

A Living Legacy

Wyoming's Fortification Creek Area

Photo/Kirk Koepsel

Powder River Basin Resource Council

The Powder River Basin Resource

Council is a grassroots organization of individuals and affiliate groups dedicated to good stewardship of Wyoming's natural resources. The Resource Council was formed in 1973 and stands for the preservation and enrichment of our agricultural heritage and rural lifestyle; the conservation of Wyoming's unique land, minerals, water and clean air and responsible use of these resources to sustain the livelihood of present and future generations; and the education and empowerment of Wyoming's citizens to raise a coherent voice in the decisions that impact residents' environment and lifestyle.

The services provided by the Resource Council include public education, community organizing, advocacy, and lobbying (as permitted by the IRS) on behalf of its membership. The Resource Council is a non-profit, 501(c)(3) tax-exempt organization.

Membership is \$30 for individuals, \$50 for families and \$20 for students and senior citizens. The Resource Council is dependent on contributions for its work; contributions, large and small, are welcome.

Investment in the Fortification Creek Area

Founders and members of the Resource Council have lived in the Fortification Creek Area since our group's inception. Our involvement in the area's protection has been stalwart since the beginning. Most recently, the Resource Council has been involved with the Fortification Creek Resource Management Plan Amendment which dictates how resources will be protected in the area. Our efforts have included tours and educational campaigns about the area and its resources, publications and alerts to our members and the community to engage the public in the process, and providing input to the Bureau of Land Management and state agencies during various stages of decision-making.



Bull elk in the Fortification Creek Area

A Rare Resource

The Fortification Creek Area is a remarkable natural treasure renowned for its unique breaks topography, diverse wildlife, game and bird hunting, and outstanding scenic beauty.

Since the 1970's, the public, through numerous public planning processes, has unwaveringly declared the Fortification Creek Area a unique, valuable resource deserving continued protection. The public has made it clear that the Fortification Creek Area – and its diverse wildlife, wild places, hunting opportunities, and working ranches – are a top priority to maintain and protect.

This area is doubly rich, as it is also underlain with mineral resources including coal, oil, and natural gas. Notably, coalbed methane development has surrounded the area and in 2009 started to proceed within the area itself. Now, developers are eyeing the area's deep oil and gas formations. The Fortification Creek Area is an important contiguous habitat refuge in the increasingly industrializing landscape of the Powder River Basin.



Photo/ Bill Benschel

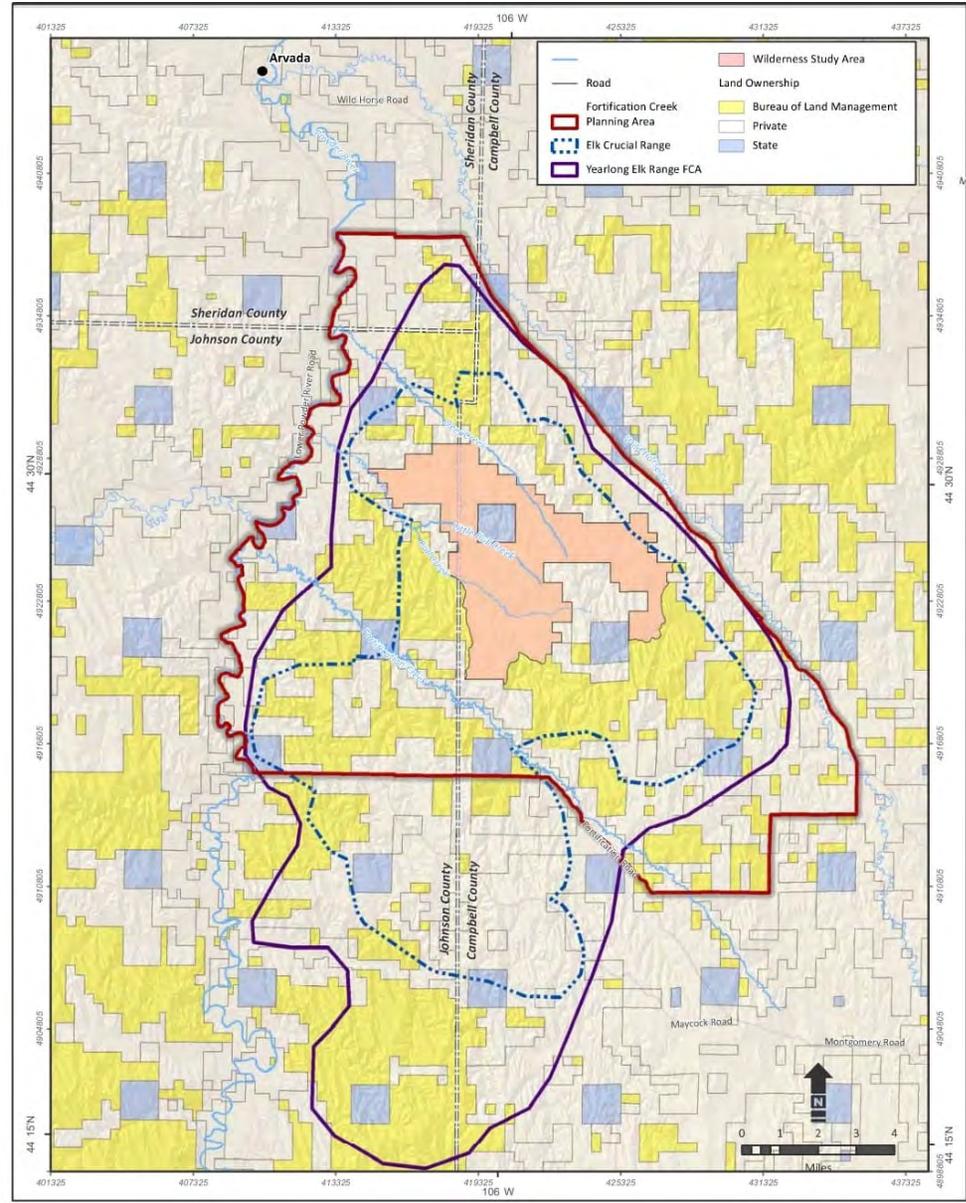
Hikers in Fortification Creek Area

More Than a Creek

Seated in northeastern Wyoming south of Arvada between Buffalo and Gillette, the Fortification Creek Area is a patchwork of public Bureau of Land Management (BLM) and State land interwoven with private holdings. It spans more than 120,000 acres in the center of the Powder River Basin.

At its core, the area contains a 12,419 acre Wilderness Study Area, established in 1985, which encircles an isolated state owned section. Bounded to the west by the Powder River, the northeast by Wild Horse Creek and crisscrossed with a network of ephemeral streams and deep draws, this fragile yet rugged area is home to an impressive amount of ecological variety.

This map of the Fortification Creek Area delineates various established elk ranges as well as the Special Management Area (SMA), (red boundary) now called the Fortification Creek Planning Area (FCPA). Under BLM's plan, areas within the FCPA are open for mineral development, but require protective practices like phased development. Note the southern extension of the year-long (purple boundary) and crucial winter and calving ranges (dotted blue boundary) beyond the delineated boundary for increased protection.



Culture and History



The Fortification Creek Area is also rich in cultural and historic resources; nearly 200 historic (younger than 200 years) and prehistoric (older than 200 years) archeological sites have been noted in the area. Prehistoric sites include lithic (stone) scatters, short and long term campsites and a wide variety of artifacts. The Mooney Site within the Fortification Creek Area is consistent with the Late Plains Archaic period (2,500 to 1,500 years ago).

Protohistoric (defined by the introduction of the horse) and historic Native American Indian tribes identified in the vicinity of the Fortification Creek Area include the Arikara, Crow, Lakota, Arapaho, Kiowa, Comanche, Blackfeet, Cheyenne and Shoshone. Evidence of communal bison hunting – sites involving natural land features or corrals and processing locations for preserving large amounts of meat following a large kill – are present in the Powder River Basin and the Fortification Creek Area vicinity.

Other historic sites range from old homestead sites and a historic town site to ranching operations, railroads and wagon trails. Homesteaders and cattle ranchers began settling the area in the late 1800's. The area still currently supports agricultural operations with area ranchers holding valuable grazing leases on the public lands in the Fortification Creek Area.



Fragility



Photo/Ashley Roberts

Fragile soils, irregular draws and steep, highly erosive slopes are characteristic of the Fortification Creek Area's breaks topography.

According to experts, such areas are potentially impossible to reclaim or restore after extensive disturbance.

Here a delicate prairie primrose (*Oenothera Caespitosa*) clings to a rugged Fortification hillside.

Diversity

The greater Fortification Creek Area is an ecological stronghold for many species in the Powder River Basin. Rich biological diversity abounds.

Elk, mule deer, antelope, sage and sharp-tailed grouse, reptiles, and small mammals – in addition to over 200 species of migratory birds – populate the area. It is an area well loved by game and bird hunters, hikers, and horseback riders. While public access is limited, access to public land is usually granted by a surrounding landowner.



Photo/Billy & Christina Maycock

The southern end of the Fortification Creek Area houses important sage-grouse and elk habitat.



Photo/Bill Bense

A member of the lizard family and the Wyoming state reptile, a horned toad (*Phrynosoma douglasi brevirostre*) sunbathes in the Fortification Creek Area.



A bluebird rests on a rock in the Fortification Creek Area.



An antelope bounds across the Fortification Creek Area.

Photo/Ashley Roberts

Hunting

Hunting and recreation in the Fortification Creek Area is world class. The area is renowned for trophy bulls and bucks.

The area provides important calving, grazing and winter ranges for a thriving elk herd, which was re-established in the early 1950's. Elk tags for the Fortification Creek Area have become a coveted commodity since the first elk season opened in 1968.

Currently, sportsmen enter a limited quota draw for the approximately 150 elk tags issued annually. Elk rifle hunting season typically spans the last ten days of October with bow hunting starting September 1st.



Photo/Billy & Christina Maycock

Cow and calf elk running in the Fortification Creek Area

Research

The Fortification elk population is one of the most studied in the state.



Bull with cows in the Fortification Creek Area

In 1992, BLM, University of Wyoming, and Game and Fish began to study and track elk by radio-collar and on-the-ground observations. Early satellite imagery and aerial photography were used in conjunction with the data to delineate the current calving, wintering and year-long ranges for the herd.

BLM expanded the study in 2006. The GPS data shed further light on animal behavior and habitat usage in the area. From this data and other historical data, the Buffalo BLM released an *Environmental Report: Coalbed Natural Gas Effects on the Fortification Creek Area Elk Herd* in 2007. This publication found that elk hesitate to venture within 1.7 miles of oil and gas well sites and 0.5 miles of roads. It predicts that development in the area at 80 acre spacing would reduce the herd to between 46 and 64 animals, which will eliminate population viability, or worse, would cause an ex-migration onto nearby private lands. These impacts would also prohibit hunting activities currently enjoyed in the area.

The population is continuously studied as part of BLM's management plan for the area but funding for radio-collaring has run out. Many oil and gas companies have lost interest in the area and no longer provide funding to BLM for elk monitoring. Ongoing data—and dedicated funding for that data collection—is needed to inform decision-making and to ensure that the requirements of BLM's management plan are being met.

Vitality



Fertile bottomlands, ample cover, and accessible water sources for wildlife and livestock make this a keystone area for many populations as well as an important grazing resource for area ranchers.

This area includes the Deer Creek, Barber Creek, Fortification Creek, and Bull Creek drainages which slope toward the Powder River incising deep canyons and steep draws.



Bottomland forage and natural springs found in Fortification Creek Area are a vital resource in drier months for wildlife and cattle.

Sanctuary



Photo/EcoFlight

This aerial view shows the steep slopes and rugged beauty of the Fortification Creek Area.

Sagebrush and grasses shroud the ridges and hills while Rocky Mountain Juniper (*Juniperus scopulorum*) and Ponderosa Pine (*Pinus ponderosa*) crown slopes and crowd crevices across the landscape.

Plains cottonwood (*Populus occidentalis*) galleries flourish in the larger riparian drainages and along the snaking Powder River providing nesting and perches for raptors and other birds.

Threats

While oil, gas, and coal are an important part of Wyoming's economy, not all areas are suitable for "development as usual." We must be wise stewards of all of our state's natural resources.

Coalbed methane (CBM) drilling and development in the Fortification Creek Area has already caused detrimental and potentially irreversible impacts to this unique area. Now deep oil development threatens the natural resources and habitat of the area. BLM must ensure appropriate development practices, including phased development with robust mitigation.

Water impacts of CBM and other types of oil and gas development can be particularly devastating. The loss of artesian free-flowing water for cattle and wildlife from groundwater removal has already occurred in the area, and unmanaged discharge of waste water from development can result in destruction of grazing resources in bottoms lands, irreversible soil damage and vegetation change.

Loss of contiguous habitat across the Powder River Basin makes the Fortification Creek Area a precious refuge. Habitat fragmentation and surface disturbance will cause a significant reduction in wildlife habitat including elk security habitat, which will reduce herd numbers or encourage outward migration of the elk herd onto private lands.

Infrastructure including roads, well sites, and industrial traffic will forever alter the landscape and sense of remoteness. Overhead power lines damage scenic vistas and create raptor perches, increasing predation pressures on birds and small mammals. Erosion and vegetation change, particularly an influx of invasive species, are paramount concerns.



Photo/Ashley Roberts

A coalbed methane drill rig operating in the Fortification Creek Area along the Fortification Creek Planning Area boundary.

Management

BLM Resource Management Plan

The Bureau of Land Management (BLM) governs millions of acres of public lands across Wyoming and the nation. They make far-reaching decisions on wilderness protection, oil and gas development, grazing, and protection of fish and wildlife on BLM public lands.

The BLM must develop land use plans to manage public lands under BLM stewardship. These plans are called Resource Management Plans (RMPs). This development process, as with all large federal actions, presents opportunities for public participation as required by the National Environmental Policy Act of 1969 (NEPA) and the Federal Land Policy and Management Act of 1976 (FLPMA). The public has the opportunity to present comments at various stages, attend meetings and workshops, and appeal inadequate plans and decisions. Public participation is vital and helps balance stewardship of our public resources.

The Fortification Creek Area has been part of many BLM planning processes over the years. The most recent began in 2007 and was finalized in 2011 with a RMP Amendment specific to the Fortification Creek Planning Area. The plan requires phased development—meaning oil and gas development in one area must be reclaimed before development in a new area can proceed. The plan also has elk population and habitat monitoring and mitigation requirements to ensure the elk herd remains viable and vibrant during development. However, the plan’s workability and effectiveness is now in doubt with the influx of potential new deep oil and gas development.

You have a say in how your public resources are managed.



The Powder River meanders along the Western edge of the Fortification Creek Area

BLM's Management Framework

Phased Development & Requirements for Reclamation Success

- ◆ All oil and gas development must have a reclamation plan approved by BLM
- ◆ Operators have to use erosion control measures and areas with limited reclamation potential should be avoided
- ◆ Operators submit annual monitoring reports to BLM documenting reclamation progress and success
- ◆ The Fortification Creek Planning Area Monitoring Team will evaluate the annual reports and determine if reclamation criteria have been met, which is a condition to allow additional development in a new phase

Elk Habitat and Population Management Restrictions & Goals

- ◆ The herd has at least 120 elk
- ◆ Maintain 80% of elk security
- ◆ Restrict surface disturbance & disruptive activities in elk winter range from November 15 - April 30
- ◆ Restrict surface disturbance & disruptive activities in elk calving range from May 1 - June 30
- ◆ Maintain at least 80% fidelity to seasonal ranges
- ◆ Elk population and habitat data is reviewed at least once a year by the Monitoring Team to determine whether management changes are needed



Needed Protection

Raise Your Voice to Protect the Fortification Creek Area's Valuable Resources

Our Organization Has Advocated for the Following Protections in the Fortification Creek Area:

Manage the Wilderness Study Area to protect wilderness characteristics with an expanded buffer zone off limits to drilling to minimize disturbance and protect important habitat at a landscape-scale. In order to do this, BLM needs to prevent oil and gas leasing in areas adjacent to the Wilderness Study Area.

Swap out the state land section in the middle of the Wilderness Study Area. The presence of a state-owned section in the Wilderness Study Area has created management challenges over the years. State leaders and BLM should work to swap out the state land, which will allow BLM to consistently manage the area.

Require phased development to make one area heal from disturbance before another is opened, which will help maintain the ecological integrity of habitat. Phased development can greatly benefit wildlife and grazing, prevent erosion, and increase timely reclamation. While BLM's management plan includes phasing, its flexibility has created implementation challenges.

Minimize surface disturbances & industrial traffic by reducing the number of well pads, consolidating roads, buried power, and pipelines into corridors, preventing development on slopes greater than 25% to minimize erosion, and preventing development in areas with limited reclamation potential.

Require low impact water handling practices by preventing untreated year-long waste water discharge to rivers or ephemeral drainages. Operators can pipe all waste water to an area where it can be put to beneficial use, minimizing water quantity impacts.

Expand BLM's Fortification Creek Planning Area to include the elk herd's entire year-long range.



Photo/Ashley Roberts

Dung beetles working in the Fortification Creek Area.
(Superfamily Scarabaeoidea)

Management Timeline

Early 1950's
Elk herd reestablished

1975
Management Framework Plan
BLM prepared a Management Framework Plan for the area establishing that development should not destroy critical watershed, wildlife, or natural values in the area.

1985
Wilderness Study Area Designated
The Bureau of Land Management Buffalo Field Office Resource Management Plan (RMP) designated over 12,000 acres of the Fortification Area a Wilderness Study Area (WSA). The area is currently managed as a WSA, which excludes oil and gas development, and is awaiting Congress' decision to designate the area.

1968
First elk hunting season opened

1990 Elk Study
In 1992, a two and a half year study track elk by radio-collar and on the ground observation. Early satellite imagery and aerial photography are used in conjunction with elk data to delineate calving, wintering and year-long ranges for the herd.

1982
Protective Management Stipulations Adopted
The Fortification Creek Oil and Gas Surface Protection Plan is completed which outlined management stipulations for the Fortification area including: forbidding overhead power lines across public lands, restricting production facilities, and establishing protections for the area's outstanding scenic vistas.

2001
Updated Management Plan Finalized
An updated Bureau of Land Management Buffalo Field Office Resource Management Plan is released. Management objectives for Fortification included allowing "orderly development of mineral resources while protecting wildlife habitat and watershed areas, and maintaining wilderness values (naturalness, solitude, and primitive and unconfined recreation)."

2003-2006

ACEC Proposed, Elk Studies continue

An Area of Critical Environmental Concern (ACEC), which would create a buffer around WSA was proposed during the Powder River Basin Oil and Gas RMP/EIS. BLM deferred consideration until a plan amendment for Fortification Creek Area was prepared. Due to increased concern for the Fortification Creek elk herd, BLM also deferred coalbed methane drilling within the elk year-long range. During that time, the BLM decided to reevaluate its management controls to minimize additional impacts to the elk and to other resources.

2008

August

A draft of the Fortification RMP Amendment was released for public comment. The draft amendment contained three alternatives, but BLM recommended a hybrid phased development alternative combining elements from each alternative in the plan.

October

Members of the public submitted over 12,000 comments on the plan. The hybrid alternative supported by the Buffalo BLM was not met with warmth by either our members or the six coalbed methane development companies with major stakes in the Fortification Creek Area. Governor Freudenthal also declared support for development that protects the area's resources and elk herd.

2007

CBNG Elk Impact Study Released

A study of impacts to elk titled *Environmental Report: Coalbed Natural Gas Effects on the Fortification Creek Area Elk Herd* was released and predicted significant impacts to the herd if developed with "business as usual" practices.

Scoping for the Fortification and Monitoring Plan Amendment process began

2011

Resource Management Plan Amendment

BLM released its RMP Amendment establishing its official management strategy for the Fortification Creek Area (at least for CBM development).

The plan requires phased development, mitigation measures, and ongoing monitoring of elk herd population and habitat impacts and reclamation success.

However, after it was finalized, the plan was rarely used as companies left the area after the downturn in CBM. Questions remain on whether the plan will be effective and enforceable in the face of new deep oil development proposed in the area.

2017

WY Public Lands Initiative

The Campbell County Commissioners formed a multi-stakeholder committee to evaluate management options for the Wilderness Study Area and surrounding lands as part of the County Commissioners Association's WY Public Lands Initiative (WPLI). The committee meets monthly and hopes to make recommendations by early 2018.

Membership



Robert Sorenson and his wife, Nancy

I am a fourth generation rancher from Spotted Horse, which is approximately 20 miles from the Fortification area. I first rode through Fortification in 1962 as a deer hunting guide for my uncle, whose ranch joins the area on the north. I was amazed at the wildness, beauty, ruggedness, and hunting opportunities there. There were no fences, roads, power lines, or any other signs of civilization. The Fortification is so unique and virtually the only unspoiled area left in the Powder River Basin. How much do we have to sacrifice? This area, if developed, will be ruined for generations to come. It is obvious to anyone that the area cannot be returned to its original condition. It is too rough, too erosive, and too fragile, and it takes hundreds of years to grow juniper trees, decades to grow sage brush. Is it worth it? I don't think so.

~Robert Sorenson
Rancher & Powder River Basin Resource Council Member

As a member of the Powder River Basin Resource Council, you join a long tradition of citizens committed to protecting Wyoming's future. We need your talent, your participation, and your financial support to continue this vital, decades-long campaign.

- \$30 Individual
- \$50 Family
- \$20 Student/Senior/Scholarship
- \$50 Contributing
- \$100 Supporting
- \$250 + Benefactor

_____ \$ _____ Pledge/Installments (Monthly/Quarterly)

We have affiliate organizations throughout the state that work on issues of local concern. If you are interested, please contact us for information.

Name

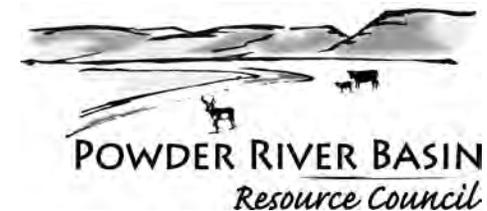
Address

Phone

City, State, Zip and County

Email

Powder River is a non-profit organization. All gifts are tax-deductible to the extent permitted by law.



Take Action



Blooming plains prickly pear cactus (*Cactaceae Opuntia*) in the Fortification Creek Area.

Contact Wyoming's Washington Delegation:

Representative Liz Cheney
416 Cannon House Office Bldg
Washington, DC 20515
Phone: (202) 225-2311
Website: Cheney.House.gov

Senator Mike Enzi
Senate Russell Building 379A
Washington, DC 20510
Phone: (202) 224-3424
Toll free: (888) 250-1879
Website: Enzi.Senate.gov

Senator John Barrasso
307 Dirksen Senate Office Bldg
Washington, DC 20510
Phone: (202) 224-6441
Website: Barrasso.Senate.gov

What You Can Do

Ask elected officials and federal and state agencies to support protection of the Fortification Creek Wilderness Study Area and the surrounding wild lands and urge continued support for further protection and best management of the area. You can call officials, send letters, attend meetings, and otherwise raise your voice to protect the area.

Governor Matt Mead:

Governor Matt Mead
State Capitol, 200 West 24th Street
Cheyenne, Wyoming 82002-0010
Website: Governor.Wy.gov

Bureau of Land Management:

BLM Buffalo Field Office
Attention Thomas Bills, Project Manager
1425 Fort St., Buffalo, WY, 82834
Phone: (307) 684-1100

Wyoming Public Lands Initiative—Fortification Creek Wilderness Study Area:

Board of County Commissioners
Campbell County
500 S. Gillette Ave.
Gillette, WY 82716
Websites: www.ccgov.net/1651/WPLI-Fortification-Creek
www.wyo-wcca.org/~wcca/index.php/initiatives/wpli/

Please visit our website at www.powderriverbasin.org for further developments.

The Future of Fortification is in Your Hands

As a state, we need to focus on Wyoming's long-term economic and environmental success. Our priority in Wyoming must be protecting native wildlife, wild places, hunting and recreational opportunities, working ranches, and private and public lands.