

Fremont County WPLI Advisory Committee Minutes

September 26, 2016 | 6:00 p.m. | Fremont County Commissioners Chambers

Meeting called by	Douglas L. Thompson, FCPLI Chairman	Advisory Committee attendees: Nick Dobric, Josh Milek, Ginger Bennett, Julia Stuble, Gary Horton, Reg Phillips, Doug Thompson and Travis Becker
Type of meeting	Regular	Absent: Andy Blair and Rick Mickelsen
Note taker	Becky Enos	Public: Juan Laden, Robert Coe, Jessi Johnson, Steff Kessler, Pat Kearney, Gabriel Spoonhunter, Linda Olinger, Craig Bromley, Peter Dvorak, Kim Wilbert, Helen and Byrl Nichols
		Agency: Travis McNiven (Senator Barrasso's Office) and Wyoming Game and Fish Department representatives Greg Anderson, Stan Harter and Brian Parkes

AGENDA TOPICS

Welcome | Commissioner Thompson

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

Approval of Agenda | Commissioner Thompson

The Agenda was approved as presented.

Approval of Minutes | Commissioner Thompson

Reg moved, Josh seconded, to accept the August 15 Regular minutes, as amended. Motion carried unanimously. Reg moved, Nick seconded, to approve the August 27 Site Visit minutes, as amended. Motion carried unanimously.

Commission Response to Advisory Committee Expansion | Commissioner Thompson

Doug reported on the County Commission action when he had made the recommendation from the Advisory Committee for expansion to include a tribal representative. Julia was in attendance at the Commission meeting when the discussion took place. The recommendation was not accepted by the County Commission as he reported at the Sweetwater Canyon Site Visit on August 27th. Doug stated that when this process was started, the process would be for recommendations to be worked out back and forth between the Commissioners and Advisory Committee. Those recommendations will go back and forth when working various WSAs and proposals, he expects a lot of interaction. If Commissioners feels there is a problem, or with state or congressional recommendations there will be a chance to go back for review. Don't believe interactions between Commission and this group on procedure issues will continue like that. At our last

Advisory Committee meeting, we used consensus voting for everything. This is difficult, such as the changes just made in the minutes and Doug has visited with both Julia and Andy on how this will work. There is some expectation from this Committee that because the Committee approved the recommendation by a consensus vote that the Commission is honor bound to accept the recommendation. The Commission put this group together but every recommendation will not be accepted automatically by them. If there is a problem, we can talk about it.

Julia reported on her discussion with Doug. The procedure is a concern. This is the first time to have input for future national legislation. The present Commission formed the WPLI Advisory Committee and has a clear understanding of the Advisory Committee role. The Commission needs the benefit of meeting the Advisory Committee in a meet and greet. Maybe wait until this time to relay procedure of back and forth interaction, how the Committee is implementing the Charter and other topics so there is a clear understanding. Look for ways to have this meeting.

Doug: There will be two new Commissioners in January and they need to understand this process.

Travis: Invite the Commissioners to attend the Advisory Committee regular monthly meeting in January.

Doug: Other dynamics, shift in voting pattern and went to 6 point voting.

Julia: Process and topic at hand and how to incorporate tribal information, more government to government to County Commission and then to tribal council. Formally invite Historic Preservation Office and both tribes to bring in their perspective. Always extend an invitation for tribes to send in and make comments.

Gary: Very difficult to get all parties on the same page at the same time and concerned about time frame to hear all comments. Not saying should not try but would be very difficult to accomplish.

Doug: Cannot hold up action waiting for their response and this goes for any other outside committee that wants to respond – the process is open and transparent.

Nick: This is the first time something was sent to the Commission and not sure how much they understand what is going on, what the purpose is, what consensus voting is. Need to express our concern. We want to make sure our time is well spent. The January meeting will be helpful to make sure the Advisory Committee is not wasting our time. In the future, new information presented should have more back and forth before a final decision is made by the Commission. If a recommendation is made to the Commission, we want some kind of deliberation with them before a final decision is made.

Ginger: If an item is brought before Commissioners, Advisory Committee members should know when it is scheduled on the agenda and members could attend, could maybe save some time.

Doug: Still building relationships and point well taken.

Sweetwater Canyon Debriefing | *Commissioner Thompson*

Stan Harter is in the audience and had previously relayed information from the Game and Fish which was discussed at the site visit. Doug asked if anybody had any additional questions for him.

Ginger: Wilson Bar – are there any active mining claims? What activities are allowed in this area? Some maps show it as a town, some show it as a strip of land.

Travis: Attended the Wyoming Prospectors Association meeting in Atlantic City several weeks ago and they visited about Sweetwater Canyon. There are some active claims within the area and he did not know who the owners were but it would bear looking into.

Doug: Some information from BLM may be available.

Ginger: We also need a geological study on this area.

Doug: Will flesh this out. Potential for actual use that will need to be addressed when we do a recommendation.

Ginger: Would like to get more information on Wild and Scenic River Designations and what that entails.

Doug: There is a procedure he will copy and give to Ginger. There is a lot more than what he earlier gave out to the Committee and he asked her to see if there is something to work into their recommendation.

Ginger: Would like to review procedures and implications on what it would do to surrounding landscape.

Josh: Add some information to current motorized use occurring there. We drove on two different roads. There are three open roads that access the river within the WSA and BLM maps shows six but only three access the river. The other three look off point.

Nick: Lander RMP has not done trail management, they are open unless a sign says closed.

Josh: to an extent they are polygons.

Doug: This is on the BLM agenda next year, per Jared Oakleaf, deferred out of the Resource Management Plan, broad to existing route.

Nick: had a question for Stan, as far as recreational use, are there any fishing and hunting surveys?

Stan: Fisheries (creel survey) not done directly. Types of use less available than animal data, don't have a gauge on numbers.

Doug: Wildlife populations – is WSA critical life need, breeding area or sanctuary area?

Stan: This is crucial winter range, moose use the area along the river, not just in the canyon. Certainly use part of the river year round, increase influx when moving down. Elk are located on countryside. Significant number in the canyon and adjoining areas (200-400 elk numbers). The past spring, there were six mule deer on Twin Creek and BC, four were on the WSA and river all summer or traveled through. Granite Creek and Spring Creek and Willow Creek on the north side of the canyon and moved up stream. Four out of six are collared and utilized WSA all or part of the summer. There are six known sage grouse leks in the area but not within the WSA boundary, no known leks within the WSA. There are numerous non-game species. The WSA is part of the whole river corridor, not necessarily seriously unique. It is an important area but not a sole use area.

Site Visit – Dubois WSA | Commissioner Thompson

There are two WSAs – Badlands and Whiskey Peak. Per the doodle poll survey, October 29th is the best date (Andy and Doug will be absent). Reg and Nick are in charge of logistics for the site tour. They stated the group will meet at Dubois Town Park at 9:00 a.m. and convoy to the site, they expect the tour to take until 2:00 p.m. They will meet with Game and Fish this week and anticipate possibly four stops. After the recent rain, Reg stated they will have to look at where they can actually go. Will work with Game and Fish and coordinate.

Doug asked Julia to get copies of the BLM map of the area for the tour. Other maps are available on gopedia (Trout Unlimited Maps). Would also be nice to have different layers (Game and Fish, etc.).

Ginger: Also be nice to see conservation easements or wilderness area layers and walk-in private land access.

Reg: There is one permittee in the area and horses are on the south side.

The Communications Committee will do extra for community interest. Gary will do a flyer like he has done previously for the other WSA site tours. Travis asked Gary to also send the flyer to the Dubois Chamber of Commerce. Reg will provide a one page synopsis for inclusion in the Roundup and will get started on it this week.

Nick: There is an optional short hike up Birds Draw if site tour members want to take it at the end of the official tour. It would be a 1-2 hour hike.

Greg: There is a lot of Game and Fish activity, recognize existing uses. Whiskey Mountain – BLM Land but managed as a Wildlife Management Area. This is crucial winter habitat to sheep, deer and elk. BLM manages in conjunction with the same uses. There is an MOU for an integral Big Horn Sheep Technical Committee that manage the winter range complex and has been in place since the 1960s. Joint decisions are made. Doug asked for a copy of the MOU for the Committee's reference. The WSA is just one component of other land ownership in the area. The Ross Lake Jeep Trail is a cut-off. There is access to the WSA through Wyoming Game and Fish Commission property and road shut down?

Need to request administrative access. Once the date has been confirmed, Nick will confirm with Jason. Don't want to disturb hunters in the area while taking the tour, mid-day will be the best time for tour so as not to not affect hunting. The radio tower in the area belongs to a phone company. BLM working to move to Sheep Ridge to other tower areas. County towers are on Windy Ridge.

Doug: There are no sage grouse locations. Existing uses – part of the RMP. BLM lands to the north, recognized important to game. Withdrawn from mineral leasing, no surface occupancy.

Reg: Any AC/EC's, and Greg answered no.

Doug: Around WSA in RMP, land with wilderness characteristics.

Nick: More to east, other side Trail Lake. Not adjacent to WSA before Reservation.

Julia: Oil and Gas – not available for leasing. AC/EC on Whiskey Mountain and East Fork. Pull information from RMP. Joint management acreage breakdown would be helpful.

Brian: 17 of Commission deeded land. Extremely important big game winter range and recognized over decades within agency.

Ginger: Other areas crucial sheep habitat that surround area. Sheep range extends into wilderness. Entire north Wind River range populated by sheep that winter in Dubois. Sheep go south and elk and deer head north.

Josh: Access? Closed December 1 to vehicular traffic and opens May 15th. Walk-in's are allowed during closure dates. No legal public roads to WSA boundary but there is access to radio towers.

Travis: No access? Ross lake Jeep Trail? When Forest Service classified Glacier ... to Fitzpatrick Wilderness – lower part goes through building compound at base. Whiskey Mountain – open administrative access.

Doug: No legal road access to or within WSA, never was.

Badlands: Similar story but to north. Extremely important winter habitat. BLM managed with habitat management area. Wiggins Fork elk herd winter piece of big winter range (6,000 head) along with Circle Ranch. Everything lives in the WSA badlands (80 head of sheep) utilize the canyon and WSA. There is no MOU for the management area. Mineral oil and gas – applies on this area too. Important for elk winter range. Is there an executive summary management strategy? To help recognize what is going on now.

Brian: There is a Whiskey Mountain Cooperative Agreement between Wyoming Game and Fish Commission, Forest Service and Bureau of Land Management and he will send a copy of the document if you want.

Access to the WSA: Badlands have 4900 acres, Whiskey Mountain.... One legal road by the County dump.

Travis: are these legal motorized roads through the WSA? Along the Wind River side there are a lot of property owners. There are no legal active roads.

Ginger: there is a reservoir in name only on Game and Fish property.

Doug: there are no fisheries associated with the WSA, runoff only.

Reg: No recreational water. Historical use (World War II).

Ginger: Interested in historic use (WWII).

Josh: Both WSAs closed to motorized access. BLM has legal use of the area.

It was mentioned that maybe BLM law enforcement should be invited on the tour.

Josh: There are cultural sites (teepee rings). Craig Bromley confirmed this by stating there is quite a bit in this area. It would be important to get more information on this, it is not mentioned in the RMP. The BLM archaeologist could give specific information.

Game and Fish will attend the site visit on October 29th.

Initiative Guidance | *Travis McNiven*

Travis Introduced himself as Senator Barrasso's State Natural Resource Advisor. He referenced a letter signed by the delegation as a whole in support of the WCCA process and framework (he will forward the letter). The AC will provide support for the stakeholders, have an outreach capability and have a transparent process. Also included in the letter is the importance that this is a local driven process. The Advisory Committee and Commission will make a recommendation for WSA areas that have not had a final recommendation by Congress in over 30 years. The Initiative is locally led and supported by the delegation. The recommendations will most likely take two years to complete and the Advisory Committee and Commissioners will still be involved in the process after it is presented to the Wyoming County Commissioners Association. WCCA will take all County proposals and put together a package. This will be shared with the delegation and any changes will be sent back to the Advisory Committee and Commission for consideration before sending on. The bill and introduction won't work this way. The language will say what the recommendations were, provide feedback and make edits and work through and must have full support before introduced as a bill. Could take three years for text and bill introduction.

Travis B: Is there anything to consider or not recommend. Stick with WSAs for now as this process is not the place for other issues. Look outside the box on the recommendations, not confined to pre-existing boxes and labels, focus on what management is best for the landscape, then determine if there is a label that matches that. Not confined, be creative. Extremes of options gets attention, there are two permanent types of labels – hard release and wilderness, but these are not the only options, can find a middle ground. Grandfathered can mean until the existing permittee's permit ends or is sold, or it can go on to the next permittee. Up to Advisory Committee to move forward for successful outcome and have those hard discussions. The hope is for a piece of legislation to bring certainty and conclusion for Wyoming stakeholders.

Doug: The goal is to work on WSAs first and then perhaps look at other proposals. Would the delegation be receptive (land swaps). Travis answered yes.

Josh: Process bill writing? Will the bill be specific to each WSA? Travis answered the recommendation becomes legislative text and will be reviewed and the long term goal is to become law and supersede current management. Other states are using different processes and Utah and North Dakota were mentioned. He encouraged the Advisory Committee members to visit DC and the senate offices and tell the local story. This makes a difference in getting something passed through process and discussion. The process is too early to be definitive, only three counties are ready to go now, and it may serve to wait until more are complete. Seven or eight counties are participating in the Initiative and some WSA's have shared sites (Fremont and Natrona).

Julia: The AC needs to practice diverse perspective, take public comment. The open element is important and a big ingredient for successful outcome.

Questions for BLM Field Manager Rick VanderVoet | *Chairman Thompson*

Doug: What questions do we want Rick to answer during the next meeting?

Wilderness Act, Inventory, Recommendations, total acreage, shared management strategy, MOU's and Cooperative Management Agreements in place, other land uses surrounding WSAs, critical management areas, walk in hunting areas, road access to each area.

Julia: Also why the recommendations were made and what was going on at that time, what dictated boundary setting, difference between wilderness management and WSA management, what has been grandfathered in.

Public Comment | *Chairman Thompson*

Juan Laden: Redundant process, nothing happened, why were they originally chosen, nothing happened since and Congress does not want to designate more wilderness, most WSA's made into wilderness. More and more people here make the land more valuable and need wild lands.

Byrl Nichols: Is Fremont County Land Use Plan still in effect in Fremont County and are there any county roads in the WSA's? Doug answered yes the Land Use Plan is in effect and no there are no county roads in the WSAs. Byrl asked about the BLM ranger and his authority. Doug answered that is a constitutional question on who and where, the BLM ranger has no authority on private land. This will be another question for Rick VanderVoet to discuss at the next meeting. The County does have a contract with Forest Service to patrol through Forest Service campgrounds. Reg knows that BLM works with Forest Service law enforcement to cruise through BLM lands as well as with Game and Fish, but clarification is needed. Mutual Aid Agreements will also be discussed with Rick.

Josh will provide a copy of Authority to Enforce Travel with Motorized Vehicles.

Discussion was held to invite the BLM ranger on the site tour.

Gary: Rick sees limitations on what to recommend and what BLM can enforce, what is feasible.

Doug: Enough promises, prioritize what can do.

Travis Becker: Tell BLM how they will manage area, directing, they have to prioritize.

Next Meeting, Committee Comments and Adjournment | *Commissioner Thompson*

The next regular meeting was scheduled for October 24, 2016 at 6:00 p.m. The November meeting was scheduled for November 28, 2016.

Josh stated there was a comment submitted to the website that the agenda's be posted along with the minutes. He stated there had been a slight glitch but thinks it is taken care of.

Gray and Ginger met with the Riverton Kiwanis and Ginger later met with the Riverton Lions Club as well in an effort to get information out to different groups by pursuing different avenues of spreading the work of the Advisory Committee.

The Site Comment Form was discussed and the suggestion was made to take "Site" off in case people want to comment without taking a site tour. All AC members contact information is also posted so people can ask pertinent questions.

There being no further business, Reg moved, Ginger seconded, to adjourn the meeting at 8:15 p.m.