

**Custer-Gallatin National Forest Working Group (CGWG)**  
**Meeting MINUTES; Wednesday, November 8th, 2017**  
**Gallatin County Courthouse Community Room**

Time	Topic	Lead	Outcomes
1:00 PM	Opening and introductions; Agenda discussion, Meeting materials:	Prinkki / Atwood	Welcome, introductions, agenda reviewed
1:05	Consent Agenda: Minutes, Financial report/disbursements	Prinkki / Atwood	Vote on consent agenda items
1:10	Membership seats/applications;	Prinkki / Atwood	Review and vote on membership applications; <b>No new applications</b>
1:10	North Bridger Farm Bill Committee	Eisen / Prinkki	North Bridger subcommittee report
1:20	Smith-Shield Project post decision strategy;	Prinkki	Court update
1:25	North Hebgen Project	North Hebgen Committee	Update on project implementation and litigation
1:30	Processes for engaging in litigation	Scott Brennan	Inform CGWG members of processes for engaging in litigation
2:30	Break		
2:40	Custer Gallatin National Forest; Forest Plan Revision	Virginia Kelly and Gunner Carnwath	How will Forest Plan Revision affect specific projects in the CGNF
3:45	Montana Forest Collaborative Network: 2 <sup>nd</sup> Annual Workshop	Prinkki	Report on Workshop
4:00	Legislative update	Cestero/ Christensen	Effects of proposed federal legislation on the Custer Gallatin
4:15	December meeting plan	Prinkki	Agenda, location, homework
4:30	Close, if not sooner		

**Attendance:**

John Prinkki  
 Steve Caldwell  
 Barb Cestero  
 Joe Skinner  
 Margo Magnant  
 Steve Furtney  
 Bill Bullock  
 Jeff Schmidt  
 Bill Wallace  
 Jim Hart  
 Darcie Warden  
 Earl Atwood

Alex Sienkewicz  
 Don Bachman  
 Nancy Schulz  
 Liz Dellwo  
 Brett Simons  
 Chad Benson  
 Richard Lyon  
 Virginia Kelly  
 Gunnar Carnwath  
 Scott Brennan

Chairman John Prinkki opened the meeting at 1:05 pm. CGWG would like to acknowledge and thank the Gallatin County Commission for providing the meeting room for CGWG members and guests.

The consent agenda including October, 2017 minutes and current funds report were moved for approval by Steve Caldwell, seconded by Bill Wallace. CARRIED There were no member applications to consider.

Chairman Prinkki called for subcommittee reports:

North Hebgen – no action or updates since the last meeting.

Smith Shields - all parties are waiting on further actions within the courts. Montana's amicus brief has been filed, as well as a supporting filing from Gallatin County. No trial date has been announced.

North Bridger – no additional action or updates reported.

**Presentation:** John Prinkki introduced former CGWG member Scott Brennan, Wilderness Society, to share a presentation he has developed regarding options and strategies for engaging in litigation to support projects in the Forest. Scott began by providing a brief history of the Wilderness Society and the development over time of its philosophy regarding collaboration and engagement on policy and litigation on forest management. By example, he provided an overview of the 2011 Colt Summit Project within the Seeley Lake District. That project was initially appealed with over 142 point of appeal from the objectors. This led to a lawsuit, however the points of appeal were reduced to 12, mostly having to do with Lynx habitat.

The Wilderness Society considered a range of options before engaging with the litigation, which included:

**Do nothing** – choosing not to engage and simply let the litigation between the complaining party and the Forest Service play out in the courts.

**Public Outreach only** – this option would not involve legal action, but instead use available media outlets to publish project related facts and opinion pieces to raise awareness and influence public perceptions on the merits of the project (Court of Public Opinion). The opportunity to directly influence the court is hard to measure, however.

**Filing and Amicus Brief** – required to have some perspective or new information that would be helpful to the court. Of the strategies that involve legal action, this choice is relatively low-effort and low-cost. On need only to develop a brief stating a position on the legal issues and file it with the court.

**Seeking Intervenor status** – this option makes you a party to the case. You have to show standing and that your interest are not adequately protected or represented by other parties. This can be high-effort, high-cost and requires a long term commitment of legal resources. However it can also achieve a greater impact or influence on the outcome.

In this case the Wilderness Society elected to file an Amicus brief, but also implemented a public outreach strategy in concert with other organizations and collaboratives to demonstrate the broad range of support behind the project. Of the 12 claims made in the lawsuit, the Forest Service prevailed on 11. The remaining point was addressed by the Forest Service and returned to the Court as an amendment to the plan. Appeal to the 9<sup>th</sup> District Court of Appeals was denied.

Scott Brennan offered the following takeaways based on his experience with the Colt Summit and other projects:

1. Don't act (Amicus/Intervention) because you are mad or emotionally vested. Take the time to weigh objective aspects of a case before deciding on level of engagement.
2. Fully document your engagement along the way.
3. Do your best to understand the project issues well.
4. Pay close attention to the science around species issues (what does FWP believe?)
5. Be objective about the strength of your legal case.
6. Insure diverse support and participation to build credibility.
7. Recruit additional support beyond your collaborative.
8. Have a communication plan and a clear message.

**Forest Service Presentation.** Virginia Kelly and Gunnar Carnwath provided an update on the status of the Forest Plan Revision process. The Plan Revision is now entering the NEPA stage, which will impose some additional requirements relating to public comment, outreach and decision timelines. For this meeting, they have a presentation to provide an overview of processes they are using to determine what desired conditions will be defined for various geographical areas of the Custer Gallatin Forest within the new plan.

At the end of the presentation, Chairman Prinkki polled the members on their preference regarding whether to have a meeting in December. Consensus among the members was to not have a meeting, but encourage all members to use the time between now and the January meeting to thoroughly review the draft plan and current information published by the FPR Team. Beginning in January there will be an increased focus on developing comments and input from CGWG on the Forest Plan with emphasis on our priority areas (Wilderness, Wild and Scenic Rivers, and Desired Conditions). In other words, members need to be doing their homework and prepare for detailed discussion in the early months of 2018 to formulate official CGWG comments.

Earl Atwood reported that the Rocky Mountain College field team that performed the baseline work for North Hebgen White Bark Pine Monitoring have short presentations on their project which could be shared with the CGWG at a future meeting. Members indicated they would appreciate this being added to a future agenda.

Margo Magnant mentioned to the Group that the Governor's Conference on Tourism and Recreation will be held in Big Sky on April 15-17, 2018. She suggested that a panel on how Forest issues impact the tourism and recreation economy would be an appropriate panel discussion at the meeting. John Prinkki asked the members to consider participation as panel member, and contact Margo if they have an interest in that role.

Next meeting will be on January 10, 2018, location to be determined.

Meeting adjourned at 3:45 pm.