

# Fremont County WPLI Advisory Committee Minutes

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August 15, 2016 | 6:00 p.m. | Fremont County Commissioners Chambers

Meeting called by	Douglas L. Thompson, FCPLI Chairman	Advisory Committee Attendees: Reg Phillips, Julia Stuble, Nick Dobric, Rick Mickelsen, Josh Milek, Andy Blair, Ginger Bennett, Gary Horton and Travis Becker
Type of meeting	Regular	
Note taker	Julia Stuble	Other Attendees: Gabriel Spoonhunter, Jason Baldes, Micah Lott, Chesie Lee, Lisa McGee, Gary Collins, Mary and Rod Haper, Rob Coe, Anni Tyson, Shannon Rochelle, Jazmyn McDonald, Kim Wilbert, Peter Dvorak, David Lloyd, Dick Inberg, Mark and Patricia Keiser, Byrl and Helen Nichols, Jessi Johnson,  Agency: Jared Oakleaf, BLM  Press: Daniel Bendtsen, Riverton Ranger

## AGENDA TOPICS

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### Welcome | Commissioner Thompson

WPLI Advisory Committee members introduced themselves. Reg moved, Ginger seconded, to approve the agenda as presented. Motion carried unanimously.

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### Approval of Minutes | Commissioner Thompson

The minutes of the regular meeting held June 20<sup>th</sup> were reviewed. Reg moved, Gary seconded, to approve them as presented. During discussion, Julia asked that the July 11 minutes be corrected. In the Site Visit Presentation section "David Lloyd" in the sentence "David Lloyd (audience member) stated he is a rock hound and knows the area well, cannot say for certain these sites exist but there is potential" be replaced with "Byrl Nichols." Julia also requested that the fifth paragraph of the July 14<sup>th</sup> minutes be corrected. The fourth sentence, "If the area is released, it would return to a normal BLM or FS area regarding management" should be replaced with "If the area is released without management direction, the BLM would manage the area according to the current Lander Resource Management Plan." Additionally, the fifth sentence should be deleted and replaced with "There are no BLM wilderness designations in Fremont County. Ginger requested a sentence be added after the following final sentence: "The tour members left the gravel pit area and toured on up Birds Eye Pass Road" to indicate "Just before Birds Eye Pass, Todd Humphries gave an in-depth discussion of ranching family history and activities in the area." Reg asked that the eighth paragraph be corrected to reflect that he had commented "According to John Herbst, there are some ATV trespass issues up there. As corrected, the motion to approve the July 11<sup>th</sup> and July 14<sup>th</sup> minutes carried unanimously.

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## Communications Subcommittee Update | *Commissioner Thompson, Josh Milek, Julia Stuble*

Josh reviewed the format and functionality of the committee's website (fcpli.com). Julia and Josh are the editors of the site. There is a home page, a site visit comment form, a place to sign up for the email list, and a page where minutes and background documents can be uploaded for public review. Josh has received two comments through the comment form already and asked the committee how they would like to have these distributed and stored. Ginger also asked how we would distribute and consider comments sent directly to committee members—she has received one by email. Chairman Thompson replied that all comments will be entered as hard copies into the administrative record by Becky Enos and they will be used and reviewed when the committee begins negotiations for management recommendations. The committee agreed that emailed or verbal comments do not need to be entered into a standardized form. The committee also agreed that all comments are to be made public. Chairman Thompson noted that the process is designed to be transparent so everything the committee does is public so all comments received by the committee will be made public. Nick noted that all comment forms should include a note that these will be made public. There was discussion about how committee members would review comments made prior to the next meeting and the group agreed they would access these online and read them before each meeting. Julia reviewed the Recommendation for Communications the Communications Subcommittee had developed, which is an attempt to systematize public notice, sharing documents, committee member responsibilities for communicating with their constituency and digital engagement. Rural area public notices will be posted 14 days prior to the next meeting or site visit at sites in Lander (Julia), Riverton (Gary), Dubois (Reg or Nick), Shoshoni (Gary or Rick). Ginger asked about how notices would be delivered to Jeffrey City, Atlantic City, Pavillion, Ft Washakie, and Ethete. The group agreed these notices could be standardized if the committee committed to a regular meeting schedule—the notices would not have to be constantly updated with new dates and re-posted. Gary agreed to develop a template public notice that could be posted to website and each committee member could then print and post in their communities or as they travel in the county. Reg discussed deadlines for getting information in Dubois into community newsletters. Gary agreed to producing a summary background document about the FCPLI process to be shared during site visits and/or meetings. The group agreed that information (draft minutes, draft agenda, next meeting dates etc) would be sent to the WCCA Hub within a week of each meeting and Josh or Julia would update the website within a week as well with next meeting dates, a draft agenda, and draft minutes, if possible. The committee will continue to review communications recommendations and implement a more systematic approach in order to improve information accessibility and transparency for the public.

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## Charter Amendment | *Commissioner Thompson, Julia Stuble*

Julia noted that there had been a minor addition to the charter between the committee approved changes on July 11<sup>th</sup> and the delivery of the final charter to the committee. In the section "Responsibilities of the Facilitators" she asked the introduction text be replaced with "The Advisory Committee will be facilitated by the Chair, who will perform the following roles and responsibilities." The committee agreed to this amendment unanimously.

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## Site Visit Discussion | *Commissioner Thompson*

Chairman Thompson asked the committee to debrief the Copper Mountain Site Visit. He noted that it "may not have been perfect" but went well and requested ideas for improving the process for the next site visits. Ginger commented that the next site visit include a central location where the committee can discuss the process and background and where it's easy to hear before continuing to the site, as well as return to this location to discuss the site after the visit. Nick agreed and noted that many attendees had not previously

observed a committee meeting and did not receive a thorough briefing of background or process before the committee began reviewing Copper Mountain resources at the site. He asked that each visit begins with an orientation to the FCPLI. The committee agreed to have a summary or factsheet prepared—similar to the one Gary previously agreed to develop—and to pass these out at the site visits to aid in the orientation. This factsheet will include the website address, a note to join the email list, and how to send in public comment electronically or in hard copy. The committee also agreed to encourage attendees who give verbal comments at the site visit to also submit them in written form for the administrative record. Rick asked Josh to review comments received already about Copper Mountain and Josh read them—they focused on the large amount of information shared during the visit and that that the committee is investing a lot of hard work. Chairman Thompson requested the committee to consider what information was missed—that the site visit is not intended to be comprehensive regarding all the inventories for the resources. Information will continue to be gathered throughout the process before management recommendations are made. Andy noted that it's important to keep gathering data—that if the preview the committee received for Copper Mountain were all the information we would get, it's not enough. Nick requested that at the next meeting, or before the next site visit, the committee receive a thorough briefing on the background of WSAs—how were they inventoried, why, what the BLM recorded for Fremont County WSAs and how recommendations were made, what is the current management regime; as well as a comprehensive review of the Wilderness Act—management, history; and a review of possible other designations or directed management possibilities. He requested this come from the agency as experts on the management and laws and that this is important information for the committee to learn together to be on the same page. Ginger and others agreed. This presentation will be added to the agenda for the next meeting. Rick asked that we brainstorm together about invitees to the upcoming Sweetwater Canyon visit. The group agreed to include landowners, grazing permittees, Game and Fish personnel, BLM personnel (if possible), trails groups (Oregon California Trails Association and the Church of Latter Day Saints).

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### Sweetwater Canyon WSA Presentation | *Jared Oakleaf, BLM*

Jared asked that a summary and map he had previously provided be emailed to all committee members. He reviewed the historic uses for Sweetwater Canyon, which include hunting, fishing, grazing, and some gold prospecting. The WSA is 9,056 acres and the BLM recommended that 5,538 acres be designated Wilderness in 1991. The focus of the designation was on outstanding opportunities for solitude, the unique scenery and geology. He has observed increasing recreational uses in the area—focused on fishing, an increase year-round by elk and thus by elk hunters. The WSA has received attention and habitat restoration from grazing impacts in a cooperative agreement with grazing permittees, the agency, Game and Fish, and TU. While it had been included in two allotments, it is now entirely in one allotment—Silver Creek. There are some cow and recreation conflicts. The allotment is meeting desired rangeland conditions. There has been increased use on legal routes, which are primitive two-tracks. One legal route does enter the acres recommended for Wilderness. Jared recommended that the committee visit the Lewiston Lakes overlook off the Hudson-Atlantic City Road and hike along the primitive routes into the canyon. There is not much mineral activity—potential for gold is low, there had been some historic activity along Wilson's Bar, and recreational panning is not active. There are some recreational claims made by associations. The BLM inventoried the region for wilderness character during the latest land-use plan revision and did not find parcels with wilderness character outside the WSA. The National Historic Trails corridor does not include the WSA, but the WSA is a "donut hole" in the corridor—to the south of the WSA is the Seminole Cutoff and Continental Divide Scenic Trail and to the north are the main routes of the Oregon and Mormon Trails. The WSA is not used by trail trekking groups—that happens to the north. The WSA is VRM 1 and the surrounding region is VRM 2. The Canyon includes a section of eligible wild and scenic river and is a backcountry special recreation

management area. Wild and Scenic designation management could be directed and may not affect grazing—grazing management is typically unchanged by this type of designation. Jared recommended the committee invite the following to the site visit: George Hunker, who runs a guiding business, Trout Unlimited and Popo Agie Anglers. Nick will invite George and TU, Doug will invite Game and Fish, and the LDS Church, Julia will invite trail groups, and Travis will invite Wyoming Prospectors. The Eastern Shoshone and Northern Arapahoe will also be invited. Ginger and Julia both commented that it's helpful to take a landscape-view of adjacent uses to consider while deliberating on the WSA. Jared can provide maps and Google Earth files for different layers and resources.

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### Natrona County and the Sweetwater Rocks | *Chairman Thompson*

Chairman Thompson reported that he has had conversations with Natrona County regarding the shared Sweetwater Rocks complex of four WSAs: Lankin Dome WSA (Fremont County), Split Rock WSA (Fremont and Natrona), Savage Peak WSA (Natrona), and Miller Springs WSA (Natrona). Natrona County is disinclined to form their own WPLI advisory committee and have expressed interest in having two commissioners join the FCPLI when deliberating about the Sweetwater Rocks complex. If management recommendations are agreed to by the FCPLI plus these two commissioners, they would take it to Natrona County's board of county commissioners for approval, as Fremont would do as well. Chairman Thompson pointed out that, if FCPLI is to consider these four WSAs as a complex, Natrona County commissioners have to be involved jurisdictionally with the shared WSA and for those two entirely within their county. Julia expressed concern that if Natrona doesn't appoint a committee, interest groups not involved with Fremont (notably, the historic trails groups) and the public of the Natrona County, do not have a seat at the table. Gary suggested we relay this concern to Natrona County and they can decide how to include these interest groups. Chairman Thompson pointed out that FCPLI cannot be too pushy and tell Natrona what they can or can't do. This topic will be brought to the next agenda and Chairman Thompson will continue conversations with the Natrona County Commissioners.

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### Enlargement of the FCPLI | *Chairman Thompson and Ginger Bennett*

Chairman Thompson reviewed the FCPLI Charter, which specifies the process for adding advisory committee members. The committee identifies a need—that there is an interest group that cannot be represented by existing members—and recommends to the Fremont County Commission add the seat by voting to include that interest group, soliciting applications and selecting a representative. Ginger moved that the advisory committee consider adding a seat for tribal representation; Andy seconded. Discussion was wide-ranging. Travis noted that there are not WSAs on the Wind River Indian Reservation and asked the reason for adding a seat for tribal representation—how would adding this seat be helpful? Andy replied that both the Eastern Shoshone and Northern Arapaho have historically occupied the landscape in Fremont County for centuries and have knowledge of the landscape that no current advisory committee member has, so a tribal representative would help inform the committee's management recommendations. Committee members expressed concern about having too large of a committee—others disagreed that the size of the committee was not as important as being sure to include all relevant interest groups. Some wondered if public comment would be an adequate mechanism for including the local knowledge the tribes have of this landscape, others thought public comment would not be adequate. Concern was voiced that a new committee member would have a lot of catching up to do; Nick pointed out that tribal representatives have attended all regular committee meetings. Chairman Thompson asked for a preliminary vote using a three-point scale for the proposal to recommend adding a seat for tribal representation: support, neutrality, and opposition. Travis,

Gary, Reg, and Rick were opposed; Andy, Josh, Nick and Julia supported; and Ginger was neutral. Chairman Thompson noted that this was not consensus and the committee has to make decisions by consensus, per the charter. There was some discussion about inviting Northern Arapaho and Eastern Shoshone elders and leadership to specific meetings or to form a subcommittee to include their perspective. Julia asked that the committee take public comment before deciding to make the recommendation. Chairman Thompson asked that we table the discussion on adding tribal representation. He noted that he had received a request to add a recreational business seat. Andy noted that he can represent that interest. Chairman Thompson asked for review of how the committee makes decisions. Previously, the committee has used a three-point scale for consensus and also, for approving minutes and agenda and introducing topics, used parliamentary procedures (making motions, and voting). The committee agreed to use consensus and make recommendations, but avoid parliamentary procedures in order not to cause confusion for decision-making. The group then considered naming a vice-chair to run meetings in Chairman Thompson's absence. The vice chair would still be a part of any decision making. The group did not agree to nominate a vice chair, but instead to select a member to run a meeting if Chairman Thompson is absent. Chairman Thompson then asked for public comment regarding the recommendation to add tribal representative to the advisory committee.

Jason Baldes, Wind River Native Advocacy Center: Jason reviewed the history of the reservation's land mass, which once included most of the state and is now about half of the county. He noted that each WSA will have cultural significance and sites. 29% of the county are enrolled Northern Arapahoe or Eastern Shoshone and no one on the committee can represent their interests. The Wind River Native Advocacy Center is a 501(c)3 that regularly consults with both tribes—the Center's mission is to create a stronger relationship between the tribes and other governments. He asked the committee to reconsider and support adding a tribal representative.

Gabe Spoonhunter, Wind River Native Advocacy Center: Gabe spoke about youth engagement and unity efforts—and noted that many youth on the reservation do not consider themselves by separate tribes, so the committee should not be concerned about adding two seats for both tribes to have a seat. He supported adding a tribal representative to the advisory committee.

Gary Collins: Gary identified as Northern Arapaho and noted that reservation natural resources help support Fremont County and that he and others have worked consistently to "have a seat at the table" rather than "be on the menu" in government-to-government cooperative efforts. He supports having a tribal representative on the advisory committee.

Mark Keiser: Mark noted that every WSA will have cultural sites with significance for the tribes and that adding a tribal representative to the advisory committee would be a good fit. He also praised the work to increase communications with the public and the website. He asked that at the beginning of each site visit, the goals and procedures be reviewed.

Kim Wilbert: Agreed that adding a tribal representative would benefit the committee—noting that these are public lands for all Americans. He asked the committee to take a step back to incorporate background information and design goals and objectives for site visits, noting that he wonders if the committee is in too much of a rush to attend site visits. He also asked that the public be allowed to comment on topics before the committee make a decision. (Chairman Thompson noted that everything for a site can't be frontloaded before a visit, but that data gathering will span before, during, and after site visits well before the committee begins to analyze and form recommendations.)

Jessi Johnson, Wyoming Wildlife Federation: Jessi reminded the committee to think of the optics of the process—how will the management recommendation look, down the road, if the committee excludes an important community like the tribes? Not having the tribes at the table will leave a gaping hole by missing a piece of the community. She also asked the committee pursue, per Nick’s request, broader education on WSA and Wilderness management and history.

Dick Inberg: Dick underlined the importance of WSA history and asked the committee to consider citizen wilderness proposals (Julia will provide these to the committee). He noted that there are four BLM areas in Fremont County that citizens found wilderness quality lands: Harris Slough (south of Sweetwater Canyon), Lysite Peak and Fuller Mountain (in the Bridger Mountains east of Copper Mountain), and Mill Creek (north of Farson). He supports having a tribal representative on the advisory committee.

Lisa McGee, Wyoming Outdoor Council: Lisa referenced other consensus-based groups she has served on and that the FCPLI, with its three point scale for consensus, is missing a range of expressions for consensus. Many groups use a six-point scale. Lisa supported adding a seat for tribal representation to the advisory committee. (Chairman Thompson noted that the three-point scale decision was preliminary and that it is important to stick to consensus. Julia pointed out that the charter outlines a six-point scale and that charter also outlines a process for how an applicant would be selected, that the committee does not need to recommend an individual.)

Gary Collins: The commission should have solicited and appointed tribal representation in the beginning of the FCPLI process.

Public comment closed.

Travis requested that the committee review the six-point scale of consensus.

1. Endorsement –Member likes it.
2. Endorsement with Minor Point of Contention – Basically, member likes it.
3. Agreement with Minor Reservations – Member can live with it.
4. Stand aside with major reservations – Formal disagreement, but will not block the proposal/provision
5. Block – Member will not support the proposal.
6. Indecision – Member cannot make a decision without more information. Member must specify what information is needed, and re-vote once that information has been obtained.

Consensus is achieved when all members are 1’s, 2’s, or 3’s. Chairman Thompson asked each committee member in turn for their preference.

Ginger: 3. Ginger noted that her minor reservation was “when do we define—or do we—” what happens when we have another request from a special interest group for an addition and wondering who will request next.

Andy: 1. Andy supported the inclusion of tribal representatives for historical and cultural reasons—that they have occupied this territory for thousands of years and noted that Jason Baldes has been advocating the inclusion of the tribes at every meeting since the first one.

Nick: 1. Nick commented that he is focused on making the process the strongest and best set up for success and that is why he supports adding a seat for the tribes. We are the only county in the state with a reservation and if we don't go forward with this it weakens the process and means our time on the committee won't be well spent.

Josh: 1. Josh noted that throughout this process, if something needs to be done or changed, just because it's change, we need to do it.

Rick: 3. Rick echoed Ginger – when do we stop entertaining additions?

Gary: 3. Gary commented that we have public comment, which is a mechanism for incorporating input.

Travis: 3. Travis noted he was not in favor of adding tribal representation but will not block the proposal. The process will only lengthen if the committee keeps growing in size.

Julia: 1. We have heard the public comment and those choosing to comment were unanimously in support and that this is one more step in improving this process.

Julia noted that the committee keeps improving its transparency and public inclusion and this addition is an important community to include, as we keep fine-tuning the process for the best outcome.

Reg: 3. Reg noted that the tribes were included in the development Lander RMP included tribal perspectives and we can have that background information for this process.

Chairman Thompson reported that the committee had achieved consensus on recommending the county commission add a seat to the advisory committee for tribal representation. He will take it to the county commission on August 23<sup>rd</sup> and if approved, the county will seek applications and appoint a representative.

Gary Collins: Tribes are not special interest groups but are sovereign nations.

Chairman Thompson asked what else the committee would like him to take to the commission. Ginger asked if the county commission would set a deadline for new proposals of additional seats. Chairman Thompson noted that the charter outlines the process by which the committee will review these types of requests and that the committee may put this on the agenda for a future date.

Before adjournment, Chairman Thompson noted that the next site visit is August 27<sup>th</sup> at 9am to Sweetwater Canyon WSA. The meeting place is Hwy 287/BLM Hudson-to-Atlantic City Road on top of Beaver Rim. Gary will be put together a background summary and the information will go to the website. Julia will provide three citizen's wilderness proposals to reference at Sweetwater Canyon. Travis may not be able to attend the site visit but is trying to reschedule travel so that he can attend. Rick thanked the public for the comments after the site visit and during meetings and noted that they are important to him, Gary agreed. Julia noted that it worked well to include public comment before other decisions in the future. Chairman Thompson pointed out that the public comment period is at the end in order to accommodate comments on all topics. He asked that if a committee members knows an attendee wants to comment, or the committee member wants to hear comments, the committee member can request public comments on an ad-hoc basis and the period will remain at the end.

Homework for next meeting: vice chair, Natrona County inclusion, and communications update. The next meeting is September 26<sup>th</sup> at 6pm. The committee will be regularly scheduled for fourth Mondays, in order to accommodate Tuesday commission meetings. Reg and Nick will work on organizing the Dubois Badlands and Whiskey Mountain Add-on WSA site visits and a Doodle Poll will be distributed for a site visit.

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*Adjourned | Commissioner Thompson*

The committee agreed to adjourn at 9:15 p.m.