and walk up some of those coulees and have to step over that toilet paper. I've stepped on cow stuff all my life and that's not a problem for me. But it's kind of disgusting with the toilet paper that's lying up and down those coulees.

I understand that the RAC has recommended in the past that there be no further development at Stafford Ferry. I urge the present RAC to reconsider this recommendation. The boat ramp would be a great asset for the people of Lewistown and Winifred. It may also help to more evenly distribute the river pressure and take some of the pressure off the upper river.

The second issue I would like to address involves future road closures. I found yesterday's presentation by Craig Haynes very interesting and informative. It is vital that we consider the needs of our elderly and handicapped citizens when we consider road closures. In most cases, every time a road is closed it makes it almost impossible for our handicapped and elderly people to visit those sites. Not everyone can put on a backpack and take out walking across country. As Craig said, there are alternatives to consider and I urge the present RAC to do everything possible to insure that the elderly and handicapped can continue to visit and enjoy the Missouri River Breaks. Thank you.

Matt Knox

I'm Matt Knox. We ranch northeast of Winifred in the breaks. I'd like to reiterate what Tom said. I think the RAC does have an important role in advising the BLM, and I know that your job is kind of akin to being a referee sometimes. So I thank you for giving us this opportunity to speak to you today and know that we appreciate all the work that you put in.

The first thing I'd like to talk about is the recent watershed study. I preface that by saying we did accept the watershed. I mean, it's a done deal. Overall, there were some very positive things that came out of it, I felt. Just the interaction with BLM people and the ranch tours and all of that was positive. We do have an ongoing concern, however, with the riparian standards and the way that they are being applied.

I guess our biggest concern is that over time we're not going to be able to maintain our grazing systems and still comply with these standards. There's a situation exists now where you can have a range transect a

hundred yards from the riparian area. The range transect can score properly functioning and almost climax condition, but yet you can still be in trouble on the riparian zone. I think we all know, or at least understand, that the Missouri is not a freeflowing river. We feel that ranchers are kind of being asked to bear the brunt of all of the problems associated with that riparian zone, when I think that grazing is just a very small part of what is happening there.

Last summer we ran our yearlings down in the Custer area. My wife, has a feedlot down there. What struck me was that along the Yellowstone, in areas where there's a lot more intensive livestock use than, for example, on our allotment, there's continuous cottonwood regeneration. I think that illustrates my point that a freeflowing river is going to have a healthier riparian zone and cottonwood regeneration.

I'm not up here advocating that you take out the dams. That's not what this is about. But what I would like to see over this ten-year period of this watershed agreement is an independent, or even involving BLM, look at the difference between the Yellowstone and the Missouri and maybe we could modify those standards to reflect the difference. We're not asking to go back to continuous hot season grazing. That's not what this is about. What we are asking for are standards that we can meet and still maintain our grazing operations.

Leading up to the monument designation I probably heard it a thousand times at these meetings, and we went to a lot of meetings, but things aren't going to change. Don't worry. Your ranches are going to be secure. Well, this particular thing, this riparian situation could be the agent for change and it could be fairly severe. Some of our ranches, myself included, are very dependent on that river corridor for at least part of the year's grazing. So it would have a big negative impact on the Winifred area, Big Sandy, Loma if we keep going down this road and get into a situation where we can't meet standards.

The other thing that's a related subject that was awkward for me at the time, because we make it a practice not to comment on agreements that our neighbors make with the BLM, for example, and I don't have a personal axe to grind in this. What I'm talking about is exclosures. The reason I say I don't have a personal axe is because there were no exclosures put on our allotment. But I do have a problem with exclosures, the reason being that I've seen it just where a hayfield is fenced off. Cows, when they come out of their coulee where they've been grazing, and they're heading for the river to get a drink, they're going to go like a magnet to that fence. They're going to go right down it. What you're going to end up with is a severely tramped out spot right next to that fence. In contrast, you're going to have the exclosure where things have grown up like this. We're going to be held accountable for that. I would like the BLM, or the RAC to recommend to the BLM, that we try to find an alternative to exclosures.

The other thing I would ask you is Rehberg's legislation on taking private lands out of the monument is still pending. I think it would be appropriate for this RAC committee to support that. I'll end on a positive note. This fall we asked the BLM to participate with us in spraying weeds on our allotment. They committed two boats and several backpack sprayers and several people, and that's the kind of thing that make for good relations and I'll take this opportunity to thank our local BLM for that. Thank you.