Chapter IV: Trail Access and Linear Corridor Alternatives

Maintaining and increasing the state's trail supply and diversity is important to Montanans, and will require creative thinking about the nature of trails and trail access. While support for good trails and trail access is strong, total trail miles in the state have declined significantly since World War II. Access to existing trails and public lands has also decreased, while recreational use of public land has expanded dramatically. Increasing trail supply and access is not merely a function of trail construction, but a complex and dynamic social, political, legal, and administrative process which requires the involvement of a variety of managing agencies, political entities, special interest groups, and individuals.

In addition to access issues, this chapter discusses linear land ownership and historical use corridors with trail potential, including railroads and abandoned rail lines, utility and irrigation easements, and a variety of historical Native American and Euro-American routes, some of which are already part of a designated National Trails System. The intent in this section is not necessarily to advocate that particular routes or types of routes be used for trails—in fact, some of these options present difficult challenges—but rather to inform readers of the broad range of trail and access possibilities.

Access To Trails and Public Land

Access to trails and public land is one of the most significant public lands issues of the decade, and is likely to increase in importance as recreational use of public land increases. A report by the Federal General Accounting Office in 1992 found that over 50 million acres—fourteen percent of the total Forest Service and BLM land base—had inadequate access, with 12 million additional acres difficult to reach (General Accounting Office 1993). Another 5.4 million acres of the public domain located in the eleven Western states were completely closed off by surrounding private land.

Increasing and sustaining access across private land to public land is among the most important outdoor recreation issues facing Montanans (Brittan and Brittan 1989). As far back as 1976, a study for the forty-fifth legislative session of Montana concluded that access problems were increasing in the state, caused mainly by changing land ownership patterns. Since then, there has been a steady increase in both recreational use of public land and loss of traditional accesses.

Increased recreational use of public land in the 1970s pressured federal agencies to consider ways of securing and increasing access. Both the Forest Service and BLM—often working with state and local governments, special interest groups, and private land owners—have documented, signed, and acquired numerous accesses since the 1970s, although usually on a case-by-case basis. State agencies in the West have also addressed the access problem, although once again typically in a non-comprehensive, case-by-case, basis.

The Board of County Commissioners of the 56 counties in Montana is charged with opening, maintaining, discontinuing, abandoning, and recording roads (Montana Code Annotated 1997). However, a lack of documentation and a willingness to abandon roads by counties—as well as inconsistent policies and disagreement on access to public land by various levels of government—contribute to the growing access problem. The role of various levels of government in the complex legal arena of public access is discussed below.

Federal Policy and Legislation Related to Access Issues

Although federal land managing agencies have long had the authority to acquire access to public land by purchase, exchange, donation, eminent domain, or litigation, these agencies have only recently become more active in securing and increasing public access. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 sets forth requirements on how the Forest Service deals with private landowners in acquiring property, while the 1974 Resources Planning Act (RPA)—as well as more recent policy decisions—requires the Forest Service to provide for access needs in land plans (BYU Journal of Public Law 1994). The BLM has similar authority and policies.

An important legal tool in this process is an 1866 federal law known as R.S. 2477, which granted a "right-of-way for the construction of highways over public lands." Originally intended to preserve access to public lands over public domain land that was passing to private hands through the Homestead Act or other mechanisms, the statute is often claimed as a means of obtaining motorized use across public land (BYU Journal of Public Law 1994). The current Forest Service direction for addressing R.S. 2477 claims on Forest Service land is to not recognize these assertions unless there is an emergency need (USFS 2000).

Significantly, R.S. 2477 can also be utilized to secure public access across private land when existence of an historical public road can be proven. Although repealed by the Federal Land Policy and Management Act of 1976, federal, state, and county governments can continue to claim right-of-way where the easement had been created before the statute.

The Forest Service and the Bureau of Land Management first resorted to litigation to protect public access in the early 1990s. In Garfield County V. WHI, Inc. (1993), the federal government first gained standing to sue on the public's behalf for access by prescription or by an implied grant under R.S. 2477 (10th Circuit 1993). A legal theory known as Public Trust Doctrine, although originally used to exert a public right in navigable waterways, was used by the court in exerting a federal interest in access to public land. The Garfield County case supersedes state statutes limiting prescriptive easements, thereby allowing for historical public easements to be proven, even if the access has been closed for years.

Public Roads and Rights-of-Ways

Unofficial roads and trails across private land are an important element in accessing public land throughout the state. Many access roads which are not part of the regularly maintained county road network have been or are in danger of closure. Although used by the public, many informal roads are not well documented or listed in the county plat books, making the existence of public right-of-ways problematic.

Roads that are petitioned county roads—even those that have not been maintained—can not be closed by the landowner. The landowner's remedy in such a dispute is to formally petition the Board of County Commissioners to close the road. During the 1999 Legislative Session, the Montana Legislature passed HB 352 (amending MCA 7-14-2615) to include the provision that the County Board of Commissioners may not abandon a county road or public right-of-way that accesses public land unless another public right-of-way provides substantially the same access.

Ultimately, the determination of what constitutes a county road, public right-of-way, or a prescriptive easement is a very fact-specific inquiry. There is typically no single rule, statute, or case that determines the issue one way or another.

In many cases, the public enjoys access to public land out of the goodwill of adjacent public landowners; that doesn't mean that there is any legal public access. Land managers need to research and evaluate all access corridors to determine the legal status of the access. In the event that no easement or access agreement

exists, land managers should first begin working cooperatively with the landowner to formally secure permanent access.

Until counties formalize ownership of roads and trails not already included in the county records, many roads and unofficial trails commonly used by the public are subject to closure by the land-owner. Once a road is physically closed by private landowners, it often takes expensive negotiations, litigation, purchase, or condemna-tion to restore the access.

Private and Unofficial Trails and Trail Access

Changing land ownership and land use patterns, often the result of changing economics, increased population, and associated demand for high-amenity residential and recreational rural land, are altering traditional recreational use of private land throughout the state (Copeland 1997). This includes corporate timber land, land on the outskirts of urban areas undergoing a transition from agriculture to suburban and urban, and formerly abandoned land in urban areas tradition-ally used for transportation, mining, industry or by the military. The more significant of these land ownership and land use patterns are dis-cussed below.

Corporate Timber Lands

Forest industry firms own over 1.6 million acres in Montana, much of which has been used historically by the public for recreation, including for trails and access to trails. This land owner-ship pattern resulted primarily from a federal land grant to the Northern Pacific Railroad in 1864, including 14,740,000 acres in Montana, sixteen percent of the state's total land area (Root 1987, Peters and Johnson, 1959). This land grant generally consisted of sections (one square mile) on either side of the railroad line in a checker-board pattern, with twenty alternate sections on either side of the right-of-way per mile in Mon-tana. Where settlement had already occurred, the railroads were often granted nearby public domain land. The Great Northern Railroad also obtained hundreds of thousands of acres of timberland in the West, including Montana, in lieu of land already settled in Minnesota. As a result of these land grants, hundreds of thousands of acres of corporate timberland is interspersed with public land, often in a checkerboard pattern, throughout Western Montana.

Over time, these land grants were broken up through sales and evolution of corporate entities. For example, approximately one million acres of land grant land in Montana was purchased by the Amalgamated Copper Company in 1907, with over 650,000 acres of this later purchased by Champion International in 1972, part of a larger holding. In 1993, 867,000 acres of Champion's land in Montana was sold to Plum Creek Timber Company. Additionally, Big Sky Lumber owned over 165,000 acres of timberland in the Gallatin National Forest by the mid-1990s, mostly in a checkerboard pattern.

As timber resources are depleted and corporate timberland becomes more valuable broken up into residential parcels, many historical trails and access to trails are in danger of being lost. For example, Plum Creek officials recently an-nounced plans to sell up to 150,000 acres of land in northwestern Montana for residential develop-ment, much of which has been used historically by the public for recreation. Thousands of acres of former Big Sky Lumber land in Southwestern Montana is also slated for residential develop-ment.

Although sales of corporate timberland are threatening to close land used recreationally and for access, a more positive aspect of this trend is the opportunity for the public to acquire more land or access. Land trades intended to consoli-date checkerboard ownership patterns can sometimes threaten trails and access on the traded public land, but they can also improve access opportunities. For example, the proposed Gallatin land consolidation between the Forest service and Big Sky Lumber Inc. would trade 54,000 acres of Big Sky Lumber property for

28,000 acres of Forest Service land, and in the process create twelve new accesses, close eleven, and secure title to 21 historic accesses (USFS 1997).

Non-System Urban Trails

Urban areas often contain a network of unofficial trails used for recreation and alternative transportation, utilizing old industrial, transportation, or mining areas, as well as land in the transition from more traditional agricultural use to residential or commercial uses. As the population grows and expands into fringe or rural areas, this traditional network of trails is threatened. Traditional footpaths are generally encroached on by landowners as the value of the land and the intensity of the land use increases (Millward 1996). Often, trail users do not realize the land is not public until orange fenceposts or survey stakes appear.

Public land used for segments of these unofficial trails includes parks, cemeteries, and road right-of-ways. As user conflicts increase and liability questions arise, management decisions often disrupt use. If the trails are identified before change occurs, preservation can often be achieved with participation by local government, local trail organizations, concerned citizens, and recreation and park organizations.

Linear Corridor Alternatives

When many Montanans think about trails, they tend to consider the kinds of traditional trails that have been used in the state for hundreds of years—winding, forested paths through the mountains, for example. While these kinds of stereotypical routes have been and will continue to be at the core of the Montana trail experience, there are other types of routes that fit the definition of trail that need to be considered. Important historical routes such as Native American travel corridors or the Lewis and Clark journey, for example, might be defined as “trails,” even though they are not continuous public corridors. Additionally, there has been growing interest in using transportation and utility corridors for trails, rail trails being the most notable example. Finally, it is worth noting that a number of the country’s most significant long-distance routes are already part of a federally-designated system, the National Scenic, Historic, and Recreational Trail system, one of the best know representatives being the Continental Divide Trail which passes through western Montana.

Utilizing Existing Infrastructure for Trails

Montana’s Rail System

Currently, Montana is served by seven railroads with over 3,400 miles of track (Montana Department of Transportation 1993—see Figure IV-1). Between 1979 and 1992, over 1,370 miles of railroad line were abandoned, while a number of short lines were abandoned earlier in the century. The largest railroad abandonment in Montana occurred in 1980 when the Milwaukee Road abandoned 1066 miles of line in the state, with only 215 miles purchased by other railroads, for a loss of 851 miles of railroad line. Other abandoned lines include a number of Burlington Northern branch lines and spurs totaling over 490 miles from 1979 to 1992, and the 22 mile White Sulphur Springs and Yellowstone Park line in 1980. The majority of abandoned railroad miles in Montana are already in private hands, since ownership reverted to adjacent landowners upon abandonment.

Historically, railroad abandonment has resulted in the railroad line being replaced by roads, or the linear land ownership pattern being broken up as the right of way reverts to adjacent landowners. Converting rail lines, which reverted back to private landownership into rail-trails, is generally impractical and cost-prohibitive, often requiring obtaining land or easements from a number of landowners. However, due to the significant

MAPS

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Map Index:

Fig IV-1

historical and scenic nature of some of these abandoned lines, they are discussed below. The potential for creating rail trails from remnant segments still exists in some cases, especially in urban areas or where ownership reverted to public entities. Existing rail lines that are unused or used only occasionally offer better opportunities for longer trails.

Although total rail mileage had been decreasing in the U.S. for decades, it was not until the demand for urban trails increased dramatically in the late 1970s that preserving railroad easements for trails gained widespread support. In 1983 Congress enacted an amendment to the National Trails System Act, directing the Surface Transportation Board to allow railroad lines that were undergoing abandonment to be "railbanked," which prevents the rail line from fragmentation (Rails to Trails Conservancy 1997). A request for railbanking, by a public agency or qualified private organization, prevents reversion to adjacent landowners, as well as prohibits the railroad company from selling off property or trail-related structures for 180 days, giving potential trail managing agencies time to purchase the rail line.

Montana's Rail Trails

Rail trails have become one of the most rapidly growing land acquisition movements in American history. When the Rail-To-Trails Conservancy formed in 1986, their staff knew of only 75 existing rail-trails, with 90 projects in the works. By 1997 there were nearly 900 railtrails completed, totaling nearly 10,000 miles of trail, with over 1,000 projects planned. One of the longest rail trails in the country is the 145 mile Milwaukee Road Corridor in Washington, created from a segment of the Milwaukee Road mainline, while a 400 mile trail is in the works for the San Francisco area. Montana ranks 33rd in the nation for the number of rail-trail projects, and 30th for mileage, although a number of projects are currently planned.

At least eighteen rail-to-trail routes have been completed or are under construction in Montana, with over 125 miles of projected trails, many of them along the former Milwaukee Road (see Table IV-1). The longest rail trail in the state is the recently-opened Route of the Hiawatha, a 33 mile trail from St. Regis to the Idaho Border through the Lolo National Forest. The majority of this stretch reverted to the Forest Service,

Table IV-1. Rail Trails in Montana (MDT 1999)

Name	Location/Management	Length (miles)
Gallagator Linear Trail	Bozeman	1.5
Great Northern Historical Trail	Flathead County	1.25 (23 planned) (.8 along active line)
Heights Bike Trail	Billings	3.5
Kim Williams Nature Trail	Missoula	2.5
Milwaukee Road Trail	Missoula	?
NorPac Trail	Lolo Nat. Forest	12.1
River's Edge Trail	Great Falls	7.1 (30 planned)
Spring Meadow Lake and Centennial Park Trail	Helena	2.5
Tobacco River Memorial Trail	Kootenai National Forest	2
Gulch Trail	Cascade County	2.4
Joliet Railway Ped/Bike Path	Joliet	5
Story Mill Trail	Bozeman	2 (railtrail)
Route of the Hiawatha Rail Trail	Lolo National Forest	33

although a number of easements through private land were donated or purchased.

Although the majority of Montana's rail trails are located along former rail lines, two of the trails parallel existing rail lines. Slightly less then one mile of the Great Northern Historical Trail in Flathead County is slated for development along a heavily used Burlington Northern spur, while the Story Mill Trail in Bozeman parallels an unused Montana Rail Link spur. With appropriate planning and design, creating trails along active rail lines can be safe and offer the same benefits as other trails (Rails-to-Trails Conservancy 1997).

Montana has missed the opportunity to convert entire abandoned lines into rail trails. However, unused or rarely used spurs and segments of line occur throughout the state and offer perhaps the best potential source of rail trails outside of urban areas. There are three branch lines in Western Montana that deserves specific mention due to their current use status, location, and scenic nature. A 26 mile Montana Rail Link branch line from Drummond to Philipsburg along the Flint Creek Valley has been out of service since a derailment in 1983 damaged the tracks. A 45.6 mile Montana Rail Link branch line from Whitehall to Alder along the Jefferson Valley has been rarely used since 1987 when a crude talc loading facility was moved to Three Forks. The 19.5 stretch from Twin Bridges to Alder is out of service, while the remainder of the track is classified as a light density line and is rarely used, with a speed limit of 25 mph; only five carloads of grain utilized the segment in 1991. This route passes through some of the most scenic intermountain valleys in Southwestern Montana, in addition to skirting a number of outstanding historical resources.

Another currently inactive segment of the former Milwaukee Road is an eleven mile stretch from Whitehall to Spire Rock, owned by the Montana Rail Link. Burlington Northern owns the short inactive segment from Spire Rock west to Butte, which combined with the Montana Rail Link segment, could form an alternative transportation route from Whitehall to Butte over the Continental Divide north of Interstate 90.

The Central Montana Rail, a non-profit corporation formed to restore service on a segment of the old Milwaukee Road mainline in Central Montana, also acquired an 8.4 mile stretch of line from Spring Creek Junction to Lewistown. Currently inactive due to an unsafe wooden trestle, this segment could be utilized as a rail trail for Lewistown. Other inactive or rarely used spurs and segments of rail lines occur throughout the state, and would often make excellent recreational trails and alternative transportation routes.

Utility Corridors

Utility corridors represent a source of linear land ownership with the potential for trail development, wildlife habitat enhancement, and other ancillary uses. For example, the Washington & Old Dominion Trail in Virginia is a former rail line purchased by an electric utility. Presently, a buried sewer line and fiber optic cables, as well as a paved trail, share the easement. In Washington State, an abandoned railroad right-of-way was acquired for a rail trail with financial help from AT&T, who wanted to lay a fiber-optic cable along the route, while in the Seattle area, a sewage line easement was utilized for segments of a public trail (Interagency Committee for Outdoor Recreation 1991).

Public utility and irrigation easements are the most common linear land ownership pattern in the state, and include oil and natural gas pipelines, sewer lines, irrigation ditches, electrical transmission lines, and telephone, television, and fiber optic cable. Montana Power Company alone owns over 2,100 miles of natural gas transmission pipelines, and over 6,750 miles of electric transmission lines.

Although located throughout the state, these easements offer the potential for trails in lower elevation foothills and valleys where the demand for trails is the greatest but the supply is limited. Montana law already excludes utility easements

from road abandonment, thereby preserving linear land ownership patterns. Although the utility infrastructure itself (e.g., high voltage power lines) could compromise the aesthetics and natural qualities of the corridor, in many cases the utility is or could be buried.

Irrigation easements, which by necessity follow the natural contours of the land more rigorously then roads, are perhaps the most numerous linear land ownership patterns with the potential for use as trails in the state. However, federal, state, and irrigation district easements, are presently closed to public access to protect public safety and private property, whereas the remainder of irrigation easements are privately owned.

The legal complexities and costs of utilizing these types of linear corridors needs to be considered, especially since both the owner of the utility easement and the actual land owner have a role in management decisions. Safety and liability are also major concerns that need to be addressed. Additionally, easements are often granted for only a specific use, and wouldn't necessarily apply to recreation.

Existing Roads

A substantial amount of trail-like recreation and transportation occurs on a wide variety of existing roads. This ranges from OHV/4x4 riding, hiking, and mountain biking on primitive roads, to bicycling on paved streets and highways. Sometimes traveling on the road itself is the focus of the trip, while in other cases roads may be used as connecting links between trail segments.

On the primitive end of the scale, the BLM has designated a number of backcountry byways in Montana and elsewhere that highlight exceptional backcountry touring opportunities. Additionally, the Forest Service manages hundreds of miles of primitive roads in Montana, offering a wide range of opportunities. The Forest Service has also designated a number of roads with outstanding natural, cultural, and recreational resources as scenic byways.

A considerable amount of bicycling occurs on Montana's paved roads and highways. Bicycles are considered legitimate road vehicles and—unlike many other states—bicycles are not prohibited on federal highways or interstates. According to Montana statutes "every person operating a bicycle shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of any other vehicle" (MCA 61-8-602). In a number of Montana towns and cities, bike lanes and routes have been established along some roadways to facilitate bike travel and improve safety.

The Montana Department of Transportation (MDT) has published a brochure and map for bicyclists which includes data on traffic volumes and shoulder widths on Montana highways. Copies are available from the MDT Bicycle and Pedestrian Coordinator, at 1-800-714-7296 or 406-444-9273. Additional information on Montana bicycle touring opportunities is available from Adventure Cycling Association, a non-profit organization based in Missoula (406-721-1776).

There are significant safety and legal issues involved in using roads for trail-type activities. Helmets are recommended for all OHV and bike activities, regardless of where they occur. In most cases, OHVs must be registered and licensed to legally operate on roads. A registration decal is required for all OHV use on public roads and lands in Montana, although the Forest Service now has the authority to designate roads where OHVs don't need to be licensed. To date, the designation of these routes has been limited.

Historic Routes and Trails

Montana contains many historically significant trails, including Indian trails and Euro-American trails and railroads, as well as trails included in the National Scenic, Historical, and Recreational Trail System. Although some of these trails have already been designated as part of the federal system, others have been largely ignored or received attention only at a local level. While not intended as a comprehensive list, the trails

included in this section were chosen due to their historical significance, possibilities for historical interpretation, and overall recreation potential.

With less then 200 years of permanent Euro-American habitation in Montana—and Native American history leaving in many cases a subtle and often obscured imprint on the cultural landscape—enjoying Montana history often requires an appreciation of the physical landscape as the stage upon which historical events occurred. Vastness defines Montana more than any other feature. As a result, much of state's history is that of travel and trails; retracing the state's historical trails is a good way of exploring Montana's history. Montana is also a scenic state, with a wealth of natural amenities, and rich in natural history. Many of the major historic trail corridors pass through a landscape that combines unique elements of both cultural and natural history. As a result "the inseparable link between landscape and historic resources" is especially strong in Montana, and along Montana's trails (Sommer 1990).

Trails that began as game-trails evolved into foot trails used by prehistoric hunter gatherers, then horseback trails used by historic Indian tribes, then Euro-American trapper and trader trails, military and civilian wagon roads, and finally railroads and automobile roads. In some cases, segments of trails were abandoned during these transitions and the landscape in the interim has remained relatively undisturbed. Many of the trails included in the current state trail system are more then fifty years old and could themselves be considered historic trails, although most have not been researched or evaluated in a preservation framework. Throughout Montana, important cultural and physical features of historic trails remain on the landscape, and could be the focus of historical interpretation and education activities, even though only scattered portions of the original routes may be in public ownership. It is worth emphasizing that many segments of the routes described below are no longer descernable as trails.

Historic Railroads

The construction of railroads in Montana began with the Utah and Northern from Corinne Utah, following the old Corinne Trail and reaching Butte in 1881. The last spike of the first transcontinental line to cross Montana—the Northern Pacific—was driven at Gold Creek Montana in 1883, near the site of the first discovery of gold in the state in 1852.

The construction of railroads continued in the state into the early twentieth century, while at the same time changes in the economy and technology were already setting the stage for railroad abandonment. Independently operated short-line railroads throughout the state were abandoned or sold to the larger railroads early in the century, including the Butte, Anaconda, and Pacific Railroad, the Montana Western, the Gilmore and Pittsburgh, the Big Blackfoot, and the White Sulphur Springs and Yellowstone Park lines. Few traces of these historic railroads exist, the routes they followed generally occupied by other railroads, roads, and utility corridors. However, in some cases remnant and relict landscape features remain, offering the potential for historical interpretation and other trail associated recreation.

Three historical rail lines in particular deserve specific mention here due to their significance in Montana history: the Butte, Anaconda, and Pacific; the Montana "Jawbone" Railroad; and the Milwaukee Road (see Figure IV-1).

The Butte, Anaconda, and Pacific Railroad: The Butte, Anaconda, and Pacific Railroad included a 31.5 mile line, built in 1894, to haul copper from the mines in Butte to the smelter in Anaconda. In 1912, this line became the first railroad to electrify in the country (Taber 1960). Closure of the smelter in 1980 and most mining in 1983, forced the line to close in 1984. Reformed as the Rarus Railroad in 1985, the historic line continues to serve the Butte and Anaconda area and is a major component of the proposed Butte/Anaconda Historical Park.

The Montana "Jawbone" Railroad: The discovery of silver in the Castle mountains in 1882 prompted the formation of the Montana Railroad Company. Construction began at the Northern Pacific rail stop of Lombard on the Missouri River. The line slowly snaked up Sixteen Mile Creek Canyon and through rugged terrain between the Belt and Bridger Ranges, with the town of Castle its goal.

The repeal of the Sherman Silver Purchase Act in 1892 and the ensuing financial panic of 1893 led to the decline of mining in the Castle district, which was still waiting the arrival of a railroad to decrease costs. By 1897 the line reached Castle, but traffic was already tapering off and financing was difficult: "Between the talk of Richard Harlow to raise money and the talk to keep men working without much pay," the line became known as the "Jawbone" (Baker 1990).

A series of extensions to serve central Montana reached Harlowton in 1899 and Lewistown in 1903, finally producing profits. By 1912 the line was incorporated into the Milwaukee Road, which had provided financial assistance throughout its construction with this very goal in mind. Although much of the route was abandoned and subsequently purchased by adjacent landowners, historical sites and features along the route could be utilized for historical interpretation and recreation.

The Milwaukee Road: The last transcontinental line to be built across Montana was the Chicago, Milwaukee and St. Paul. Later know as the Milwaukee Road, the route reached Butte in 1908 and completed its march across the state in 1909. This railroad purchased the Montana Railroad, and was one of the first railroads in the country to electrify, with the segment from Harlowton to Avery Idaho electrified in 1915.

The Milwaukee Road played a large role in promoting the last great homesteading era on the northern plains in the 1910s, as well as drawing early tourism to Yellowstone National Park, and resorts and spas throughout the state.

The entire line was abandoned in 1980s, with only portions of the line taken over by other railroads and the remainder reverting to adjacent landowners. Much of the line no longer exists, although some of the abandoned sections remain relatively intact, including a 34 mile stretch in the Judith Basin west of Judith Gap.

Prehistoric and Historic Native American Trails and Trail Corridors

The following list and description of Native American trails is not meant to be exhaustive, but rather intends to summarize some of the better known and most significant routes (see Figure IV-2).

The Old North Trail: The Old North Trail—running north-south along the eastern slope of the Rockies from Canada through Montana—has been an important travel and trade route for at least 3,000 years, leading to chert quarries in southern Montana and obsidian deposits in Yellowstone National Park (Reeves 1990). Complex stone features found along the trail were likely erected for sacred purposes associated with the route. The trail served a specific spiritual function to the Blackfeet Indians, whose creation myth tells of the Old Man who walked north, creating the world, the mountains and the plains, as he went (Stark 1997).

Although the actual location of the trail along most of its length is unknown, portions are better mapped, and in some cases discernable evidence of the trail still exists on the landscape. The best preserved portions of the trail, as well as the most scenic, are located along the Rocky Mountain Front, running from the International Boundary through the Blackfeet Indian Reservation to the Sun River near Augusta. Land ownership patterns in the general vicinity of the trail consist of a mix of federal, state, and private holdings include three FWP Wildlife Management Areas and the Pine Butte Swamp Nature Conservancy Preserve.

The Bannock Indian Trail: The Bannock Indian Trail, although overlaying earlier travel routes, was a trail used by Bannock, Shoshone, and other Columbia Plateau Indians traveling to the buffalo hunting grounds in the high plains of Montana and Wyoming, after buffalo grew scarce in the Snake River Plains in the late 1830s (Haines 1962).

Although easier routes existed, the Blackfeet controlled the land to the north, and the route to the south was long and led through the heart of Crow Indian land. The remaining route across the Yellowstone Plateau while rugged and timbered led to a number of widely separated buffalo-hunting areas in the intermountain valleys of Montana and Wyoming and the Great Plains beyond.

The trail began at Camas Meadow in Idaho, crossed over Targee Pass to the Madison River in Montana, bisected the southern end of the Gallatin Range into the Gardner River drainage, then proceeded eastward up the Yellowstone and Lamar Rivers in Yellowstone National Park. The route then split into a number of connecting trails leading to buffalo hunting areas in the Madison, Gallatin, Yellowstone, Clark Fork, and Shoshone River valleys.

Although much of the trail is in Yellowstone National Park, the trail also crosses various federal, state, and private land in Montana. Much of the trail is located in rugged mountainous country with minimal development, although private land, especially along the upper Madison River, is undergoing commercial and residential development.

The Kootenai Falls Portage Trail: The Kootenai Falls Portage Trail is part of an important Indian trade route linking the eastern slope of the Rockies with the Columbia Plateau and the Pacific Coast. The route followed the Kootenai River and its tributaries through the extremely rugged and wooded country in the panhandle of Idaho and northwestern Montana (Davis and Vinson 1981). The actual location of the trail is unknown for most of its length, but an approximately three mile segment along Kootenai Falls remains relatively intact. The trail was the portage and primary travel route around the falls. Sites located on the terraces above the falls contain archeological evidence, suggesting both ceremonial and utilitarian uses, going back several thousands of years.

Although dams upstream and down have altered the landscape drastically, the stretch flowing through Kootenai Falls remains free-flowing, preserving the last major falls in the entire Columbia River drainage. The falls are located approximately twelve mile west of Libby along Highway 2, situated within the Kootenai National Forest, although a parcel of land overlooking the falls to the south is owned by Lincoln County and maintained as a park and scenic overlook. Montana Fish, Wildlife & Parks also manages over 340 acres in the area. Archeological and historical evidence suggests that the primary travel route was on the north shore, currently accessible by a wooden footbridge. A Forest Service trail created in the 1920s overlays portions of the historic trail.

Bad Pass Trail: Bad Pass Trail is a trail linking the Bighorn Basin in present-day Wyoming with the lower Bighorn River, which flows north into the Yellowstone River in south central Montana. The trail parallels the rugged and treacherous Bighorn Canyon, threading between the Pryor and Bighorn Mountains. The surrounding country has been occupied by prehistoric peoples for thousands of years; they utilized the many caves for shelter and storage, engaged in game drives, and traveled through the area gathering plants (National Park Service 1996). Shoshone Indians traveled the Bad Pass Trail more recently to access the buffalo hunting plains to the north. Explorers, trappers, and traders also used the trail to avoid the dangers of the Canyon.

A number of landscape features are still discernable on the landscape, including rock cairns, pottery shards and worked stone. The Bad Pass Trail is one of the most significant and impressive rock pile cultural landscape features associated with a trail in the Northwestern Plains (Loendorf and Brownell 1981). Much of the trail is already protected within the Bighorn Canyon

MAPS

In the Montana State Trails Plan, pages 125 through 126 contain map figures. Due to a constantly changing trail system, most of these maps are already outdated. The maps are intended to be general representations only and are not be be used as trail guides.

Map Index:

Fig IV-2

National Monument, while the remainder is located within the Crow Indian Reservation and the Pryor Mountain Wild Horse Range.

The Lolo Trail: Approximately 120 miles in length from the Bitterroot Valley of Western Montana to the lower Clearwater River in Idaho, the Lolo Trail has a history as a major Indian travel and trade route, dating back to at least to the late 1700s. The trail was also traveled by the Lewis and Clark Corp of Discovery on their way to the Pacific in 1805, and on their return trip in 1806, as well as by the Nez Perce on their retreat in 1877 (McLeod 1981).

Beginning in the mid-1860s, a number of road and rail projects were organized with the intent of getting over Lolo Pass (including the Union Pacific and Northern Pacific Railroads); none of these projects were ever completed. Finally, in 1933, the Lolo Motorway was constructed by the Civilian Conservation Corp, disturbing much of the trail. Nonetheless, a study conducted in 1980 along the 28 mile stretch located in the Lolo National Forest from the town of Lolo in Montana to Lolo Pass on the Montana-Idaho border found that significant portions of the trail remain undisturbed and discernible. Increased interest due to the Lewis and Clark Bicentennial will likely result in increased public use of this trail, which is already recognized as a National Historic Landmark, and listed on the National Register of Historic Places.

Euro-American Exploration, Trading, and Settlement Trails

The Missouri River was the primary transportation corridor for Euro-American settlement patterns until roads and railroads out-competed river traffic. The steamboat era began in earnest in 1860 when the steamboat Chippewa reached Fort Benton, the head of Missouri River navigation, and the primary inter-modal transportation hub for many of the historical trails mentioned below (Ingram 1976). By the end of the Civil War overland routes became more competitive, greatly reducing river traffic, although the last commercial boat did not leave Fort Benton until 1890.

The Missouri River and its tributaries, although not trails in the traditional sense, embody the full range of recreation, historical, cultural, and natural resources that are the basis of our parks and trail system. Most of the Montana's historical trails led from ports along the river system to outlying regions, generally following the larger river valleys. The approaching bicentennial of the Lewis and Clark Expedition, which is expected to draw large numbers of visitors to the state, increases the importance of a unifying vision for management for the Missouri and its tributaries. The stretch of river from Fort Benton to the Fred Robinson Bridge, designated and managed as a Wild and Scenic River by the BLM, is among the least developed and most popular portions of the Lewis and Clark Trail.

Even before steamboats reached Montana, overland routes were being opened by explorers and fur-traders, often following the most heavily-used Indian trails. The outbreak of war with Spain in 1846 prompted the Federal government to hasten exploration of routes over the Rockies to the West Coast.

In 1849, following a plan created by the Secretary of War, a group of Army engineers escorted a group of emigrants from Fort Leavenworth to Fort Hall, Oregon Territory, opening up the Oregon Trail. Branching off from this route, the Stevens Expedition of 1853 explored possible wagon and railroad routes to the north, connecting Minnesota with Washington Territory. The expedition also explored the general route of what would become the Bozeman Trail, starting at Fort Laramie on the Oregon Trail and leading to central Montana.

The following section examines significant historic trails and railroads in more detail, as well as addressing the potential for a larger management presence on the part of resource agencies.

Northern Overland Route: The Northern Overland, or Minnesota-Montana Road, was the path taken by the Stevens Expedition from St.

Paul to Fort Benton in 1853, traveling generally to the north of the Missouri River. Captain James Fisk led a wagon train of settlers from Minnesota to Fort Benton along this route in 1862 and 1863. However, the route never became popular, due to economic and social stresses caused by the Civil war, rapid development of river boat traffic, and hostile Indians (Malone and Roeder 1976, Montana Department of Fish and Game 1975). Much of the route is now followed by state highways and passes through private land, although the low population and rural nature of northeastern Montana have resulted in comparatively little landscape change.

Mullan Military Wagon Road: While working with the Stevens expedition of 1853 as a railroad and wagon road surveyor, John Mullan was sent west from Fort Benton to explore a route over the mountains to Idaho. His route included traveling over a pass on the Continental Divide from the Helena Valley to the Deerlodge Valley, now known as Mullan Pass, as well as a pass over the Bitterroot Mountains into Idaho. In 1858 he was assigned by the War Department to complete a wagon road from Walla Walla, Washington to Fort Benton along the same route. Although the trail was completed in 1863, the rough stretch over the mountains was used by very few wagons, and by 1866 freighters complained the road was difficult even for pack animals (Jackson 1952). Although much of the route was subsequently followed by railroads and highways, the stretch over the Bitterroot Mountains was avoided by following the Clarks Fork River to the north or other passes, resulting in a relatively undisturbed landscape along this portion of the route.

Bozeman Trail: In 1863 John Bozeman and John Jacobs set out from the one-year old Bannock mining town to find an easier route from the Oregon Trail to the Montana goldfields (Johnson 1971). By the time they reached the Oregon Trail, gold had been discovered in Alder Gulch, so they culminated their trail in Virginia City. Although the trail avoided the high mountain passes by skirting north to the Yellowstone, it passed through the last great hunting grounds of the Sioux and Cheyenne.

The Bozeman Trail, soon dubbed "The Bloody Bozeman," was a battleground from the start, as the Sioux and their Northern Cheyenne allies—under the leadership of Red Cloud—fought desperately to protect land granted to them by an earlier treaty. Although the Army built three forts along the trail to protect wagon trains, including Fort C.F. Smith along the Bighorn River in Montana, the trail was used for only a few years. The Army abandoned the trail in 1868 after a number of military setbacks, as well as political pressure exerted by the Department of the Interior. In Wyoming, Sioux warriors under the leadership of Crazy Horse killed over 100 soldiers in an ambush that is now called the Fetterman Massacre. Red Cloud's series of battles along the "Bloody Bozeman" is often acknowledged as the only war won by Indians in North America (Johnson 1971).

Much of the trail, overlaying even earlier Indian, trader, and exploration routes, is now part of the modern network of roads and highways. However, in some areas the land remains relatively undisturbed, and a number of historical sites along the trail remain intact. A wide range of land ownership occurs along the route, including federal, state, and private, complicating preservation and historical interpretation activities. A number of groups are actively involved in efforts to preserve and interpret portions of the Bozeman Trail.

Bridger Trail: Bridger's route, with two deviations from Bozeman's trail, was also a shortcut from the Oregon Trail to the Montana goldfields. By passing to the west of the Big Horn Mountains, the trail avoided the Sioux hunting ground, but instead passed over rugged terrain that lacked forage (Malone and Roeder 1976). The other deviation was an easier route over the mountainous terrain between the Yellowstone River and East Gallatin River drainages, following an old, well established Indian Trail (Vincent 1978, Johnson 1971). Much of the Bridger Trail is also now part of the modern road network.

The Corinne-Virginia City Trail: The first important overland route to the goldfields in Montana was carved from the old fur trade

routes, and connected the Utah settlements along the Oregon Trail with the mining communities to the north in western Montana (Ingram 1976, Montana Fish and Game Commission 1975). The Corinne-Virginia City Trail—also known as The Salt Lake City-Bannock Trail, or The Montana Trail—led northward through Utah and Idaho, and crossed the Continental Divide into Montana over Monida Pass. The Trail split along the Beaverhead River: One fork went to Bannock and the Deerlodge Valley to the north, while the main fork led to Virginia City (described below as the Vigilante Trail) and on to Helena, connecting with the Mullan Road. Completion of the Union Pacific Railroad through Wyoming into northern Utah in the 1870s increased the dominance of this trail.

The Vigilante Trail: The discovery of gold in Alder Gulch in the Spring of 1863 prompted a flood of miners from Bannock and elsewhere. The 70 mile extension of the Corinne road from Bannock to Virginia City played an especially important role in the history of Montana (Burlingame 1981). This trail, often following older Indian and fur-trader trails, became the primary link with the outside world. Robbery and theft of gold dust was very rampant during this period; many of the 102 murders documented from mid-1862 to mid-1863 for the mining communities of southwestern Montana occurring along this trail. The Montana Vigilantes, a poorly documented but extremely important element in the settlement history of Montana, hung at least 21 alleged law-breakers and banished many more from December 1863 to March 1864. These incidents, many occurring at roadhouses along the trail, prompted a name change for the road from the Road Agents Trail to the Vigilante Trail. Although many of the Vigilantes became important political leaders and members of Montana society, reaction against Vigilante extremes was also instrumental in the creation and acceptance of a legal system.

Road houses, generally spaced fifteen to twenty miles apart to provide fresh horses for the stages, occurred along all the major trails of the period, with road houses spaced closer together along this route to accommodate the large amount of traffic (Ingram 1976). Beaverhead Rock, known to locals as Point-of Rocks, or Copeland's Ranch in the 1860s, was an important stop along the trail and is now part of the State Parks system, as is Bannock (now known as Bannack).

The Whoop-up Trail: The Whoop-up Trail led from Fort Benton north across the U.S.-Canadian border, near present- day Sweetgrass. After fording the Milk River, the trail split into three branches, supplying the vast reaches of the northern plains and Canadian Rockies (Berry 1953).

The trail from Fort Benton was the primary travel and trade route for this geographically isolated area from the 1860s through the 1880s. As better routes to the mining towns in Western Montana opened up, the economy of Fort Benton became increasingly dependent on trade to the north, the destination of one third of the freight reaching the town from 1874 to 1885. Much of the trade was in whiskey, which was illegal to sell to Indians in the states, but an important trade item north of the border, where no formal law enforcement yet existed. The trail was also used by settlers, including American cattlemen interested in the vast open range grasslands across the border. Due to its geographical and political remoteness and isolation, the country north of Montana was exploited for furs relatively late in Fur Trading Era, and was the last stronghold of open range.

Fort Whoop-up, a whiskey trading post in the Cypress Hills on the Alberta and Saskatchewan border, was established in 1869 by American fur traders and was the site of the Cypress Hills Massacre of 1873, where white traders killed a number of Indians. This helped precipitate the intervention of the Canadian Mounted Police, who reached Fort Whoop-up in 1874, the beginning of Canadian control in the region. The Whoop-up Trail was seen by many Canadians as a symbol of the economic domination of America over the newly-created Canada, spurring construction of the Canadian Pacific Railroad, which reached Medicine Hat, Alberta, in 1883. In a few short years the economic grip of Fort Benton on the country to the north was severed.

The National Trails System

In 1968 Congress passed the National Trails System Act, which established a national system of trails, composed of National Scenic, Historic, Recreation, and Connecting Trails. These trails are generally for non-motorized use only, and are intended to be continuous corridors for outdoor recreation.

Presently, three national trails occur in Montana: the Continental Divide Scenic Trail, the Lewis and Clark Historic Trail, and the Nez Perce (Nee-Me-Poo) Historic Trail. The National Park Service coordinates the national trails program, and provides assistance to other managing agencies (e.g., much of the Continental Divide Trail is on Forest Service land). Significant portions of the trails are located on private land, particularly the historic trails, with public sites along the trail utilized for historical interpretation and recreation. Other sites and segments of the trail corridors might be well suited for such activities, as will be discussed below.

The Lewis and Clark National Historic Trail: The Lewis and Clark National Historic Trail, which traces the routes traveled by the Lewis and Clark Expedition on their trip from St. Louis to the Pacific and back from 1804 to 1806, is perhaps the most famous of all the historic trails in the United States. Traveling up the Missouri River and its headwaters, then over the Continental Divide, the expedition members were the first Americans to see many of Montana's best-known landscape features, including the Great Falls of the Missouri, the Missouri Headwaters, and a number of major mountain passes. The explorers established American claims to the West and inspired an exploration and trading era soon followed by actual settlement. Lewis and Clark carefully noted the nature of the country and its inhabitants, and in doing so left a lasting record of a vast and remote region.

A number of governing agencies manage portions of the Lewis and Clark National Historic Trail, and provide historical interpretation opportunities, ranging from Forest Service interpretive trails and a new interpretive center in Great Falls, to Montana Department of Transportation Historical Markers along highways. Although much of the trail parallels developed transportation routes, in other cases the trail remains undeveloped. Increased use of public facilities and lands along the Lewis and Clark Trail threatens cultural and environmental resources, as well as their enjoyment. Inter-agency planning for the Lewis and Clark Expedition Bicentennial is currently underway in Montana (and elsewhere along the route) to help improve sites, provide consistent and integrated interpretation, and manage resource impacts.

The Nee-Me-Poo (Nez Perce) Historic Trail: The Nee-Me-Poo (Nez Perce) Historic Trail, extends approximately 1,170 miles from near Wallowa Lake in Eastern Oregon to the foothills of the Bear Paw Mountains in northeastern Montana. The trail traces the route taken by a small number of Nez Perce Indians who refused to sign a treaty requiring them to give up their land.

In 1877 when the U.S. Army ordered the nontreaty Indians to move onto a government reservation, violence erupted. The Nez Perce fled the Army and took a circuitous route across Idaho and through the recently created Yellowstone National Park to seek refuge with their allies, the Crow. They then fled north across Montana seeking the Canadian border. Although vastly outnumbered by the Army, the Indians successfully defended and extricated themselves from a number of battles, and outmaneuvered pursuing forces in what is considered the most courageous and brilliant defense waged by Indians in North America. The main group finally surrendered just south of the border in what is now the Bear's Paw National Battleground.

Although the trail was used in its entirety only once, portions followed other important travel routes (e.g., the section overlaying the Bannock Indian Trail and the Lolo Trail will be discussed below). Much of the trail has now been developed into modern transportation routes, although some segments remain relatively undeveloped,

including portions of the route along the Clarks Fork of the Yellowstone, where the Nez Perce avoided armies behind and in front of them by escaping down the rugged and seemingly impassable Clark's Fork Canyon. Present management involves a number of Federal and state agencies, although much of the trail passes through private land. The National Park Service manages the Big Hole and Bear's Paw Battlefields as key interpretive components of the trail.

The Continental Divide National Scenic Trail: The Continental Divide Scenic Trail (CDNST), established in 1968, follows the Continental Divide from the Canadian to the Mexican border. The 795 mile Montana portion passes through Yellowstone and Glacier National Parks, ten national forests, a number of wilderness areas, and a number of BLM management areas, some state land, as well as small segments of private land.

The trail is composed of a number of trail segments on or near the Continental Divide, interrupted by gaps where detours or short stretches of road travel are required. The gaps are generally caused by roads, highways, and railroads crossing passes over the divide, although private land without easements also disrupts the trail in places. Acquisition of land or easements are planned for a number of these gaps. Opportunities for education and interpretation occur where the trail parallels or crosses other historical trails.

The agencies responsible for managing the CDNST receive funding, maintenance, and construction assistance from a non-profit volunteer organization, the Continental Divide Trail Alliance.

Motorized use of the CDNST has been a point of contention and confusion. According to a 1997 Forest Service directive that was sent out to regional foresters, the policy on this issue is as follows:

When designated by Congress, the route of the CDNST followed some segments of primitive roads on which motorized vehicle use was allowed. The special language of subsections 5(a) (5) and 7(c) was intended to allow continued motorized use of such roads. However, as the CDNST is further developed, it is expected that the trail will eventually be relocated off roads for its entire length.

It is the intent of the Forest Service that the CDNST will be for non-motorized recreation. As new trail segments of the CDNST are constructed to link existing non-motorized trail segments together, and to reroute the CDNST off of primitive roads or other routes where motorized travel is allowed, motorized use should not be allowed nor considered. Allowing motorized use on these newly constructed trail segments would substantially interfere with the nature and purpose of the CDNST. If any newly constructed trail segments of the CDNST are currently allowing motorized use, that motorized use should be stopped as soon as practicable, but not later than January 1, 2000 (USFS 1997c).