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**UPPER YELLOWSTONE WATERSHED GROUP**  
**PARK CONSERVATION DISTRICT**

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**General Meeting**  
**June 7th, 2018 at 7:00 PM**  
**St. John's Church, Emigrant**

**-MINUTES-**

**PEOPLE PRESENT:** (13 people signed in)

Ashley Lowrey, Watershed Coordinator  
Druska Kinkie  
Edwin Johnson  
Whitney Tilt  
Jeff Reed  
Max Hjortsberg, PCEC  
Marty Malone

Jacquie Nelson, Chair  
Gayleen Malone, PCD  
Art Burns, Vice Chair  
Charles Drimal, GYC  
Wendy Weaver, MARS  
Brant Oswald, FOAM

Jacquie Nelson called the meeting to order at 7:10 pm.

**Druska Kinkie: Discussion and Vote on American Prairie Reserve public comment period letter**

Last months comments were modified and edited to create a new proposed letter to the public comment period. The latest version of the letter to be voted on is as follows;

Re: American Prairie Reserve Gazing Allotments

To Whom It May Concern;

The Upper Yellowstone Watershed Group works to understand and conserve the Upper Yellowstone watershed, including its agriculture, open space, rural character, wildlife, fisheries, natural resources, and recreational use while protecting private property rights. Central to our mission is the preservation of production agriculture and the open space it provides. Due to our proximity to Yellowstone National Park we are experienced with bison, and our ranchers must operate their businesses within the Designated Surveillance Area for brucellosis.

We wish to provide the following initial input on the American Prairie Reserve's proposal to modify grazing permits on 18 BLM allotments in Fergus, Petroleum, Phillips, and Valley counties. In part, the APR proposal requests changing the class of livestock, the period of grazing, and both boundary and internal fencing.

1. Proposed Action rises to level of EIS. Our reading of the proposal makes it clear that the magnitude of the requested changes, in total number of effected acres, the change to long-standing BLM policy, the assumptions on fencing designs to be adequate for containing bison, requires preparation of a full Environmental Impact Statement (EIS). For BLM to propose that an Environmental Assessment is adequate invites both ridicule and law suits.

2. Disease Monitoring & Response Protocols Not Clearly Stated. It is one thing to say there will be disease control measures and another to actually implement these measures. APR needs to identify exactly what their disease monitoring looks like, the facilities, and how they will respond to a disease detection.

3. Adequacy of Fencing. It is unclear whether the proposed design of exterior fencing is adequate to contain bison. The fence construction identified within the proposal does not appear to have sufficient strength and height to contain bison. The legal and social issues surrounding fence failures and escaped bison are obvious. We assume, for example, that APR has agreed to immediately gather any escaped bison and be liable for damage and injury to

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neighboring property, livestock, and humans? Also for consideration, how will the proposed bison proof fence effect wildlife movement in the area?

The proposal assumes removal of interior fencing will allow bison to freely move across the landscape without detriment to natural resource conditions. This is an assumption that must be documented by monitoring and ongoing assessment – including plant vigor and diversity, riparian condition, fuels availability, etc. Therefore, it is further assumed that APR will pay for reinstallation of interior fences should range conditions deteriorate due to loss of controlled rest-rotation capability, and that APR will reestablish interior fencing should these allotments is assigned to another permittee.

Within the APR proposal AUM's and splitting allotments is discussed. This will adversely affect the Jacob family and the historical use of their allotments. APR concludes that should the Jacob family not agree to the changes, the alternative is to run APR bison in common with the Jacobs' cattle. This is an alternative full of issues such as interbreeding and injury to either bison or cattle. Who will pay for these damages?

4. Law, Tradition, and Neighboring. At present, free-range bison are not allowed in the state of Montana. Therefore, wherever bison are on the landscape, the owner has the responsibility to control and manage those animals in full consideration of the private property rights of their neighbors. It is vital that APR's proposal fully recognizes that responsibility – they wish the right to graze bison; the neighbors have their full right not to have that practice impact their livelihoods.

As BLM undertakes its analysis, we offer to provide additional information and assistance concerning bison disease management, experiences with confining bison, and the like.

Respectfully Submitted,

The American Prairie Reserve (APR) submitted a proposal to expand bison grazing on their BLM allotments in Central and Northeast Montana. In response the BLM is planning to analyze all of the allotments under one Environmental Assessment (EA) and is seeking public comment. Comments will be accepted until June 11<sup>th</sup>. The proposed action would modify the APR's grazing permits on 18 allotments by changing the class of livestock from cattle to bison, allowing for year-round grazing, changing external boundary fences to electric and removing internal fences.

Charles Drimal: will abstain from voting. GYC has decided not to get involved as they work on bison conservation issues and do not have relationships in the Charles M. Russel area to have enough information on the topic.

Whitney Tilt to Kyran Kunkel: Is there anything unfair in the comments or letter that misrepresents the issues?

Kyran Kunkel: No, they are good and fair questions.

-Disease is not an issue, we only get bison from two locations (in S. Dakota and Alberta), both of which have been disease free for over 13 years from using animal testing and disease screens.

- We currently monitor with BLM Clemson University for grazing impacts, we also use a third party consultant to help monitor impacts and to follow and meet BLM standards on Allotments.

- ARP collaborates with FWP to do lek counts and sagebrush monitoring.

Art Burns: How will the Jacobs family be affected? Will they run cattle and bison together?

Kyran: The EA coordinator has met with the Jacobs family three times to address their concerns, we take neighbors' concerns seriously.

Jeff Reed: Would APR prefer an EA over an EIS?

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Kyran: Yes, because it is more expedient.

Wendy Weaver: How will fencing impact wildlife passage?

Kyran: We are using State standards, with four strand fencing (bottom is smooth stand, and the second is hot). APR has modified over 150 miles of non-wildlife friendly fencing to wildlife friendly.

Marty Malone: there have been studies on Turners property that bison run the ridgetops, have you found that?

Kyran: So far, no. We've seen range health standards staying the same or improving in the grasslands.

One can apply to year end grazing for livestock.

Kyran: Overall, we are trying to expand the area for bison because we think they need more space than they currently have.

APR pays for all modifications of fencing. Historically BLM and Lease share the cost of fencing.

Whitney Tilt made motion to approve the letter and send it off.

Alan Redfield seconded the motion.

Wendy Weaver: made suggestion to change wording to last sentence on action item 1, remove or put something more concise.

Jeff Reed: I don't know the Jacobs family, I cannot go on public record suggesting something for a family I do not know.

Druska: The entire reason this was brought to our attention was because the Jacobs family asked us for assistance. It's a ranching issue, its hard for ranchers to ask for help.

Jacquie Nelson: Edit change, change 'is' to 'be' in the last sentence second paragraph of Action 4.

Vote for motion passed.

**Whitney Tilt and Brant Oswald (FOAM – Fishing Outfitters Association of Montana):  
Guides for Conservation update:**

Fishing guides like to call themselves stewards, but are they really doing that? The PKD incident really motivated this effort. The guide community was spreading misinformation on what is going on in and around the river. Guides have never had formal training on these issues. This is currently a working paper to let the public know what they have done so far. The goal is to get guides more versed in how watersheds and water use works to avoid finger pointing to agriculture, so not to repeat what happened in 2016. This effort is led by FOAM (statewide outfitting group), and the guide community has really been behind this effort. FOAM has taken on 501c3 role to help move this effort forward. This curriculum will not be required, but there will be incentives for guides to show up or participate, monetary or professional. This will get outfitters to go through a training, potential 2-3 day practicum

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with a test at the end, covering topics such as conservation, natural history, ecology, MT law, etc. The hope is to build a voluntary, value added program that will be rigorous, with a syllabus. The goal is to have a prototype run this time next year.

### **COMMITTEE UPDATES:**

- A. Weed Committee: No update given
- B. Irrigation Committee: No update given.
- C. Range Committee: Range days are coming up in June, three days in Absorkee.
- D. Stream Stabilization Committee: No update given.
- E. Wildlife Committee: No update given.

### **COORDINATOR UPDATES:**

- A. Discussion and Vote on moving forward with potential new group website.
  - a. Ashley showed slide show of screen shot images of potential new website for the UYWG. Jeff Reed has put in many hours to develop a framework that would have greater capacity than our current park Conservation District website. The goal is to have the Education/Outreach committee take it on as a project and create a more developed prototype that we can vote on at the next meeting in August.  
Marty Malone made motion and Art Burns Seconded the motion. Vote to move forward with website approved.
- B. Water Summit Video and water supply/drought planning project.
  - a. Ashley showed the DNRC Water Summit Video about collaborative water supply planning across the state, and introduced the Drought Planning project that will be beginning in the watershed. We want to understand how drought is impacting the community, all sectors including ag, fishing etc. We are not necessarily creating a 'plan' at this point, but starting conversations and gathering local information and data. Engaging the community and identifying key stakeholders is a key first step in this process, then gathering all data and information about our watershed and water supply in our area, which will help us then identify our vulnerabilities and impacts.
- C. SNOTEL site updates.

### **AGENCY UPDATES:**

None given.

### **PUBLIC COMMENT:**

None.

### **MAY MINUTES:**

Marty made move to approve minutes, Jeff Reed seconded, motion passed.

### **ADJOURN:**

The meeting adjourned at 9:05pm.