

Meeting Minutes for CMR Community Working Group Meeting
Thursday, February 21, 2013
McCone County Fairgrounds, Circle, MT

Attendees: Damien Austin, Leo Barthelmess, Steve Becker, Monte Billing, Jennifer Bolinger, John Chase, Bryce Christensen, Karla Christensen, Arnie Dood, Ron Garwood, Jason Holt, Melissa Hornbein, Aaron Johnson, Stephanie McGinnis, Destanie Melin, Linda Poole, Laurie Riley, Clyde Robinson, Dean Rogge, Mark Sullivan, Sylvan Walden, Denise Wiedenheft, Todd Wolff

10:10 Welcome & Grounding Question – Dean Rogge, Facilitator standing in for Bill Milton. Twenty-three people were in attendance.

Self-Introductions & Answers to Grounding Question - Has the trust within the group changed? Has it gotten better or worse? – All Participants

- Majority have feelings that the trust has improved;
- Some did not feel qualified to weigh in (too new to the group);
- One exception – more anxiety than when first started coming;
- Comments about being impressed with how much trust exists in the group.

10:20 Proposals

- Stephanie McGinnis – Support/Partner with MT Watercourse Prairie Stream Riparian Health Education & Outreach – overview

Stephanie explained how she started talking with Laurie in fall 2012; she came to one CMR Group meeting, she is working with Tracy (NRCS) in Glasgow area

Riparian function and value – functioning vs non-functioning

Make it bigger and held at Cottonwood Inn – 2 day event and bring in speakers

Question – ideas for speakers, ideas for topics

Bank stabilization

Is this focused on prairie streams

What is natural vs unnatural, is some erosion naturally occurring

Tour – look at restoration site, before and after, what worked, what changed

Easements and grazing plans

Talk to Glasgow BLM – done projects on 10 streams

Huckleberries, buffalo berries

Russian Olives – don't think they should be listed as noxious weeds – Speaker on Russian olives

What can be used as replacement on river for bank stabilization

They have a benefit, what is ecological equal

Roads, crossings, cattle crossings

Look at sites naturally functioning and restored

National Riparian Services Team – work on the CMR

Salt cedar

Keep it focused; too much in 2 days could dilute the message

Question – Speakers

Mike Garvidge w/ NRCS – geological engineer

Patricia Gilbert w/ ACOE at Ft Peck

Keep focus on landowner participation

Is the tour to be on private land; what about BLM. BLM leaseholders treat BLM as it is their own.

Who would like to participate in putting on this work shop, establish committee?

Question – Any topics non-riparian
Programs, cost-share

- Laurie Riley (for Dennis Jorgensen) - Formalized Structure for Group, Planning Committee
Laurie distributed a hand-out prepared by Dennis. The group briefly discussed the questions on the handout and decided the decision-making process may be different for differing scenarios. It should be discussed further when Dennis is in attendance.

Hand-Out:

A relatively simple and transparent decision making process will almost certainly be important for the CMR Community Working Group going forward in selecting the opportunities and projects we will pursue, the structure of the working group, and the roles that individuals will assume.

An important first consideration for the group is whether we feel that any given decision can be made during the course of a single meeting.

Some things to consider concerning the group's ability to make a decision during a meeting:

- 1) Do individuals need more time to consider a question or proposal?
- 2) Is there sufficient representation from each of the counties, and stakeholder groups (e.g. agriculture, community members, NGO's etc....) at a given meeting to ensure that a decision is balanced?
- 3) Should individuals have the opportunity to consult their constituencies between meetings to make their vote more representative?
- 4) Should individuals who consistently participate be responsible for surveying their constituency in their respective counties or organizations?

Next we should perhaps consider how decision making will occur:

- 1) Should decision making be based on a vote and if so should it be:
 - a) one vote per individual in attendance?
 - b) one vote per breakout group?
 - c) Other?
- 2) Does decision making require consensus?
 - Consensus will be challenging in such a large group but perhaps we can aspire to this.
- 3) In consulting others regarding decision making in large groups one suggestion was something as simple as:
 - A thumbs-up indicating support for a project or activity
 - A horizontal thumb for a vote to proceed with a project or activity without expressing support
 - A thumbs down indicating that a project or activity should be rejected
- 4) If a decision is based on a vote we would need to decide the threshold at which the thumbs-up and horizontal thumbs are enough to move forward. 2/3 is frequently considered a reasonable threshold.
- 5) Considering how meetings have been structured to date there might be promise in following the format we have to date with the merits of a project or activity being presented in the morning and using the breakout group format to discuss thoughts, concerns, comments and suggestions to improve all of which can be captured in the groups notes and ultimately the group could decide to give a thumbs up, horizontal thumb or thumbs down and if the vote supports proceeding these notes can be incorporated by the project leader.

How should project teams be structured?

As projects are chosen, several questions arise:

- 1) Who will be responsible for shepherding the project to completion? Perhaps the individual who proposed the project.
- 2) How will individuals join or be selected to participate in a project team to ensure that diverse perspectives are represented?
- 3) Should all project teams have a consistent make-up with respect to the stakeholders participating in the overall working group?

These are all simply points for discussion and this process ultimately rests with the group. Whatever is decided we should ensure that this does not become a means of forcing the direction of the group, but rather a means of contributing to positive progress in a chosen direction.

➤ Linda Poole & RSA – Livestock Grazing & Wildlife Habitat

Is there a way we can agree to make decisions? Not tied to grazing. Just how is this group going to act as a group? Linda highlighted the 7 premises she has identified for moving the project forward (also discussed at last meeting in Ft Peck). Linda distributed a hand-out.

If the CMR is not interested in learning about other grazing processes, then this project is not necessary.

First step - take us to places where grazing is successful – Identify a standard

How do you measure success?

What are the constraints to both CMR and landowners?

Ex: Can't graze 1000 yearlings for 1 month in one grazing area.

1 part of project is literature review, 1 part is expert input – capture local knowledge (unpublished), 1 part is to get expertise from land mgmt. agencies – hold facilitated workshop between agency's staff to build knowledge base. Then develop proposal (or experiment) for CMR for alternative management. This will take funding. Probably need to hire consultant.

Biggest issue of grazing on CMR – not a good foundation for what CMR is striving for, need definition of prescriptive grazing. Every group can find literature to support their cause. Probably published (supported) data will be better accepted.

Laurie mentioned how the Missouri River Recovery Implementation Committee (MRRIC) has discussed TEK - Traditional Ecological Knowledge. Although MRRIC applied the concept of TEK to the tribes, the MRCDC has talked about TEK relative to multi-generational ranching and farming families.

Questions / Discussion:

- Can the concepts/practices of the RSA project be applied to the Garfield County CD Pilot Grazing Project? Seems there are strong similarities and opportunity for application/combination
- How many permittees on CMR – 65
- How many CMR permittees in RSA – 5
- Status of Garfield County CD Pilot Project – 4 permittees included, some just a control area, some attempts to roll the project in to a sage grouse project, resistance to single species focus.
- Throw in bison as comparison to cattle grazing. If trying to graze cattle to emulate bison, need to see what bison on CMR would look like.
- Typically short duration, high intensity grazing – how do you make this work?
- Country is hard to fence. In a 4 pasture rest rotation system very high grass was the outcome, healthy landscape; Elk followed cattle.
- CMR wants permittee input
- FWP supports rest rotation
- How about Phillips County Community subset to discuss during lunch.
- Need relationship between herbivore and grazer. That is what shapes the land. Can this group help the CMR determine what looks good, what they like.
- Need to examine the plant community – can't base decisions on what looks good. Have to ask what the plant community you want is.
- Agriculture is required to keep the local communities alive.

Linda stated there is no one from RSA, herself included, able to take this project on and carry it forward. If the CMR Group is interested in what she has prepared, then someone or a committee will need to make it happen.

12:00 Lunch

- Denise Wiedenheft (for Bill Milton) – Future West, Analysis of Economic/Demographic Data, Issues, and Trends for Communities.

2-pg hand-out from Future West web site to give background on the company
Glossy, color hand-out of PowerPoint Atlas prepared for Beaverhead County

A comprehensive catalogue of county's important natural, cultural, and economic resources, a valuable source of information for land use planning, and economic and community development.

Invite Future West to April meeting to present proposal, share ideas, and address questions.

Described how Future West works with counties for planning issues

Can help with obtaining grants

Demographic data, economic data, populations, income, lands (private vs public)

Info useful for writing grants, making decisions, planning

Data gathering and compilation

Do the work for all 6 counties (vs just 1 or 2) – keep the group connected

Do they do any data analysis? Or just compile the data and present?

Invite Jennifer Boyer to come and make a presentation – develop drop-down by county

Link to Beaverhead Atlas hand-out

<http://www.future-west.org/projects/beaverhead-county-natural-and-cultural-resource-atlas>

12:30 Melissa Hornbein – CMR Reserved Water Rights Compact status

Concluded final (5th) negotiation Jan 22

Conducted 4 public meetings

Commission voted on compact, approved

Went to Legislative Committee

Vote held on Senate floor this week 47 – 2 in favor of passing

Verdell Jackson, Fielder were 2 voting against

Another Senate vote, then moves to House

12:40 Laurie Riley - Review draft letter of support from CMR Community Working Group to Natural Resource Committee recommending passing the CMR Reserved Water Rights Compact (attached).

After making one change from “we support” to “we recommend you pass” the letter was acceptable to everyone in the room. However, after much discussion and debate, it was concluded that because some in attendance were uncomfortable speaking for the entire group, the letter would be distributed for broader review. Laurie will send the letter to the 126 people who have ever attended a meeting and who have an email addresses to poll for opposition.

In a cover statement it should be explained that the Group is not offering support of Federal Reserved Water Rights. The Group is recommending that this particular water rights compact be passed. Need to state date to reply if against sending letter.

Everyone strongly agreed that the Group need to formalize a decision-making process. Too much time was spent on the letter, and no one anticipated that it would be so complicated.

Brief discussion by Aaron Johnson, CMR staff, of habitat management units and step down process. CMR staff held a meeting to begin work on this process. This will be very complex. Recommend letting Rick Potts know that the group is interested in having input to habitat management unit and step down process planning. CMR had 3 day initial HMP meeting. Discussion about how many facets of mgmt. included in each...only include habitat issues or other step down issues. Who would be/should be included. For habitat work – just permittees?

Break into Smaller Working Groups to answer Dennis Jorgensen's questions on decision making process

Group 1

- Is one meeting enough to make a decision? – Yes if it is for a simple matter or issue; if the issue is complex (policy/letter) more time is needed.
- Is there sufficient representation at one meeting? – No, not for complex decisions. Those should go to entire group (all those who have attended meetings).
- Are attendees responsible for representing their constituency? – Yes.
- How should the group make decisions? – Consensus provided that an Executive Committee can remove someone who consistently stonewalls the process.
- Should decisions require consensus? – Yes.
- Should the group vote with thumbs up, down, sideways? – Yes.

Group 2

- Is one meeting enough to make a decision? – An agenda should be sent out early announcing any decisions coming up for vote. Complex issues should be discussed at two meetings allowing time for discussion and input from constituents.
- What should the voting process be? – Thumbs work; if vote with thumbs down an alternative must be proposed to identify what can be changed to bring agreement.
- Who is responsible for a group project? - The person who proposed the project. If a committee is formed, it should have balanced representation (agency, ag producer, NGO, etc.)
- Should teams (project committees) be consistent? – No, depends on each project, people directly impacted should be involved.

Group 3

- How much time is required to make a decision? – At one meeting if there is enough time for discussion and if announced in agenda that is distributed early.
- Is there sufficient representation at one meeting? – Not sure.
- This is not a decision-making group; this is a recommendation group. Should be by consensus and consensus with reservations if necessary.
- Sometimes lose track of the CMR. The power of the group is to make recommendations to the CMR – just tell them what we think.
- Consensus is of only people at meeting – need agenda early.

Group 4

- Can we make a decision at one meeting? – Yes, especially if the issue is a small matter and time sensitive.
- Who gets to vote? – Only those attending a meeting; no proxy.
- Decisions require consensus – voting with thumbs up, thumbs down.

Group 5

- The Group needs organization – like a 501(C)3 for grants. Need 1-3 people to take the lead. Form committees with representation from each interest to make recommendations. Need to scale down the voting body (fewer people).

Wrap up

Date for next meeting in Jordan. April 11, discuss with Bill Milton & Future West.
Core Agenda item for April meeting: Future West speaker and Dennis Jorgensen on Decision-Making.
Ask Dennis to review these notes and advance the “project.”
Write letters to Rick & Melissa’s supervisors – advising what good work they have done.
Project Updates at next meeting.

Announcements

Laurie Riley announced her resignation as Missouri River Conservation Districts Council Coordinator. This will be her last CMR Community Working Group meeting.

3:15 Adjourn

Charles M. Russell National Wildlife Refuge Community Working Group

Where diverse interests convene to discuss refuge management and work to ensure vitality of the refuge and surrounding communities.

**c/o Missouri River Conservation Districts Council
1601 2nd Avenue North, Suite 601, Great Falls, MT 59401
Phone: (406) 454-0056, mrcdc@MissouriRiverCouncil.info**

February 21, 2013

House Natural Resources Committee
Chairman Jerry Bennett
Montana House
PO Box 200500
Helena, MT 59620-0500

Re: CMR Reserved Water Rights Compact, Draft Bill #SB278

Dear Chairman Bennett and Members of the House Natural Resources Committee:

The CMR Community Working Group established in Jul 2010 to discuss management of the refuge; recognize conflicts and commonalities among users, groups and agencies; identify and work collaboratively toward solutions; and provide a discussion forum for increased understanding, cooperation, and partnership among stakeholders. Participants include CMR management, landowners, grazing permittees, agency representatives, county commissioners, conservation districts, business owners, outfitters, wildlife organizations, environmental groups, recreationists, and others. By working cooperatively we are identifying mutual goals and areas of agreement as a starting point for productive dialog among this diverse group.

We recommend that you pass the Reserved Water Rights Compact between the U. S. Fish and Wildlife Service for the CMR and the State of Montana. The year-long negotiation process has allowed for much public input and numerous iterations to reach an equitable and scientifically valid compact that meets the needs of the refuge and the needs of landowners within the subbasin.

In Jan 2012, the MT Reserved Water Rights Compact Commission (RWRCC) received a proposal from the U. S. Fish & Wildlife Service (FWS) for a compacted water right for the C. M. Russell National Wildlife Refuge (CMR). Following the first negotiation session in Mar 2012, the RWRCC asked the FWS to scale back their proposal in response to public comment and to bolster the scientific data on which they justified their proposal. A second negotiation session was held in May 2012. After that session, the RWRCC determined that the initial FWS proposal was not justified by the scientific data and determined to submit a counter-proposal.

The RWRCC participated in public meetings during summer and fall 2012 as well as technical meetings with the FWS to generate a counter-proposal that was presented at a third negotiation session in Sep 2012. Based on further public feedback and additional public meetings during the fall, the RWRCC presented a draft compact at a fourth negotiation session in Nov 2012. Again in response to public comment and feedback from the FWS, the RWRCC revised the draft compact and presented the revisions at a fifth and final negotiation session on Jan 22, 2013. Then in Jan and Feb, the RWRCC presented the proposed compact at a series of four public comment meetings in the six-county area surrounding the CMR.

Based on the substantial opportunity for public comment, the willingness of both parties to incorporate public comment, and the RWRCC's participation in the CMR Community Working Group since September 2010, we feel that the RWRCC has worked directly with the FWS, members of the community, and counsel for the communities surrounding CMR to achieve a negotiated settlement. **We recommend that Draft Bill #SB278 be approved in its current form with no edits.**

Respectfully,

Laurienne S. Riley
for the CMR Community Working Group

