

Citizens for Balanced Use  
Box 606, Gallatin Gateway, Mt 59730  
[www.balanceduse.org](http://www.balanceduse.org)  
1-406-600-4228

CBU continued our efforts in 2010 to promote multiple use access to our federally managed public lands for recreation, active forest management and responsible resource development. The big picture of land management by our federal agencies is being influenced by multi-national organizations through treaties signed by the United Nations. CBU understands the power of these organizations and their influence over our government but we continue to focus our membership and supporters to work at the local level.

Local communities and governments such as county commissioners have tremendous power to engage in federal land management decisions. CBU has helped many counties with development of local resource plans. These plans, once written and adopted, provide the tools for local citizens to have a voice in the management plans of federally managed public lands in Montana through the coordination requirement in federal law.

CBU continued our efforts to fight against the closure of over 90% of the Badger Two Medicine. Our organization appealed the Forest Service's decision and ultimately filed legal action. The process to close this area has been flawed and the decision by the Forest Service has given preference to particular religion which we have challenged in court. The Badger Two Medicine area is located South of Glacier Park and North of the Bob Marshall Wilderness. This area is one of the last remaining opportunities for multiple use recreation.

CBU produced a calendar for 2010. The calendar had wonderful pictures of local scenery and also provided information and facts about land management agencies. We mailed this calendar to our members to show our gratitude for their help in supporting CBU.

Members and supporters of CBU attended numerous meetings around the state on issues of wolf and bison management. There is a concerted effort by our current Montana Governor and the Fish Wildlife and Parks to expand the bison and wolf populations in Montana. We testified and provided information at these hearings and meetings about the diseases both these animals carry. Wolves carry a disease that is deadly to humans and bison carry a disease that can devastate agriculture and cattle production.

CBU joined in the lawsuit on the Pryors. Environmental groups filed litigation against the Forest Service in an effort to close even more multiple use trails which were left open in the Travel Plan. CBU joined in support of the Forest Service in their decision to provide a balance of opportunity in this forest. When agencies make a reasonable decision on travel management CBU will support those decisions.

We have been involved in the proposed Treasured Landscape National Monument by providing information about the leaked memos from the Department of Interior (DOI). These memos show communication between the World Wildlife Fund and the DOI to create a 2.5 million acre National Monument area south of Malta. CBU is supporting the private landowners in this area that would lose their ability to operate their ranches if this monument were to be designated. The DOI appointed Robert Abbey as director of the BLM and Abbey has a criminal background which we have exposed to the public during the meeting in Malta. The secrecy with which this monument has been considered is concerning to us and we will continue to support the people and local communities and governments in this area to oppose such a designation.

Representative Rehberg has introduced the Montana Land Sovereignty Act (HR 845) legislation which would require congressional oversight and authorization by congress before any National Monument could be designated under the 1905 Antiquities Act. This act was never intended to designate large swaths of land as National Monuments. It was to be used only to protect historic features with the least amount of land necessary. CBU supports Representative Rehberg's efforts to pass this important piece of legislation. Currently Alaska and Wyoming have this protection and we believe Montana should enjoy the same protection against the abuse of the Antiquities Act.

CBU reviewed information from The Montana Fish Wildlife and Parks (FWP) about their new "Crucial Areas Planning System". This plan is being used to restrict land use in Montana on private property. The FWP was not authorized or funded through the legislative process to develop this plan and members of CBU attended and testified on this issue in front of the Environmental Quality Council (EQC), a subcommittee of the Montana legislature. Doris Fisher of FWP presented this plan to the Madison County Planning board with the following statement. "People should consult the FWP before purchasing land in Montana". This is a clear indication that FWP is moving away from wildlife management and towards land use planning.

Subsequently the FWP has released a draft copy of subdivision regulations to be considered by counties. These draft regulations have proposed regulations such as no development within ½ mile of an Eagle's nest or 3 miles of a Sage Grouse leak. CBU believes these regulations severely restrict a property owner's ability to develop their property and also provide a disincentive for a property owner to provide habitat for wildlife. CBU does not support this effort by FWP in becoming a land use planning agency and find no authorization under state law for this action. We provided extensive comments on these actions to both the FWP and the EQC.

CBU has also been able to expose the funds environmental groups receive under the Equal Access to Justice Act (EAJA). With help from the Bud Fallen Law Group and Representative Cynthia Lummis from Wyoming we have uncovered the fact that environmental groups collect on average 1 billion dollars per year by using this act. Thousands of lawsuits filed in liberal courts every year have given these groups tax dollars for rulings in their favor. These groups then use these funds to file yet more litigation. 40% of the Forest service budget is used to defend these lawsuits.

The EAJA was intended to compensate litigants for cost incurred from filing actions against the government for wrongdoings or harmful actions taken by the government against them. It was never intended to compensate large environmental groups for frivolous litigation but the abuse of the EAJA by these groups has become a cash cow. We have been working with several U.S. Senators and Representatives to revisit the intent of this act and to review the act and the abuse of it.

CBU held our annual Trailraiser banquet again in May which was a huge success. Numerous contributors to this event helped us raise a significant amount of money for our organization. CBU does not charge our members to be a part of CBU and we rely on fundraising events such as our annual banquet to operate the organization. We ask only that people stand up and attend meetings, write letters and make phone calls to decision makers on issues that affect multiple use recreation, active forest management, and responsible resource development on federally managed public lands. We also are involved in issues that could affect protection of private property rights.

There is no secret behind the efforts of many environmental groups to attack private property rights through the abuse of the Clean Air Act, the Clean Water Act, and the Endangered Species Act. Federal regulations and rules formulated through agencies such as the Environmental Protection Agency have brought hardship and added cost to private property ownership and CBU will continue to fight these government agency actions. Dave Foreman, founder of Earth First, made the following statement at a meeting in Colorado. "If we are to be successful in removing people from the land, public land is not enough, we must come after private land too". CBU understands these efforts by the extreme environmental groups and liberal judges and we must be ever aware and diligent in our efforts to combat their attacks.

CBU held our annual Networking Conference again this year. This conference is designed to identify the issues our supporting organizations are facing and work together on issues we all share. CBU has 68 supporting organizations representing over 100,000 Montana citizens. These organizations are important to the success of CBU as we strive to unite our voices in fighting against wrongful closure of our federally managed land to multiple uses. Many of these organizations are small grassroots groups focused on their local issues and economies while others are statewide groups with a common goal of proper management of these public lands to support jobs and economic growth in Montana.

CBU works with many groups and organizations to share information and educate the public on issues and government actions. We collect best available science in support of multiple use management and share this information with others. Knowledge through information has helped CBU become one of the major multiple use organizations in Montana.

When government actions adversely affect the citizens of Montana we challenge these decisions in court. Even though the courts in Montana lean toward a liberal view and environmental groups many times judge shop to find sympathetic judges that support

their twisted view of placing the wellbeing of animals above human needs, CBU challenges these agency actions in court. CBU has a full time attorney which is supported by the sale of our specialty license plate. The Share It plate is one of the top 3 specialty plates sold in Montana. Multiple use organizations have not been involved in the justice system in the past and CBU believes it to be important to be engaged in all of the 3 branches of government to affect change. Support CBU by purchasing a specialty plate for your truck or car and support our efforts in battling bad agency decisions.

In December of this year CBU filed action on behalf of numerous plaintiffs including local government, individuals and organizations against the Beaverhead Deerlodge National Forest. The Forest Plan revision decision by the Beaverhead Deerlodge closed thousands of acres of public land to multiple use and restricted use of hundreds of miles of trail. The Forest Service issued a policy from Region One which closed large areas of land to motorized and mechanized use by identifying these areas as Recommended Wilderness Areas (RWA). This new policy from Region One is a significant action and as such requires it be done through the NEPA process. This includes presenting the policy to the public with a purpose and need, alternatives, a comment period, and an appeal process. Region One never addressed their new RWA policy through the public process and thus illuminated any opportunity for public comment or review.

This is only one of the 5 complaints we are addressing in the lawsuit. We hope to succeed in this litigation and help the many small communities that depend on the Beaverhead Deerlodge National Forest for jobs and an important economic driver in their town. The closures of these public lands to multiple use has put many community businesses in jeopardy of closing and many businesses are already gone. CBU understands the needs of these small communities and their dependence on public lands and we work with local governments to educate them on how to work with agencies and have a voice in future decisions.

The Executive Board of CBU is made up of business owners, property owners and people willing to donate their time and energy to making Montana a better place. Montana is the Treasure State and as such has a duty to supply our nation with the raw materials and minerals necessary for creating jobs in manufacturing and development of technologies that secure our nation. The Forest Service and Bureau of Land Management have lost their way over the past several years and CBU is working to return these agencies back to a focus on management of public lands for the benefit and enjoyment of the people.