

Seeley Lake Trails Project Meeting, April 11th, 2016.

Cathy Kahnle, ED of Clearwater Resource Council opened the meeting by welcoming everyone. The date for the May meeting of the group is not yet set, she will notify everyone once it is selected. She also passed out index cards and asked that everyone save their questions on the cards to be discussed at the May meeting as there was a great deal of information to be presented this evening.

The meeting continued with the first of the agency representatives to give a presentation on their agency and recreation and trails.

The first presentation was by Kristen Baker-Dickinson, Montana DNRC. An outline of her presentation was handed out to the group. Kristen covered the information in the handout and explained in more detail the process for either type of agreement, land use license and land easement.



CLEARWATER UNIT
SOUTHWESTERN LAND OFFICE, MONTANA DNRC
RECREATION & TRAILS

On DNRC-managed lands:

Land Use License: means a contract by which the department conveys an interest in state lands for a specific term and fee, and for a use other than that for which the land is classified

Trails with the greatest potential to be approved under a Land Use License include:

- Non-motorized and winter-motorized trails o existing
 - o in an acceptable location
 - o minimal amounts of proposed construction
- Qualifying non-winter motorized trails or roads
 - o in an acceptable location
 - o not user-created
 - o existing trail or road classified as: open

Land Use Licenses may contain conditions such as:

- trail improvement and maintenance requirements
- removal of unauthorized user-created trails
- food storage requirements

- prior notification clauses
- renewal contingencies based upon trail condition and protection
- insurance requirements
- season of use restrictions

Easement: means a non-possessory right of use for a particular purpose in a defined area and typically appurtenant to a specific parcel of land, such as for ingress and egress. May be temporary (limited term) or permanent.

Trails with the greatest potential to be approved under an Easement include:

- Other non-winter, motorized trails or roads
 - o in an acceptable location
 - o not user-created
 - o existing trail or road classified as: restricted or closed

Easements may contain conditions such as: [Easements are similar to licenses, a survey is needed, and the easement may only be held by a public entity.](#)

- trail improvement and maintenance requirements
- removal of unauthorized user-created trails
- food storage requirements
- prior notification clauses
- termination contingencies based upon trail condition and protection
- insurance requirements
- season of use restrictions
- licensed survey required

Additional Considerations for Land Use Licenses Include:

- project cost
 - annual license fees, improvement and maintenance costs, and insurance
- DNRC staff workload (DNRC has a limited capacity)
- Conservation Plans and Easements in place
 - may specifically prevent types of use or commercial use
- Environmental effects
 - may limit increases in open trail or road densities due to expected impacts to wildlife
- existing uses that non-motorized or motorized recreational use may conflict with
- private/non-governmental organization may hold the land use license

Additional Considerations for Easements Include:

- project cost
 - anticipate survey, easement, improvement and maintenance costs as well as insurance
- DNRC staff workload
- Conservation Plans and Easements in place
 - may specifically prevent types of use or commercial use
- Environmental effects
 - may limit increases in open trail or road densities due to expected impacts to wildlife
- existing uses that motorized recreational use may conflict with
- public entity must hold the easement
 - observed difficulty in securing a public entity to hold an easement
- process length
 - easement grants typically take years
- temporary or permanent encumbrance
- subject to Land Board approval

The process to acquire either:

Submit the application

DRNC will conduct a MEPA survey

Scoping usually takes 10 days

Program review

Field review

Alternate Development (action or no action)

Effects Analysis

Decision based on effects (action or no action)

If Yes, either the LUL or Easement will progress.

There are some user created trails existent.

Each instance will be weighed for the best outcome for the community.

It is challenging to find a government entity to hold the easements. Examples of entities hold easements at this time are the Cities of Whitefish and Bozeman.

The second presentation was by Scott Eggeman, wildlife biologist, representing Montana Fish, Wildlife and Parks Region 2.



Wild life Management Areas

- WMA's are managed with the primary goal of providing fish and wildlife habitat and related recreational opportunities (fishing, hunting, and trapping). "All other uses are secondary and must be in accord with the primary goals and objectives of the wildlife management areas."
- Funding for acquisition of WMA's typically comes from Habitat Montana ([license fees, taxes on guns, ammo generate these monies](#)) and Pittman Robertson Federal Aid in Wildlife dollars matched with outside federal, state, or private dollars. ([Funds are awarded by need](#))
- For example, MCWMA and BCWMA used US Fish and Wildlife Service, Habitat Conservation Plan funding because of the unique fish and wildlife habitat as well as USDA, Forest Legacy Program funding. In the case of Marshall Cr WMA, most of the match (30-40% of total cost) came from federal Native Fish HCP funds – justification based on high bull trout and WS cutthroat value.
- A management plan must be in place before proposing management activities (forest management, restoration, etc.) on WMA's. Recent work to enhance watershed, fish & wildlife values (water management, road decommissioning and trail conversion activities) was completed under direction of the interim management plan that was included with public review process for acquisition.
- All new proposed management and recreational activities must be compatible with the primary goals and objectives of the WMA.
- All proposed projects require compliance with the Montana Environmental Policy Act (MEPA). This typically includes an Environmental Assessment explaining and analyzing the affects of the proposed action and any

alternatives along with a public comment period. (Normal timeframe for this work is 30 to 45 days)

- Proposed new projects must be pre-approved by the State Fish and Wildlife Commission and receive final approval by the commission upon conclusion of the MEPA process.
- Any proposed new project will be weighed by the ability and capacity of department staff to administer the project and perform the required maintenance.
- For example, the current motorized trail system on MCWMA and BCWMA will not be expanded based on capacity for maintenance and management.
- Focus of MCWMA and BCWMA will continue to be management/enhancement of wildlife and fish habitat, and related recreational opportunities.

There are no plans at this time to expand any motorized trails due to capacity.

The next presentation was from the USFS, Seeley Lake District. Rachel Feigley, District Ranger and Katie Knotek, Natural Resource Specialist presented. Katie listed the out the recreational areas that they manage. Those include 5 fee campsites, 6 non fee campsites, 2 rental facilities, 15 recreation permits, 5 guide permits and many trailheads with amenities including toilets. The staff to manage this work consists of 3 permanent part time employees. Katie and two others.

Rachel informed the group that with decreases in budgets across the board, the region is considering the need to charge fees for some additional uses. They will be seeing a 30% decrease in the budget over the next three years. The agency is looking for ways to be able to still service the recreational needs and wishes while experiencing an increase in visitors and use and the decrease in budget money. She would like specific information on what items are of the highest importance to the community. They are also considering expanding the number of community partnerships to help out.

Adding any new trails requires NEPA surveys, discovery of resource impacts, looking at the pros and cons of long term commitments and costs and planning costs. New trails have a large number of considerations.

The agency is looking at “rightsizing” the trail system. This is not required at this time but looms on the horizon.

The priority now is to maintain existing trails and not look to create new ones.

Rachel made it clear the agency and staff really wish to work with the community and discover the best way to manage the trail system for the

community and the larger community of tourists who come to recreate in the area.



Trails Advisory Council Presentation

Presentation - April 11, 2016

Contact: Rachel Feigley, 677-3905; Katie Knotek, 677- 3924

Summary: *The Seeley Lake Ranger District (SLRD) and other agency partners were asked by the Trails Advisory Council to present on "constraints/ considerations/ potential prospects" related to trails. To provide context, the presentation also included information on the SLRD recreation program, focusing on trails. Trail system management objectives, condition surveys, and design standards were also described. In addition, information relative to necessary infrastructure to support a trails system was provided. Key points from the Forest Service presentation are as follows:*

- **Recreation Program.** In the Forest Service, the Recreation program serves as an umbrella for several different program areas. Trails management is one Recreation program area. Other Recreation program areas include Developed Recreation (campgrounds, trailheads, rental facilities, day use areas, etc.); Dispersed Recreation (recreation that occurs in the undeveloped general forest area); Recreation Special Uses (Rec Event Permits & Outfitter/Guide Permits); and Wilderness (Scapegoat Wilderness). On a day to day basis, Recreation staff are working on projects/tasks related to each of these different program areas.
- **SLRD Recreation Organization.** The current recreation workforce on the SLRD includes one permanent full-time Supervisory Recreation Staff and three permanent part-time technicians for Developed & Dispersed Recreation, Trails, and Wilderness & Weeds.
- **Trail Management Direction.** Our direction for Trails management comes from the Forest Service Handbook on Trails, the Lolo National Forest Plan, and the Bob Marshall Wilderness Complex Recreation Management Direction. These sources of direction serve to guide our efforts in providing a sustainable trail system consistent with desired opportunities and balanced with other resources.
- **SLRD Trail Facts.** Total 'system' trail miles (as defined by 36 CFR 212.1) on the SLRD is 713. This includes 126 Wilderness miles and 587 non-Wilderness miles. The non-Wilderness miles are broken into 263 miles of

Hiker/Pedestrian & Pack and Saddle trails, 312 miles of snowmobile trails, and 12 miles of ski trails. There is an extensive system of Forest roads open to motorized summer uses as indicated on the Motor Vehicle Use Map (MVUM).

- **Forest System Trail Definitions.** The Forest Service has three fundamental trail *types* (Standard/Terra, Snow, and Water), five trail *classifications* based on level of development, and varying design *standards* for different types of trail uses. There are specific requirements for each system trail as to the objective, design, defined uses, maintenance, and condition which are established prior to any new trail construction.
- **Trail Support Infrastructure.** Many Forest Service trails have established trailheads to provide visitor services such as parking, bulletin boards, restrooms, water systems, stock facilities, campsites, etc. These recreation facilities must be maintained and trailhead development is an important consideration in conjunction with new trail construction or change in use.
- **Trail Reporting.** The Forest is assigned targets by the Regional office for annual maintenance and miles improved. For 2016, the Lalo Forest's annual maintenance target is 300 miles; miles improved target is 10 miles. The SLRD contributes to the overall target. The SLRD trail budget for 2016 to support this target accomplishment is \$97,000.
- **Program Capacity and Flexibility.** A critical part of the SLRD trail program are our partners that assist in our Trails program and with whom we have formal agreements. Partnerships increase our capacity to better serve the public in the use of our existing program but still require administrative oversight for planning, training, and implementation.
- **Current Trail Projects.** The SLRD has several trail projects, beyond annual trail maintenance, in different stages of development. This past winter we designed and purchased new cross-country ski/mountain bike signage for the Seeley Creek area. We are addressing damage to trails caused by the Morrell Complex fire last summer. Conceptual design is ongoing for replacement of the North Fork Trail bridges in the Scapegoat Wilderness. In addition, we are working on understanding any remaining obligations relative to the Seeley Lake Community Trails project. This summer we will have a three-person Forest Service trail crew and a seven-person MCC crew
- **Regional Recreation Strategy.** In 2015, our Regional Office developed a Regional Recreation Strategy with input from field managers across the Region to focus our limited Recreation workforce and budget in the near-term. Relative to trails, the strategy recognizes that the Region has over 28,000 miles of system trails, including several National Scenic and Historic Trails, and the demand and deferred maintenance of our trails continues to increase while our budgets decrease. One of the priority actions identified for the Trails program was to assess and right size the Region's trail system in order to have a more sustainable trail system in the future.
- **SLRD Goal.** One goal of the SLRD is to support a sustainable trails system consistent with the Forest Service mission, which includes recreation opportunity and enjoyment of public lands. Working with the Trails Advisory Council and other members of the public, the SLRD will strive to balance our ability to maintain or increase the quality of our existing trail system within the practical constraints of workforce, budget, and capacity to continue partnership opportunities; direction and policy; and conflicting uses. Another goal is to establish with our community partners an understanding of these practical constraints the Forest Service faces in managing the recreation trail system on the SLRD.
- **Trails Budget.** Beginning in 2016 the Forest Service reevaluated how Trails funding (CMTL) is distributed to all Regions and individual Forests. Due to

this reevaluation, Region One Forests are facing a 30% budget reduction over the next three year period. The Lolo Forest is examining tools and funding sources to maintain recreation operations and maintenance consistent with our funding levels.

- **Challenges and Opportunities.** In promoting a sustainable trail system, the SLRD needs help maintaining or improving our current trail system and investments. There are a number of potential volunteer projects for community involvement on existing trails. Again, organizing these events requires administrative oversight for planning, training, and implementation. Any new trail development and construction would require NEPA (e.g. Big Larch Campground trail) with consideration of effects relative to applicable regulatory framework for wildlife, fisheries, soils, watershed, cultural, etc. The decision to initiate NEPA on any particular new trail project is dependent on the budget allocation to districts and project ranking within the Lolo Forest overall program of work. In addition to planning, investment costs of implementation and long-term maintenance must be considered. Additional trails planning at a landscape scale, such as that outlined by the Trails Advisory Council, would provide some contextual planning to understand the community desires. However, at that scale, conducting the NEPA planning and implementation would be an even larger effort requiring selecting the highest priority trail proposals as identified through a public process and as NEPA requires.

The last presentation of the meeting was by Chris Bryant, land protection specialist, for The Nature Conservancy.

He spoke of the land acquired from Plum Creek. This consists of 117,000 acres. They have done a stream crossing and road inventory of the land and working on a forestry and biologic assessment of the lands. They have been partnering in the Southwest Crown of the Continent carnivore monitoring project on the land.

TNC feels that being part of the SL Trails Project is a good way to work with the larger wants of the community. They do have budget priorities and so need to learn specifically how the community would like to interact with the land. They need to build a land ethic with the community including understanding and honoring road barriers and “leave no trace” practices. Some established uses that have been practiced are not good for the land. TNC would like to work with the project to educate the public on best practices on all land.

TNC must always keep in mind that they are temporary owners of this land and any decisions must be made only if these decisions would be in the interest of the future owner.

The land needs some time, restoration work and maintenance work. Developing partnerships with local groups to aid in these projects.

TNC would like to work with SL trails project members to make the land available as much as possible for public/community recreation as much as possible.

Cathy Kahnle ended the meeting by asking everyone to put their questions on the index cards to turn in for the next meeting in May. These cards will be discussed and answered at that training meeting.

The date will be sent out as soon as it is agreed upon.

Seeley Trails meeting

April 11, 2016

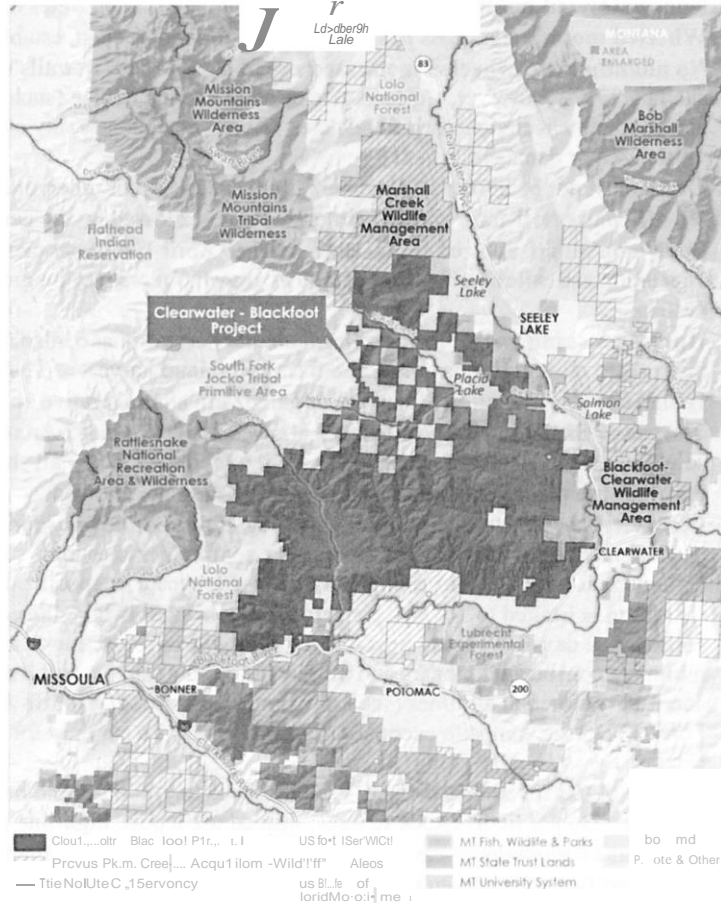
SLE Outside

Context: The Nature Conservancy is the interim owner and manager of roughly 117,000 acres stretching from the Marshall WMA, through the Placid Lake area, to the Gold, Belmont, and Blanchard drainages. This project, called the Clearwater-Blackfoot Project, builds on our successful land conservation work with the Montana Legacy Project, Blackfoot Community Project, and Blackfoot River BLM lands.

Interim Management: The Conservancy will steward the land as interim owners with an eye toward protecting the immense conservation values. Access will be managed under the same Open Lands Policy we have used across other conservation land we own [see back page]. Any restoration or potential enhancement of recreational uses will be in partnership with future owners of the land.

CLEARWATER - BLACKFOOT PROJECT

The Nature Conservancy



TNC's approach to Seeley Lake area recreation opportunities under interim ownership:

1. This land has a number of stewardship and management challenges relating to recreation that need to be dealt with before new development can be considered. Maintenance of existing infrastructure is a first priority under TNC ownership.
2. Education and awareness of existing rules and uses are critical for safety and resource conservation.
3. Any "big picture" trail planning on Clearwater Blackfoot Project land needs to respect future ownership guidelines and agency planning
4. "Low hanging fruit" should be prioritized. New trail development near Seeley Lake to connect to public ownerships and TNC ownership is a good first step.

The Nature Conservancy

Protecting nature. Preserving life. -

Open Lands Policy

May 2015

The Nature Conservancy (TNC) allows responsible use of its forestland in Western Montana for public recreation, such as hunting, fishing and camping. Hazards exist, so recreationists must use caution and enter at their own risk. Logging and land management activities are ongoing, and may pose a danger. The following regulations must be adhered to when using TNC forestlands:

- Non-motorized public access is allowed on all lands, at all times of the year, unless otherwise posted.
- Wheeled motorized access is allowed, but is limited to open, established roads.
- No unauthorized wheeled motorized use of closed roads or trails is allowed. Closed roads and trails are often posted as such by TNC. However, a closed gate or other closure device (such as a log barricade or earthen berm) with no sign is closed to all wheeled motorized vehicles. Road restrictions apply even if a sign, gate or closure device has been vandalized or damaged.
- Gates must not be blocked. Administrative, contractor, or emergency traffic may need to pass through.
- No off-road or off-trail wheeled motorized use is allowed by the general public.
- Snowmobiles are allowed from December 1 to April 1, except where signed closures exist. To reduce impacts to soils, vegetation and wildlife, TNC requests that snowmobilers stay on groomed or signed snowmobile routes, or the forest road system.
- Hunting, fishing and all forms of legal animal harvest in accordance with relevant state laws are allowed. TNC reserves the right to close its lands to specific forms of animal harvest at TNC's sole discretion.
- Hunting or transportation of hunters or game with administrative or commercial vehicles is prohibited behind a closure.
- The use of Exploding Targets is NOT allowed on TNC lands. Areas may be closed to Recreational Shooting at TNC's sole discretion. Recreational shooters are required to clean up all shooting waste.
- Personal-use plant, berry and mushroom harvesting are allowed.
- Permitted personal-use firewood gathering of dead or down wood is allowed from June 1 to December 31. A \$15.00 permit is required, allowing for 5 cords per permit. Vehicles must stay on established, open roads for wood retrieval. Commercial firewood harvesting is not allowed, except as specifically permitted.
- Camping is limited to 16 days per campsite. During this time the campsite must not be left unattended for more than 3 consecutive days. Camping beyond 16 days requires relocating to a new site at least 5 miles from the original site. To minimize conflicts with bears and other wildlife: human, pet and livestock food, garbage and all other attractants must be acceptably stored at all times (see Lolo Nat'l Forest Food/Wildlife Attractant Storage Special Order #F11-005-Lolo- Forest). During campsite occupation, firewood may be cut only for use within that campsite. No live trees may be cut by campers.
- The use of Certified Weed-Seed-Free livestock hay, forage, and bedding is required for all livestock users and animal handlers. Do not tie livestock to trees; instead use a post, high-line or hitch-rail.
- Pack out all garbage. Leave TNC lands as clean as or cleaner than you found them.
- Do not pollute with human waste. Pack out or bury all human waste at least 6" deep. Toilets located within 300 feet of water must be self-contained.
- All activity on TNC lands is at the individual's OWN RISK. TNC assumes no liability or responsibility of any kind with respect to any of the activities described above or otherwise.
- Any use of TNC lands not consistent with these regulations shall be considered trespassing (and/or any other applicable crime) and shall be prosecuted to the fullest extent of the law.
- TNC reserves the right to close off access to all or any portion of its lands, or to require anyone to leave its lands, at any time, for any reason.
- TNC forestlands in Western Montana are managed in collaboration with Montana Department of Fish, Wildlife and Parks.

It is your responsibility to know whose property you are using and that property's regulations. Avoid trespassing on private property.

Please report violations or vandalism to: Montana FWP at 1-800-TIP-MONT.
For more information or to purchase a firewood permit, contact TNC at 443-0303 or 543-6681.

THANK YOU FOR YOUR COOPERATION!