



PUBLIC LAND
WATER ACCESS
ASSOCIATION
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THE KEY QUARTERLY

Unlocking Access to Montana's Public Lands & Waters

Fall 2023

The Heart of The Activist

by PLWA Executive Director Drewry Hanes

I sit atop a mountain, perched on a rock older than time has been kept. Likely. Sometimes I take these things for granted. The wind in my hair. Vistas of snow-capped mountains. My dog harrying creatures and delighting in the scent of the fallen fir and orphaned grouse feathers. The warmth of sunlight as it filters through the clouds. We wander and explore, lost in a perfect autumn afternoon on public land. We hop over cold water streams, my boots testing the soil. We laze in the shade of whispering aspens, sharing water and camaraderie. For the moment this land is ours, if only because it owns a piece of our souls – human and animal alike.

We cannot survive without land and water and nature. Our bodies, but also our minds. A fact many once knew but which the multitude have forgotten and are only perhaps now remembering. Still, some few will learn this during childhood - the screech of a hawk awakening something deep within, the rustle of leaves tickling their consciousness, or the lapping of waves upon a shore that calms the stormy sea within. For others it takes longer. They drift back towards nature, learning how to name with the nameless, the unknowable, that piece inside themselves that has gone silent.

We live in strange times. I'm not the first to say it but it cannot, it seems, go unacknowledged. It is hard to spend a minute or a month among the trees or fields or waters and not gain some understanding of how mighty our natural world is, and of how much it needs our help. It is the great unifier of all that divides us, and yet...we poison it. We close it off and indulge in some dark and miserly instinct to keep it for ourselves. We park our cars and take our hikes and pass the buck to someone else to make sure these sacred places still exist next week or month or year. We pillage it for today and decide we'll consider the

damage done for those who come tomorrow...tomorrow. And so, we creep closer and closer to the day when the bill comes due.

Activism is born of love. Love is devotion. Love is kinship. It is the connection so many of us feel to the places that make us whole. Every time a child feels the first strike of a trout or a couple watches their first sunset from their tent or a hunter takes home their first deer to feed their family or a runner feels a rush of the endorphins as their feet pound the dirt of a trail – that is joy and kinship to the world around you. And that is the joy that fuels the heart of the activist.

It is time to become an activist for your public lands and waters. Forces great and small are trying to privatize access to our forests and meadows, to abandon the roads that lead to our mighty rivers and laughing brooks. It is not enough anymore to bear witness to the majesty of the natural world around us and to weave it into our lives and memories. It is not only time, it is vital that we all take up the call to defend our sacred wild places, big and small.

If you use a county road to access your trails or rivers, show up at the meetings to ensure it isn't abandoned or closed off. If you camp or hike or bike or hunt on public lands, take some of that gear money and donate it to the organizations that are working day and night to make sure your access doesn't disappear. If you climb or ski or bird watch or throw your dog in a raft, ask your family and friends what they are doing to make sure Montana remains the *Last Best Place*, and then volunteer your time for the cause. Because without all of us fighting to keep access open, you may show up at your trail next year and find it closed. Now is the time for the activist's heart to awaken, before it beats on public lands and waters no more.

2023 Montana Public Lands Festival & Annual Meeting Roundup!

A huge thank you to everyone who came out to support PLWA for our first annual Montana Public Lands Festival in Bozeman this August 19th. We had great music from Arterial Drive, drinks from the local American Legion, food from Cosmic Cafe Food Truck, and great support from the Fairgrounds. The event would not have been possible without support from our sponsors:

- Montana Wildlife Federation
- Backcountry Hunters & Anglers - Montana Chapter
- Madison-Gallatin Trout Unlimited Chapter
- Montucky Cold Snacks
- First Security Bank in Bozeman
- Madison River Fishing Company
- Yellow Dog Flyfishing Adventures

A special shout out goes to Allegra for supporting the event and providing us with all our t-shirts & marketing materials!

We had an incredible panel and attendees got the opportunity to hear from Jory Ruggiero, Don Thomas, Matthew MaCoy, and Haley Sir on issues such as current challenges in Montana's access framework, how to best advocate for public access, where engagement matters most, and what the things looks like as we move into a new future in the state. Read more about our panelists on the [website](#).

We were thrilled to hold our first in-person Annual Meeting in several years, and to get the chance to speak with folks in person. The membership and guests were addressed by President Bernard Lea who spoke about challenges and how far the organization has come, and Treasurer Katy Ross gave the financial report and evaluation of the organization's performance over the past year and moving into the last quarter with more

employees. Several awards were given this year.

- PLWA *Public Access Champion Award* to Dennis Cates
- PLWA *Leadership in Access Award* to Outside Bozeman
- PLWA *Outstanding Public Access Defender Award* to Drewry Hanes

Members heard from three candidates for Board of Directors positions and a vote was held after all were nominated and seconded. New Directors elected at the meeting for three year terms [2023-2026] were Dylan Pipinich, Beth Brennan, and Codi Hanson.

At the Fall Quarterly Meeting of the Board of Directors the following Officers were elected to serve terms for the 2023-2024 year:

- Bernard Lea - President
- Dylan Pipinich - Vice President
- Carol Fox - Secretary
- Katy Ross - Treasurer

The Board is still looking for **two** appointed Board of Directors positions to serve out the remainder of the 2023-2024 year, and then consider standing for election at the 2024 Annual Meeting. Would interested parties please visit the [About](#) page on the PLWA website to learn more about leadership at PLWA. The website may be accessed at www.plwa.org/about

Finally, the contract for PLWA's Executive Director Drewry Hanes will expire on December 31st, 2023. Incredibly proud of her three year term with PLWA, she will be taking some time and moving back into the health field. The position is expanding into a full-time appointment and we are currently searching for candidates. Please visit our [website](#) for information about applying for the position.



Maintaining & Advocating For Access Every Day

SWMMBA's driving ambition is to improve the on-trail experience for mountain bikers of all experience levels. They do that by maintaining existing trails, implementing new trail projects, and advocating for continued mountain-bike access to public lands. More than anything, they aim to foster an engaged and passionate mountain-bike community throughout southwest Montana.

Learn more about SWMMBA's projects and programs [HERE](#) or by visiting their website.



www.southwestmontanamba.org

Aunt's Linda's Pheasant Tortilla Soup

For any *Field and Stream* readers out there, you may be aware of one of the best pheasant recipes around, but for the rest of you, it is time to be brought into the fold! When author David Draper shared this recipe in a 2015 edition of the publication, many of our lives changed for the better. Now that pheasant season is upon us, it is time to enjoy this delicious recipe courtesy of Linda Doden of the High Lonesome Ranch near Debeque, Colorado.

INGREDIENTS

3 to 4 pheasant breasts, on the bone

1 onion, chopped

3 stalks celery, chopped

2 carrots, peeled and chopped

6 cups organic chicken broth

2 Tbsp. Knorr Chicken Flavored Bouillon

Kosher salt

Black pepper

8 to 10 fresh cherry tomatoes

8 to 10 tomatillos, husks removed

1 Tbsp. Worcestershire

1 Tbsp. ketchup

½ Tbsp. garlic powder

½ Tbsp. cumin

½ Tbsp. chili powder

1 tsp. Tajin

Tabasco to taste

2-3 Tbsp. masa harina

¼ cup cold water

Tortilla strips

Colby jack cheese

Fresh avocado, diced

DIRECTIONS

1. In a large pot, combine onion, celery, carrots, chicken broth, bouillon, and Kosher salt and pepper to taste. Set the pot over med-high heat and bring the poaching liquid just to the boiling point. Add the pheasant breasts, ensuring they are submerged and cover the pot. Turn the heat off and let the pheasant cook in the poaching liquid for 30 to 45 minutes.
2. Meanwhile, place the tomatoes and tomatillos on a sheet pan and place under a broiler set to low. Roast until the tomatoes and tomatillos blacken and collapse. Turn the broiler off.
3. Once the pheasants have cooked through, remove them from the poaching liquid and shred the meat from the bone using two forks. Strain and reserve the poaching liquid, discarding the solids. Return the meat and the liquid to the pot and set over low heat. Add the roasted tomatoes and tomatillos, along with the next seven ingredients (through the Tabasco). Cook the soup for 40 minutes under a low simmer.
4. Whisk together the masa harina and cold water and stir this slurry into the soup. Cook another 5 minutes or so to thicken.
5. To serve, ladle into large bowls and top with tortilla strips, cheese, and diced avocado.

From the President's Desk

I am writing this with some sadness. For those of you that are not aware, our esteemed and highly qualified Executive Director is leaving us as her contract ends after three years. She will be missed because of the quality person she is and what she has done for the Public Land Water Access Association.

Drew came on board in 2020 and has put us on a list of very successful and respected non-profit organizations supporting public land and water and access. Because of her efforts and accomplishments, we are now an entity respected and connected to other public land and water advocates that work alongside each other to preserve the public trust.

We had a successful Annual Meeting in Bozeman in August despite the rain. Attendance was down but those that attended were continuously involved in the activities, such as the auction, public access panel, and the meeting itself.

With the organization Drew has put together with salaried employees on board we are able to respond to access cases in a reasonable timeframe. This has us increasing our ability to be effective.

And one last thing, as usual Drew is working hard with our team as we interview prospective candidates for her position. Drew always kept the Board and Membership informed of her efforts and issues of importance. In my opinion, she fits one of Texas Bix Benders quotes,

"If you are ridin' ahead of the herd, take a look back every now and make sure it's still there"

She will be missed by us all.



Health is Wealth - How Public Access is Tied to Wellness

The World Health Organization reports that nearly 1 billion people live with a mental health disorder and that depression is the leading cause of disability worldwide. Every 40 seconds a person dies by suicide, with half of all mental health disorders beginning by age 14 and three-quarters by age 24. Sobering statistics, but how are they relevant to Montana public land and water users and supporters and members of PLWA?

Suicide is especially prevalent among young, elderly rural, and veteran populations, all significant groups in Montana. It outranks automobile accidents as the top cause of injury-related deaths in the US, and Montana continually ranks in the top five states for all age suicide deaths annually. For every completed suicide, there are six survivors, meaning that in Montana there are approximately 1,800 new survivors each year. In 2018, approximately 8% of Montana adults reported having been diagnosed with depression and experiencing frequent mental distress. These are adults who have been able to access and receive care from a provider. At a brief glance, this shows us that there is a huge problem with depression and suicide in Big Sky Country. The question is, do we also have a treatment available in the form of our public lands and waters?

The 2017 HUNT Cohort Study examined a 'healthy' group of 33,908 adults over 11 years. What they found was that regular low levels of exercise over the 11 years of the study protected participants from developing depression. What the study indicated was that if all the participants had engaged in at least 1 hour of exercise per week, 12% of future cases of depression could have been prevented. A 2018 Swedish Randomized Controlled Trial compared exercise therapy and

internet-based therapy to treatment as usual from a medical provider. For patients with mild to moderate depression, the study found that exercise and internet therapy were both better than standard therapy.

A few things can be drawn from these and other trials – for mild to moderate depression exercise is hugely beneficial to helping treat and prevent these depression symptoms. Montana is facing enormous challenges with mental health issues among its population, but it also has over 30% of the state available to recreate on in the form of public lands and waters. We don't have to pay for gym memberships or classes – we simply have to advocate for keeping access open to these mountains and fields – parks and trails – rivers and streams – and we will have a method to keep our population healthy and perhaps offer a balm to soothe the wounds in the hearts and minds of many who are currently suffering.

If you see someone having trouble, invite them on a walk, ask them to wander down and sit by the river, have a picnic in a meadow, or simply take ten minutes to climb a hillside and feel the Big Sky breeze on your faces. These lands and waters are part of how we survive, and perhaps how we thrive.

**While exercise and outdoor activity are helpful for mild to moderate depression symptoms, for serious depression and suicidal thoughts, please seek immediate help from a professional. Reach out by texting HOME to the crisis help line at 741741 or calling the National Suicide Prevention Line at 1-800-273-8255 or visiting your local emergency room facility.*

WAYS TO SUPPORT PLWA'S FINANCIAL WELLNESS

UPDATE YOUR WILL

Montana State tells us that 7 out of 10 Americans die without a will, missing an opportunity to leave a legacy of support to issues they care about. Visit the [GIVING](#) page of our website to find out how to update your will and to learn whom will receive your assets if you do not.

DONATE FROM YOUR IRA

If you are 70 ½ or older and have an IRA, making a qualified charitable distribution (QCD) to the Public Land Water Access Center is a tax-smart way to make a donation. The QCD allows you to direct IRA distributions – up to \$100,000 per year – to qualified 501(c)3 organizations like PLWA.

DONOR ADVISED FUNDS

A donor-advised fund is like a charitable investment account, for the sole purpose of supporting charitable organizations you care about. When you contribute cash, securities or other assets to a donor-advised fund at a public charity, you are generally eligible to take an immediate tax deduction.

OTHER WAYS

We can accept donations of cryptocurrency, checks, online donations, & stocks. Most options are fee free.

Fall 2023 Updates from Public Access Investigator Haley Sir

Lots going in this Fall at PLWA. Our members are reporting in from across the state giving updates about issues, and our Access Committee is meeting monthly to address issues and formulate strategy about how we triage the number of complaints coming in via the AIRS program, calls, and email. Remember, *please report any closures or hindrances on public lands & waters as soon as you notice them!* Here is what is happening around your state:



Indian Creek Trail, Madison County: PLWA has been informed private landowners are requesting the public sign in and get written permission to access Indian Creek Trailhead outside of Ennis. We understand there are two forks of Indian Creek Trail, one with a court-ordered legal public easement and another that runs through private property. We are requesting more information. Please feel free to contact haley@plwa.org if you have knowledge of the area or are available to verify signage at the trailhead. PLWA is hoping to obtain more clarity before the snow falls and access becomes difficult.

West Butte Mountain, Toole County: The area was recently surveyed and there seems to be a strip of private property between the road right-of-way and a state land parcel to the southwest of West Butte Mountain. Prior to the survey, this was believed to be the only access point to this portion of public lands. At this point in time, it is our understanding the public would need to obtain permission from the local landowner for access. We were informed that FWP may be working with the landowner to see if access can be re-established.

Moss Agate Road, Meagher County: On September 29th, Meagher County Commissioners held a meeting titled "Discussion and Decision - Settlement Flying T v. Catlin/ Meagher County et. al. - may be closed to the public". PLWA is unsure what was discussed. We received word the County is continuing to

move forward with a petition to abandon Moss Agate Road, a road that was established by petition in Meagher County in 1892 and subject to a recent court decision affirming its county road status. It is unclear what the petition stipulates at this point. After initial review, it seems the road could be used to access public lands beyond. According to MCA 7-14-2615, the Board of Commissioners may not abandon a county road or right-of-way used to provide access to public land or water unless another public road or right-of-way provides substantially the same access. PLWA encourages those located in Meagher County, along with those interested in access to the Castle Mountains, to stay involved in this issue. We are expecting more information to be published along with a public hearing to be held pursuant with MCA 7-14-26.

Bertha-Kennet Road, Madison County: Two locked gates remain on Bertha-Kennet Road, a county road established by petition in 1897. County Commissioners had the road surveyed and received a final report in November 2022. At recent public meetings, the Commissioners and County Attorney refuse to comment on the situation. We are not aware of any efforts by the County to rectify this issue or remove the gates at this time.

Jake Creek Road, Powell County: Board Member and PLWA Secretary Carol Fox biked part of Jake Creek Road this fall.

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EXECUTIVE DIRECTOR'S MESSAGE

It has been an amazing year at PLWA as I have watched the organization grow both in the scope of the work we are able to tackle and in the talented staff we have brought on board. New board members have gotten their feet wet and are bringing incredible energy and new ideas to the group, and we are entering an exciting phase as we flesh out our identity in these changing and challenging times.

It has been an incredible opportunity to lead PLWA over the past three years, and I feel safe now watching it move to new leadership as I return to my career in healthcare.

Thank you for your faith in me. It has been an honor.



Drewry Hanes, MS, MPH

On the Avon side, a gate has been erected to prevent motor vehicle traffic, which is restricted by the County September 1st to May 15th for an ongoing wildlife study. However, the road is open for public use for non-motorized travel and is a great fall stop to view the scenic Spotted Dog Reservoir!

Concerns Regarding River Access via Public Road Right-of-ways: PLWA received a complaint for access on the Blackfoot River where the river's high water mark enters the public road right-of-way. At this location, the Department of Transportation erected a fence for wildlife almost a decade ago. More recently, a landowner has painted that fence orange indicating private property. When FWP was contacted regarding this issue, they could not verify whether there was legal access or not. It was suggested if the private landowner called for issues of trespassing, a warden would be sent out to decide whether to ticket the accused. PLWA is doing more research to determine various agencies' stance on these types of access issues.

A Note on Public Roads: More issues continue to arise regarding public roads in Montana. Please note, maintenance is used to show that a road may be a county or public road/highway, but lack of maintenance is generally not evidence that a road is not public. If a road has been classified as a public county road and it leads to public land or two or more private parcels, it has to go through an official abandonment process to be taken out of public hands. If the road has never been officially designated or

“Keep in mind, a county has the ability to close roads due to safety or seasonality, but that doesn't allow them to privatize or abandon them.”

petitioned as public, lack of maintenance can be an issue. County road designation information can be found at your County Clerk and Recorder's office. Keep in mind, a county has the ability to close roads due to safety or seasonality, but that doesn't allow them to privatize or abandon them. To find out more about researching roads in your area, visit plwa.org/public-road.

Crazy Mountain Land Exchange: PLWA submitted comments on the Preliminary Environmental Assessment (EA) for the East Crazy Inspiration Divide Land Exchange in December 2022. A Draft Decision Notice and Environmental Assessment were posted in September 2023. To read these documents and understand how this project is moving forward, visit the US Forest Service website at <https://www.fs.usda.gov/project/?project=63115>. Read more about PLWA's thoughts on the response below.

PLWA's Comments on The United States Forest Service's Proposed East Crazies Inspiration Divide Land Exchange

PLWA opposes the proposed East Crazies Inspiration Divide Land Exchange.

PLWA's summary comments are that our organization has concerns regarding:

1. The seeming preference shown by the USFS for satisfaction of private landowners in the proposal over that of public access and conservation objectives;
2. The ceding of Sections 8 and 10 [S08, T04N, R12E and S10, T04N, R12E or Sections 1 & 2 in the PEA land swap designation] and the unclear nature of the ability for deed restrictions to achieve the stated objectives of the agreement;
3. The rationale for valuing speed of process in order to obtain financial gain over the possibility of securing potential public access; the proposal's ability to maintain high quality areas of recreation and wildlife habitat currently enjoyed by the public;
4. The degree to which the current proposal undermines objective 5430.2 of the Forest Service Manual.

Our full comments are available on our [website](#), along with supporting documents, a history of the issue, and our initial comments on the preliminary environmental assessment of the exchange. PLWA continues to research the access case regarding Sweetgrass Road to the East Crazies.

Want to know what is happening in the Montana access community?

The easiest way to keep up with PLWA is via our social media, or by visiting the website and signing up for our mailing list. Give us a follow and share with others who care about public lands. Want to protect access to the places you love? Go a step further and become a member!

Keep up with us here!



[publiclandwateraccess](https://www.instagram.com/publiclandwateraccess)



[plwamt](https://www.facebook.com/plwamt)



www.plwa.org

Executive Director Drewry Hanes Sits Down With Lifetime Member, Veteran, & Adventurer Russell Vance



Russ first off I have to thank you for sitting down with me today. You've been with PLWA since the beginning, and have helped me understand the history and identity of the organization. In terms of your life, it reads

like an adventure novel, it's incredible! *[Laughter]* And I think it's exciting and inspirational for a lot of people living in and coming to Montana now. You are originally from Tampa, Florida, where you worked in water management. You moved out here in an Airstream fifty years ago on impulse and fell accidentally into working as a ranch hand on one of the biggest cattle & buffalo operations in the state. At that time you had it made with private hunting access and ties to a small community but you also saw the effects of illegal gating and access issues. What made you, as far back as the 1970s, start to look at public access as something important to champion?

The fact that just because somebody is rich or owns the property adjacent thinks they have the right to control your use of public access or public roads by chaining them off, blocking them, doing whatever, that doesn't sit well with my idea of fairness and what's right and what's wrong...The arrogance of people just because they have a few million bucks in the bank or have always run things think they can run everything around them. I might have been that way myself a little when I was a lot younger. I was an officer in the military and I owned my own business. I never really worked for somebody else, so I was always the boss; I was always the one that ran things. The buck stopped here, so I learned to deal with whatever cards I was dealt. But when you're dealt cards that you own a huge piece of land and it has access to more land that you don't own and you can...sell it to outfitters, use your land to get to the public land and keep everybody else from getting to the public land, that doesn't sit well with me at all. That is what got me interested in it, and with [PLWA] when I learned they needed a certain sum of money to get it started, I think I provided it.

Coming from Florida and the East you said it was "the dream" and really dropped everything and didn't look back. What are the differences you see between public access and recreation on the East Coast and what's available here in Montana?

In Florida the only places I was able to hunt...all of the turkey hunting and deer hunting and wild hog was on a gunnery site from the Air Force and some parks where they allowed hunting. I just remember one where I tried to get across a creek with my Honda Trail 90 but it was about two feet deeper than it looked *[Laughter]*. That was on public land, and the access is pretty

easy. Usually there is a notice and there are men at a gate like the military and access is weekends only - like at the bombing range. So during the week airplanes were dropping bombs and on the weekends you could access that and I hunted it quite a bit. And then Wildlife Management Areas in Florida. But here there is a lot of public land but it's difficult to tell where the line is. There's not as much public land in Florida.

Over the forty years you've been in the Gallatin Valley you must have seen an incredible amount of change. What does this bring to mind in terms of the changes you've seen related to public lands and waters in Montana and what that means for how people need to be involved in public access as a cause?

My opinion is kinda like how I feel about some of the political things. It needs to start in grade school. By the time they are in high school...young people already have an awful lot of their ideas pretty well set in their minds. I think education in that area as to the importance of access to public land needs to be maybe addressed at that junior high level and especially at the college level. You need to educate them early on.

So you think public access is a fundamental right? It's not something we should privatize or sell off to privately manage?

I don't think that's even in my realm of thought! Absolutely not. No. It's so intense that I - I can't even think of anything other when you tell me I can't go on my land. And public land IS my land. It's your land. It's everybody's land.

Any last thoughts about what you hope your involvement with PLWA means?

Going back to my initial meeting with Gene Hawks I was probably mid-forties. I know right now I am disappointed that every hunter in the state is not a member, because they depend on what we do. They should be very interested in people's attempts to keep us off of public land.

Russ at 92 it's no exaggeration to say you are one of PLWA's longest-serving advocates and supporters, so from all of us, I would like to say thank you.





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Codi Hanson, Board Member

PLWA Who We Are Highlight: Codi Hanson

Codi is a Board Member from Toston, Montana.

Born and raised in Montana, Codi is inspired by the organization's mission and the critical work it undertakes to educate and advocate to protect access to our public lands. With her background in business management, Codi brings years of experience that aligns to support the goals of PLWA. She has experienced firsthand the frustration of being intimidated off public land not knowing what resources were available to address the situation. Now more than ever with Montana's growth there is a need for education and awareness surrounding rights and access to public lands.

Codi says, "I am particularly drawn to the collaborative spirit that PLWA embodies. In my current role as a business owner in the outdoor industry, I have the opportunity to collaborate with several like-minded organizations and individuals to share PLWA's message. I am impressed by the positive impact that PLWA has achieved in the past, and I am eager to be part of the team that will guide the organization toward even greater success in the future."

Quote of the Quarter:

"Nature itself is the best physician."

– Hippocrates