



Good News, Bad News

*Sometimes, elections matter.
Words & photos by Dave Skinner.*

RANGE has spilled barrels of ink reporting on the American Prairie Reserve (APR), first created in 2001 as a World Wildlife Fund subsidiary. If you have never heard of APR, please catch up by referring to RANGE reports: “Buffaloed” (Fall 2012) and epic “Critical Mass” (Fall 2019) at rangedex.com.

APR aims to “create the largest nature reserve in the contiguous United States, a refuge for people and wildlife preserved forever as part of America’s heritage,” specifically by amassing control over a whopping 3.5 million acres of mostly federally managed public cattle-grazing land in northeast Montana.

How is APR doing? Not great. While it keeps cashing \$15 million a year from anonymous “high net worthies” and keeps paying fat salaries like clockwork, the “nonprofit” has substantial debt and almost no endowment, signals of long-term instability.

Operationally, in the short term, APR is a disaster. Its 2020 IRS Form 990 return noted “management” and “economic/educational” expenses of \$4.59 million—bringing in “revenues” of a whopping \$25,292 specified elsewhere as “visitation income,” a horrifying “rate of return.” Sure, COVID was a factor,

but pre-COVID 2019 brought in a screaming \$153,315 in revenue, against more millions. APR spends over \$5,300 per year per each of its 800 buffalo.

Furthermore, APR seems unable to find willing sellers for land on the free market, reporting to the IRS only \$1.28 million spent on “land acquisition to fulfill the organization’s mission,” including salaries and professional fees.

Politically, however, there’s plenty of news, mostly triggered by two agency proposals absolutely determinative to APR’s success or failure, one federal, one state (Montana).

Born to Rewild

The current federal proposal (undertaken about 2018 by the Bureau of Land Management) concerns APR’s years-long campaign to “convert” federal grazing rights it currently controls through past purchases of various private “base properties” from cows to buffalo. Is that a problem? Try problems, plural.

As Malta-based Montana State University extension agent and “way more than week-ends weekend farmer” Marko Manoukian puts it: “Congress intended the Taylor Grazing Act permit system solely for managing

forage use by livestock—cattle, horses and sheep, not wildlife. Livestock, period.

“APR is paying the per-capita tax Montana levies on livestock now,” Manoukian concedes, but he and many others know by heart APR’s true goal: A “reserve” with free-roaming wild bison being selectively “managed” by a complete suite of native apex predators. In short, APR backers want APR’s 800 head of taxed livestock to form the core of a huge, untaxed herd of “public wildlife,” roaming across a large landscape cleansed of humanity’s mark.

Manoukian explains: “The art and science of range management tells us what this country requires. BLM has moved away from year-round to rest-rotation over the past 50 years, because rest-rotation works. APR wants to toss all that for the complete opposite, year-round, with no management fences, just an exterior perimeter.

“When APR began, they apparently didn’t understand either the law or forage management to begin with, or didn’t care,” Manoukian continues. “Twenty years in, they have a real problem.”

One great example of other livestock wrongly made “wild” is, yep, wild horses. In

LEFT: After a herd check a few miles down McDonald Creek from Grass Range, Mont., ranchers Joe Delaney, Allen Beard, and TJ Delaney (Joe's son) enjoy beer and a sunset. Joe sold one of his ranches to a Billings LLC and was later horrified to learn the LLC is listed in APR documents as a "related organization" and the ranch as a "real estate holding." Today, looking at the "asset" value, he points out that there's "no way growing cows in this country would pencil out at that land price for a for-real, for-profit rancher."

reality, as descendants of abandoned livestock, "feral" is the operative term. Feral horses dumped into the wild have caused an endless nightmare that RANGE has covered for decades. Therefore, as Manoukian summarizes, "Conversion of those grazing permits would make APR's problem everyone's problem, us first."

APR's conversion request poses an obvious risk of major environmental impacts, but rather than propose a full Environmental Impact Statement (EIS) process, the Montana BLM chose a much-less-rigorous Environmental Assessment (EA). Furthermore, BLM stated a pre-decisional intent to issue a Finding of No Significant Impact (FONSI). No problem!

In September 2019, *The Hill* and the *Associated Press* both reported that APR had "voluntarily" reduced its conversion request in



Marko Manoukian of Malta took RANGE south and east of town to check out reports of grasshoppers in 2021's spring wheat. "We'll survive this drought, always have, but I wonder if APR knows how they'll feed their year-round herd in years like this."



With Black Butte standing guard on the east flank of the Judith Mountains, Roy rancher/guides Mark and Deanna Robbins take a little pride in their place, each other, and their efforts opposing the reserve. "Our educational efforts have borne fruit. The world now knows we exist and that we don't share APR's vision," Deanna explains, then pauses. "We have our own."

response to "rancher pushback." As was reported, APR's "original goal was 450 square miles [about 280,000 acres] where bison could freely roam. That number has shrunk to 94 square miles [60,100 acres], with final approval or disapproval still pending."

BLM's comment period was scheduled to end in September 2021, with any further action pending on the approach President Joe Biden's Interior appointees choose—including two appointees previously engaged with American Prairie Reserve as senior-level state officials in Gov. Steve Bullock's administration: Martha Williams and Tracy Stone-Manning.

With Friends Like These?

Soon after APR magnanimously backed off, in January 2020 Montana Fish, Wildlife & Parks (then-Director Martha Williams) released a draft EIS outlining the state's proposed role (if any) reintroducing wild, free-roaming bison herds in "suitable," nontribal areas away from Yellowstone Park. Observers were surprised because seven long utterly silent years had passed since Montana FWP held a statewide 2013 series of crowded, contentious public-input meetings on whether the state should support or oppose reintroduction in any way.

Montana FWP's suddenly reborn bison EIS framed an intent not to lead, but to happily follow efforts by all other entities, private or public, federal or tribal, to establish free-roaming bison herds, whenever and however.

Fulsome public praise ensued from the expected gaggle of environmental groups, along with tribal entities seeking to advance

(and fund) their own bison restoration programs. Frustrated ranchers organized, funding a Freedom of Information Act lawsuit against the state of Montana under the banner of the United Property Owners of Montana (UPOM), a Montana property-rights group. As part of the lawsuit, discovery of documentation specifically reports on rather significant "private" discussions between certain "nongovernmental" interested parties and high-ranking federal and state officials.

UPOM posted some of the most-enterprising items to its website and notified Montana's watchdog press—which barely yawned and slobbered. But many Montanans found UPOM's data trove anyway and then enjoyed a clear picture of what APR and Montana's executive branch were doing, with whom, and what for, all behind closed doors.

Mark and Deanna Robbins, a Roy-area ranching and guiding couple who are, not coincidentally, long-term members and leaders of UPOM, spearheaded the lawsuit. Both tell RANGE they were not surprised by what was uncovered. "FWP was doing exactly what we suspected," Deanna observes. "Reality being FWP was totally, lovingly in bed with APR."

Pillow Talk

To be blunt, remarkably few excerpts are necessary to reveal the intimate, insular, even inbred, relationships environmental groups and government staffs enjoyed, as well as the intended offspring, in full naked glory.

Communications from 2015 reveal close collaboration between APR and the U.S. Fish

& Wildlife Service regarding the Charles M. Russell National Wildlife Refuge, established while Fort Peck Dam was being built in the depths of the Depression. Since 2013, at a minimum, APR has, regardless of legal reality, touted its intent to capture the CMR as the “public land anchor” of its reserve.

Select phrases include “good long meeting” and “new CMR manager” being “keen to collaborate.” Identified participants, mostly employees and/or alumni of the Turner Endangered Species Fund, World Wildlife Fund, and of course APR, were keen for, as summarized by USFWS staff, a “shared CMR APR test herd where we would build a robust fence that keeps bison in a shared cmr apr site (ul bend area?) [sic],” always aware a “combination of lands and jurisdictions will be necessary to be successful for a bison herd managed as wildlife for public benefit.”

For context, Missouri River Stewards leader Ron Poertner of Winifred points out that USFWS staff in 2015 worked under direction from leaders appointed by President Obama. Therefore he and others regard USFWS staff commentaries a signal to “always count on the feds to press for bison restoration indefinitely into infinity no matter who is president.”

Why the focus on CMR? State Rep. Dan Bartel (R-Lewiston) explains: “APR seems to feel entitled to CMR as APR’s crown jewel, and they’ve admitted they need it. It’s big [916,000 acres], intact in one administrative chunk, ‘a river runs through it.’ They’ve convinced themselves it’s all ‘intact grassland.’ But in reality, private ranchers kept it intact before it became a refuge.”

Mark Robbins builds on Bartel’s comment, noting that while APR publicly brags about its retirement of 64,000 acres of CMR grazing rights, there’s another problem: CMR rights were already “direct-descendant grazing rights anyway, now terminated, and can’t magically be reactivated for APR’s bison, which are legally livestock forever under Montana law.”

The Ticked-Off Clock

Fast-forward to Jan. 19, 2017, a day before Donald Trump took his oath of office, and a “please don’t distribute further” email reporting a “group of bison advocates met with the Gov’s office to press for bison restoration at CMR” led by Tom France of the National Wildlife Federation.

The sender found France’s group “pretty demanding that the clock is ticking and we



ABOVE: Mary and John Fahlgren at home west of Glasgow, Mont. Mary runs an art gallery that is the only place for 200 miles where local talent can exhibit their work. Her customers include “a lot of transient visitors coming or going to Glacier and whatnot, but not one of them has been coming or going to see APR’s bison.” BELOW: Hoven Equipment location/sales manager Anna Morris of Lewistown can name every moving part seen here. She views a bison park as nonsensical: “I sell farming equipment, made not out of unicorns and sunshine, but out of real metal and other raw materials dug out of a hole in the ground. Equipment built to grow what can’t be mined.” BELOW RIGHT: A simple message from the locals.



ence. What shocked me was Bullock dragging his feet!”

The Big Thinker

Most revealing of all is an amazing hard-copy September 2017 letter to the governor and

need to have things in place and hooves on the ground within a couple of years so [bison] are well established before the end of Bullock’s four-year term and therefore harder to undo.”

Gov. Bullock rejected France’s approach because “this would antagonize legislators,” blowing up Bullock’s other legislative priorities—at the time Bullock, a Democrat, had just won a second term (beating Greg Gianforte in 2016) but faced substantial Republican majorities in both houses of the Montana Legislature. Bullock agreed only to “reconvene the advisory committee,” future work “which would involve whatever legal hoop[s] are necessary to make them [APR’s bison] wildlife,” timed “likely after the [legislative] session.”

Mark Robbins says: “I wasn’t shocked Bullock gave France and others a private audi-

FWP director Martha Williams from APR’s then-CEO, Sean Gerrity. Praising the “Bullock administration’s willingness to think big,” Gerrity proposed to give all APR’s bison to Montana, with one condition: a “written commitment” that Montana would maintain, in perpetuity, a minimum of 10,000 wild bison in the immediate region of the American Prairie Reserve.

“There it is,” huffs Deanna Robbins. “APR keeps bleeding cash. APR needs the CMR as anchor, so of course Gerrity needs to dump bison, not just in the CMR, but on the backs of taxpayers and adjacent landowners who will end up paying for this mess in real money forever.”

“I guess there’s no longer any doubt APR never intended this scheme to be truly private or long-term,” muses Rep. Bartel, who

still laughs months after he first read Gerrity's gift offer: "Yellowstone Park can't manage 4,500. They could, but every time the park tries, the radicals come out of the woodwork. With 10,000, I expect it would be much worse here."

Gerrity's letter also presents cc's, including Tom France and Tracy Stone-Manning. But then nothing until FWP's seven-years delayed "all good" EIS. Why?

Thinking Bigger

Gov. Bullock was thinking big, focused far past APR, past his term-limited governorship, toward something huge—the White House. His campaign flopped and as consolation he ran for U.S. Senate, losing that race, too.

Just days prior to the release of Montana FWP's bison EIS, the governor kept hedging. On Jan. 3, 2020, Patrick Holmes, Bullock's natural resources policy director, noted "fairly extensive outreach with partners to gauge whether [EIS] is in fact a productive next step" and an intent to "refine strategy based on the reactions to the decision." Reaction was strongly negative, so FWP took no further actions during 2020 because boss Bullock was campaigning.

The Great Polar Flip

The 2020 election essentially flipped the political poles in Montana. Out went the rancher-friendly Trump Interior regime and in came a bison-friendly Biden Interior with two firsthand Bullock-staff APR consorts scoring high federal appointments. Martha Williams became principal deputy director at the U.S. Fish & Wildlife Service and Tracy Stone-Manning became director of the Bureau of Land Management. For them, it was new boss, new job, new office, but same old agenda.

Conversely, after 16 years of Democratic governors controlling policy at Montana's executive branch agencies, Congressman Greg Gianforte (R) ran a second time for governor and won.

"Ironically, the state and federal governments are still headed in opposite directions," Dan Bartel explains. "Not only regarding APR, but for me and other ag-community legislators it has really been a fantastic change to have a huge supporter of agriculture like Greg Gianforte in office."

For example, in 2011, 2013, 2015, 2017 and 2019 (yep!), both houses of the Montana Legislature repeatedly passed bills aimed at protecting Montana's producers from being

buffaloed, heritated, or parked off the landscape. All were vetoed, the only exceptions being nonbinding legislative "resolutions" which Montana governors cannot veto, such as 2019's HJR 28 opposing APR's grazing conversion FONSI.

Two "types" of these bills directly addressed the where and how of wild bison, aiming to: (1) Specifically empower county commissioners to approve or disapprove bison herds in their county; in 2021, HB 302 (sponsor Josh Kassmier, R-Fort Benton) became law; and (2) Clarify that all bison ever

"reduced to captivity" as livestock from ever again legally being designated as free-ranging public wildlife; in 2021, HB 318 (sponsor Ken Holmlund, R-Miles City) became law.

Other bills, such as requiring legislative approval of "National Heritage Areas," vetoed previously, were also finally signed into law by Gov. Gianforte in April at the end of the legislative session.

Tit for Tat

Also in April, Gianforte issued an executive order withdrawing the Montana FWP state

Keeping Score

Best estimates as of May 2021 are that APR has bought out 32 ranches and "manages" roughly 420,000 acres. Of that total, only about a fourth is "base property," private fee land. The rest is limited to livestock grazing rights on the surface of multiple-use public lands.

Given that APR has been around since 2001, the (slowing) average rate of accretion means APR won't be complete for another, um, 146 years.

Contrast APR's "score" to that of those who have, beginning around 2016 in Fergus County under the leadership of Laura Boyce, been registering "bison negative easements."



Enjoying a pleasant evening visit at the Boyce place north of Denton, Mont., Dan Boyce, Laura Boyce and son Clay Boyce join Winifred neighbor Ron Poertner in smiling while not blinking. That's teamwork!

These are deed restrictions that prohibit bison on private lands for a term of 20 years, effective once recorded—"Correctly," Boyce warns—at the appropriate county clerk and recorder's office. No money changes hands, the main cost being buckets of time.

The Boyce volunteer crew filed 300,000 acres of easements mainly in Fergus County south of the Missouri. And out of Mosby to the east, ranchers Steve and Debbie Hale are happy to report to RANGE that their crew filed on another 157,000 acres all around Petroleum and Garfield counties.

In just five years, that's 457,000 acres, all private base property. Since then, Laura Boyce reports: "APR has showed relatively little interest. Hopefully, we'll have many more easements in force soon. We feel they've been effective."

North of the river, Commissioner Fahlgren tells RANGE his neighbors "seem to be taking the attitude that they'll stick together and therefore an easement on paper is superfluous."

Superfluous? After the game ends, perhaps...never before. ■



When the public thinks of the Charles M. Russell National Wildlife Refuge (CMR), they likely visualize “Missouri Breaks” terrain like this, actually a view across the Judith River breaks canyon north of Denton, Mont. Trouble is, the Judith canyon still has a “bottom,” meaning “river bottoms” with streamside habitat. The CMR? Well, aside from roughly 25 riverine miles at the upper end, below the old Rindal Ranch site about 15 miles below Robinson Bridge is reservoir bottom. So, of 916,000 acres total in the CMR, 245,000 acres of Fort Peck Lake don’t produce forage. The remaining 671,000 acres look a lot like this.

bison EIS, imposing a 10-year moratorium on revisiting the issue. The next day, eight Montana Democratic Indian legislators (the two Republican Indians declined) called on U.S. Fish & Wildlife to propose federal bison introduction in both the CMR refuge and near Glacier National Park. A day later, the Department of Interior declared that the process would start in July 2021, considering both bison and bighorns, and that such a study had already been in “final planning stages.”

Like many others, Mark Robbins remains justifiably concerned how “top down” the Biden administration might eventually be at “APR ground level.” But given druthers, he says: “I’d rather have the state on my side than the federal government. The state is inherently more responsive to Montana citizens than the feds, no matter how friendly the White House or Congress.”

Valley County-born John Fahlgren is not only county commissioner today, but he served 32 years with the Bureau of Land Management in northeast/central Montana, ending with nine years as its Glasgow field station manager. “A lot of old-timers say the gears down at the bottom of the machine turn slowly,” he explains. And federal law contains “protective mechanisms to keep things from changing too quickly and/or drastically.”

As for eager change agents from headquarters or fresh out of college, Fahlgren’s newcomers would “see the area, how well it’s managed, riparian and wildlife conditions,

and actually become part of the team.”

To Be Continued

What is next? For the first time, bill HB 677, “prohibiting certain nonprofit corporations from purchasing agricultural land” larger than 80 acres in Montana, was introduced in the 2021 legislative session by Rep. Bartel. While it failed in committee thanks to an all-out lobbying effort by Montana’s numerous “nonprofit corporations,” new versions are sure to be introduced in future sessions, despite Bartel’s retirement from office.

As equipment location-and-sales manager Anna Morris of Lewistown notes: “APR, The Nature Conservancy and other land trusts are absolutely leveraging the huge bidding advantage tax breaks give nonprofits over self-supporting private producers, especially family-run operations. More and more of us are realizing these nonprofits present an existential threat to entire communities.”

Over cooling morning coffee, winding up a breakfast spent reviewing so much time, money, aggravation and drama over two decades, with still more to come, Marko Manoukian sighs, pauses, then taps the table. “If the feds would just follow their own regulations, your typewriter would be silent, end of story.”

To be continued... ■

Wandering Scout Dave Skinner wasted most of 2021, and a stupid amount of money, on his “health.” He can still swing a leg, for now.