

BOISE DISTRICT (BD) RESOURCE ADVISORY COUNCIL (RAC) MEETING
July 8, 2009
Boise District Office (BDO)
Boise, Idaho
Minutes

BD Council Members Present: Gilbert Green, Brian McDevitt, Dr. Neil Rimbey, Ralph Richardson, Donna Bennett, Gene Gray, Ted Howard, Brenda Richards and Grant Simonds.

BD Council Members Absent: Richard Just, John Robison, Nate Helm, Ted Hoffman and Ray Raymondi.

BLM Advisory Present: Aden Seidlitz, Boise District Manager; MJ Byrne, BD RAC Coordinator.

Other BLM Staff Present: Buddy Green, Owyhee Field Office (OFO) Manager; Arnie Pike, Bruneau Field Office (BFO) Manager; Mike Truden, Acting Four Rivers Field Office (FRFO) Manager (for Rosey Thomas who leaves BDO 8/14 to Ely, NV-DM position); Jim Johansen, Chief, Operations Office; Mike O'Donnell, Project Lead – Planning and Travel Management; and Jon Beck, Planning Lead for the FRFO Resource Management Plan (RMP).

Other: None

Statements attributed to individuals are not direct quotes unless so indicated. Titles of handouts and/or other written presentations are listed in the appendix following the minutes, and detailed notes are not provided for these.

Welcome and Approval of Minutes. Mr. Seidlitz welcomed everyone and thanked them for attending. He will recommend the standing agenda topics at the next RAC meeting. While Mr. Seidlitz had planned to report to the RAC on the General Management Evaluation (GME), he learned the report will not be available until August. He will share it with the RAC as soon as it is available. Wilma Lewis, nominee for Assistant Secretary of the Interior for Land and Mineral

Management, and Bob Abbey, nominee for BLM Director, are on the Senate's calendar for confirmation on July 9. The Snake River Birds of Prey National Conservation Area (NCA) was renamed, "Morley Nelson Snake River Birds of Prey NCA" this spring. A new portal sign was unveiled at the entrance just south of Kuna on June 19th to help celebrate the renaming of the NCA in Morley's honor. On Monday, July 13th, Idaho's Governor Otter will be signing a proclamation that July 13th is Morley Nelson Day to honor and recognize the renaming of the NCA in his honor. As new funding is received to cover the costs, BLM will work to change the signs at other entrances and on kiosks, and modify brochures and other information material.

Minutes of the April 2, 2009, meeting were approved and certified as written.

MJ Byrne passed out a briefing paper, Four-Mile and Sands Basin Wild Horse Gathers, Owyhee Field Office (**Appendix 1**).

Hot Topics – Aden Seidlitz

1. Update on Development of Gateway West Electrical Transmission Lines and Draft Environmental Impact Statement (DEIS): Idaho Power Company's (IPC) goal is to meet their customers' needs in light of the changing demographics and population increases in the Treasure Valley and beyond. BLM has been working with BLM officials in Wyoming, who have the lead for this project, as well as IPC, Rocky Mountain Power, Pacific-Corp. and the contractor, Tetra Tech, encouraging them to slow down the National Environmental Policy Act (NEPA) process in order to allow for citizen groups to submit their proposals for review and analysis, and that these be included as part of the DEIS. BLM is working to discourage the idea of IPC moving ahead and issuing a DEIS, and following that with a supplemental that analyzes the citizen proposals.
2. Update on American Recovery and Reinvestment Act of 2009 (ARRA) Projects – Jim Johansen, Chief, Operations, BDO. The criteria for the ARRA projects are that they be "shovel-ready." BDO has identified operations and deferred maintenance projects, that otherwise would not received funding, with three goals as stated in the Act: Quickly

provide jobs; Generate economic activity in local communities; and renew our national parks, national wildlife refuges and other public lands and resources. Projects were selected to address: The highest priority mission needs; Create the largest number of jobs in the shortest period of time; and Create lasting value for the American public. Jim provided a handout, “BDO ARRA Project Narrative Outline” (**Appendix 2**), reviewed the Big Baja Road Resurfacing & Repair project (page 3 of **Appendix 2**), and showed the RAC its location on a map of the District. Brenda Richards asked whether fencing in the OMA Wilderness Areas was part of this work. He said, “No, because it probably couldn’t have been classed as “shovel-ready.” Jim said a lot of signage for the OMA Wilderness Areas is being supported with ARRA funds. The Office of Inspector General is providing extremely close oversight of the spending for the ARRA funds.

Mr. Seidlitz: The BDO took a conservative approach to submitting projects for funding under ARRA, in as much as our staff is so busy with grazing allotment permit renewal activities and related litigation.

3. Litigation Update – John Biar, Boise District’s Grazing Coordinator, prepared Litigation Issues in 2009 (**Appendix 3**). Discussion followed. Neil Rimbey and Ted Hoffman have begun working with Cindy Salo (formerly of U. S. Geological Survey and now a private consultant in Boise) on the litigation issue. They have interviewed individuals in Boise and, in the process, asked them whom they would recommend be interviewed. They also interviewed attorneys and environmental groups. Neil urged the BLM to arrange for members of the four different RACs to get together, so discussions could be held and information shared about how issues such as litigation are being addressed and solicit ideas from across the state. Brenda Richards said K Lynn Bennett, former Idaho State Director held meetings with the District RAC Chairpersons, the Coordinators and the Designated Federal Officials. She added that former BLM Director Kathleen Clark held two national RAC meetings in order to get a sense of what their major issues were and ideas for how the RACs could be better managed.

ACTION: Neil asked Aden to see if Tom Dyer, Idaho State Director, would be willing to host a meeting of at least the RAC Chairpersons. Aden said he would discuss it with him.

4. Implementation of the Owyhee Public Lands Management Act of 2009 (OMA) – Grant Simonds was asked to report to the RAC about the actions being undertaken by the newly organized Board of Directors, formerly the Owyhee Initiative Working Group. Grant is a member of the Board and Chairman of the Recreation, Travel Management and Mapping Committee. **Grant Simonds** said the Board is working to form a 501c.3 (nonprofit status) corporation. The Owyhee Initiative Board was being created for the purpose of on-going implementation, and would be setting up 3-4 committees, Science Review, chaired by Chad Gibson, Wild and Scenic Rivers, chaired by John Robison, Conservation and Research, chaired by Dennis Stanford, and Finance, chaired by Brenda Richards. Mr. Seidlitz reminded RAC members that he is not allowed to ask for advice from the Board due to limits imposed by the Federal Advisory Committee Act (FACA).

Grant suggested that the OMA Subgroup include membership other than RAC members. MJ pointed out that subgroups have previously included members of the interested public with related expertise. The only criterion for membership on a RAC sub-group is that they be approved by the full RAC at one of their quarterly meetings.

Grant suggested some other involvement, inviting Tribal involvement through the District's monthly Native American Tribal Coordination meetings. Respect for Tribal Sovereignty would need to be emphasized.

Mr. Seidlitz said that the Boise District, BLM, received additional funding (\$570,000) from the Department of the Interior to help with OMA Implementation. An OMA Implementation Staffing Plan, shared with the Board at their last meeting (**Appendix 4**), was provided to the RAC. He said we will probably need to hire individuals with different natural resources-type degrees, e.g. biologists, geologists in the future, to round

out the team. We are working to get seasonal employees out putting up signs marking wilderness boundaries this summer. The District needs to try to get as much of this completed as possible before the fall hunting season begins. We may hire or look at contracting this work for additional help. Our two river rangers have agreed to remain employed with us through the summer, to travel out into these areas and give us a conditional assessment of the number of roads that need to be closed. Funding for the seasonal staff is still questionable as we are just getting our Annual Work Plan for the Fiscal Year that began October 1, 2008, and ends on September 30, 2009.

Grant agreed that the Wilderness Training BDO is hosting July 21-23, would be beneficial for RAC members, especially those interested in the implementation of the OMA. Grant also had suggestions for the Field Trip if plans aren't already finalized. He and Craig Gehrke took a drive and checked out a couple of areas in Owyhee County. One specific area had a scenic overlook .5 mile from the end of the road (where Rattlesnake Creek flows into Little Jacks Creek). A parking area nearby would be ideal.

Action: BLM will create a specialty, detailed map of the Bruneau Hot Springs area. Grant and Craig Gehrke would like to accompany BLM staff there to share information and recommendations, i.e. toilets, picnic area, etc. They would like to go before September 1 if possible.

Mr. Seidlitz added that the purpose of Wilderness Training, July 21-23, is to provide education to all attendees and to help clarify what the laws and regulations allow and prohibit in wilderness areas (D.C. staff, local staff, RAC members, etc.). After the meeting, MJ Byrne asked RAC members to advise her of their interest in the Wilderness Training. She forwarded their names to Robin Fehlau, ISO.

Dr. Neil Rimbey: Enforcement is the key to utilizing the wilderness. It's important that BLM gets funding for Rangers and their work out there. 90% of the wilderness is within 2 miles of the road.

Brenda Richards: Since there has been so much publicity about “Getting out and seeing this great area...,” this seems like a prime time for BLM to develop and release additional public information about the regulations that govern travel and other activities in wilderness areas. The availability of updated maps showing the new wilderness areas that the public can pick up/print off the District’s website would be helpful. The maps (8-1/2 x 11”) are available at the Boise and Marsing offices. The Wilderness Area maps and other information can be accessed at:

[http://www.blm.gov/id/st/en/prog/blm special areas/owyhee initiative.html](http://www.blm.gov/id/st/en/prog/blm_special_areas/owyhee_initiative.html)

Aden discussed the need for receiving funding in order to implement The Act. He noted that BLM has several milestones set forth in The Act for accomplishments; however, little or no funding was provided for the actions required to meet them. He acknowledged Senator Crapo’s work to secure funding.

Brenda Richards reiterated how important public outreach and education are about the existing and new regulations governing The Act. Fact sheets and maps are available at the District and Owyhee Field Office, and posted on the Idaho, Boise District and Owyhee Field Office websites, information kiosks, information provided to the Owyhee Avalanche and other local newspapers.

Donna Bennett: Information kiosks located at Poison Creek and Grandview would be ideal locations for BLM to place maps for the public.

Aden: Perhaps one of the sub-groups that are on the agenda for discussion this afternoon could provide BLM with recommendations that would address suggestions for the public educational component of The Act.

Aden: This summer, we will be hiring a number of temporary employees to help us identify and mark the boundaries of the six wilderness areas. This work will continue into the fall as long as the weather holds out. We will be using funds provided through

the American Recovery and Reinvestment Act of 2009 (ARRA) to help fund some of the mandated work for implementation of The Act.

Brenda: Is funding (or a lack thereof) a reason we can cite for not being able to get the boundaries marked and other work required for implementation of The Act? How confident are you, Aden that BLM will receive enough funding to stay on schedule for implementation?

Aden: Senator Crapo has assured us that funding will be coming. The environmental and conservation groups that were part of the Owyhee Initiative have told me they are confident they will be able to raise the needed donations to buy out the identified in-holdings of land and grazing permits in the wilderness areas as they agreed to do as their part that made up the Initiative.

There is immediate work for the personnel he requested for implementation of The Act, except for the Interdisciplinary Team listed at the bottom, shown on the staffing plan he provided the RAC.

Mike O'Donnell, Planning and Environmental Coordinator:

- Mike provided the RAC Members with an update on the French John Hill Wind Energy Proposal by Ridgeline Energy Company. He said that Ridgeline has slowed down their timetable for when they first projected they would have all their work completed as required by the National Environmental Policy Act (NEPA). Ridgeline made this decision after learning about the number of sensitive species and Areas of Critical Environmental/Concern located within their first-identified area of study for placement of anemometers used to gather data validating or disputing the presence of continuous moderate winds needed for building cost-effective electrical power-generating wind towers. The environmental assessment (EA) required for the anemometers is months away from completion. In order to build any wind towers, an environmental impact statement (EIS) is required, and that will take years to complete.

Brenda Richards: Is Ridgeline Energy taking into account impacts to the wild horse herd management areas and the location of sage-grouse leks?

Mike O'Donnell: Those are two major issues that will need to be analyzed in both the Environmental Assessment (EA) and an Environmental Impact Statement (EIS).

Ted Howard: Impacts to cultural resources is another important factor that I raised at the last RAC meeting.

Field Office Updates:

Buddy Green, BLM Owyhee Field Office (OFO) Manager:

- Murphy Travel Management Plan (TMP)
 - BLM received two appeals after issuing the decision on this TMP.
 - Karen Steenhoff's was based on her concern about bald eagle nests not being appropriately protected – BLM provided our response to the Statement of Reasons she provided in her appeal. The appeal and BLM's response is currently under review by Interior Board of Land Appeals (IBLA).
 - Owyhee County Appeal & Petition to Stay – BLM has submitted a response to the petition to stay filed with IBLA by Owyhee County. The County in turn has submitted a reply to our response. BLM is continuing to work on the response to the Statement of Reasons in the Appeal itself.
 - Update on Grazing Allotment Permits:
 - § Fossil Butte – BLM received an extensive protest from the Western Watersheds Project (WWP). Several staff members are working to address several pages of protest points while concurrently working on other grazing permit renewals, county appeals, and other litigation work related to grazing.
 - § Review Period with Final Decision to be out July 3^{1st}.

§ We anticipate an appeal.

○ Trout Springs & Pole Creek

§ Met several times internally & externally with the permittees (applicants):

- Review land health assessment & monitoring
- ID Resource Management Objectives
- Develop grazing management alternatives
- ID needed range improvements
- Lay out fuels treatments for juniper management

§ Current status is that we are trying to find the best way to finalize proposal(s) for both allotments to move forward for County and Tribal coordination and consultation along with public scoping. We are trying to find the best way to handle NEPA given the challenges with extensive fuels treatments and required botanical and cultural clearances. More “leg-work” is needed but we have been working on this non-stop for months

Aden Seidlitz: Standards were established years ago but the juniper encroachment has become a significant ecological issue. Juniper is driving the ecology out there. Even though some would like to separate the juniper encroachment and permittee renewal issues, they cannot be separated.

Buddy Green: These permits will get more attention from (WWP).

Ted Hoffman: What about eradication?

Aden Seidlitz: Lance Okeson in our Fire and Aviation Division has a good presentation on various treatments for juniper encroachment.

ACTION: Lance should be asked to provide this at your next meeting.

Donna Bennett: The Owyhee Sage-Grouse Local Working Group has a field trip planned for Tuesday, September 8, 2009 (Tuesday following Labor Day) to conduct a juniper mastication demonstration in three different areas in Owyhee County. She asked whether the RAC members

would be interested in observing the demonstration. She also told the group about a Boise State University pilot project that uses the wood chips from the juniper that has been cut down for a fuel source, by compressing the wood chips into small logs that can be burned for heat.

Neil Rimbey: The University of Idaho (U of I) is conducting a number of research efforts out near the site where the demonstration is scheduled. He said the RAC could combine observing the juniper mastication and touring nearby U of I research stations.

MJ said she would work with Neil and Donna and provide details for the field trip to RAC members via email. A sign-up sheet was passed around for the September 8, 2009 field trip; the trip has since been rescheduled for Wednesday, September 30, 2009

Arnie Pike, BLM Bruneau Field Office (BFO) Manager:

- Bruneau RMP Update – Mike O’Donnell and Barbara Albiston, the District’s Writer/Editor, have been editing and reviewing the document as it was last provided to them. They are hoping to have a draft EIS/RMP available for public review and comment by winter, 2011. When the draft is published for public review, public meetings will be announced and held in various locations in the Field Office. RAC members will be provided with the Notice of Availability of the DEIS, and the dates and locations of the public meetings. They were encouraged to attend public meetings and to help BLM get the message about the meetings out to their representative groups.
- Staff has completed its first draft of the Big Springs Development (63 grazing use areas: Sierra Del Rio, Simplot and Co., Chris Black). Most issues related to riparian areas and how they relate to different species. The next step is to finalize the assessment/evaluation. Staff is reviewing and condensing the 600 page document. We’ll move on after getting comments from the public, interested stakeholder groups, RAC, etc.
- Nahas Fenced Federal Range (FFR), Sierra Del Rio, and Camas Creek – Joe Black & Sons: Both allotments are used mostly in the fall.

- Circle Pond has been fenced – spotted frog are there.
- West Castle Creek – team has been collecting additional data. Should be completed by next summer.
- East Castle Creek – King/Anchustegui protests. Hearing scheduled for January 25, 2010.
- Sagebrush Mowing Project – Fuels reduction -
The Bruneau FO has a large intact area of sage grouse habitat. Considering the habitat loss overtime and more recently the Murphy complex in the Jarbidge FO and Bruneau FO, this habitat area becomes increasingly more important to protect.

The Bruneau FO is proposing to create strategic fuel breaks around high sagebrush habitat areas. The fuel breaks would be formed by mowing roadside vegetation to reduce fuel loads. Reducing fuel loads will provide for better wildfire control opportunities and increase protection of sagebrush steppe habitat.

The fire breaks would be mown but vegetation would not be uprooted. Mow strips could range from 50-100 feet in width per roadside and would be periodically re-mowed on a 3-5 year cycle, depending on fuel buildup within the treatment area.

Stipulations to reduce any impacts to wildlife would include:

- Ø Limiting mowing to August through April.
- Ø Limiting the size of the mow zone if it is near a sage-grouse lek.
- Ø Limiting the time of day mowing occurs near leks.
- Ø No mowing near occupied pygmy rabbit burrows.

No mowing would occur in:

- Ø Cultural resource sites.
- Ø Riparian and wetland habitats.
- Ø In or adjacent to rare plant habitat.

Vegetation monitoring and control of noxious weeds would occur as part of this project.

Some concerns that have been raised in the ongoing scoping process include:

- Ø Further fragmentation of sage grouse habitat.
- Ø Creation of areas where noxious weeds and invasive species can establish.
- Ø The mown areas are not necessary because of the low frequency of fire in the Bruneau Field Office area.

Donna Bennett: Occasionally, the mowing equipment could throw sparks, be watchful.

Ted Howard: You should definitely consider the leks seasons when establishing mowing schedules.

Arnie Pike: RAC members, please help us find additional routes established since the RMP so we can make appropriate decisions.

Mike O'Donnell: It might be helpful to meet with the RAC – prior to finalizing the alternatives in the EIS/RMP and assist in verifying the roads inventory in the data base for the transportation plan.

Mike Truden, Acting Four Rivers Field Office (FRFO) Manager: I won't discuss Gateway since we've already heard about that today. Foot Hills East EA, basically a Programmatic EA for the Boise Foothills. With it, we hope to generate fuels projects for the next ten years.

FRFO held an Implementation Workshop for the RMP for the Morley Nelson Snake River Birds of Prey NCA. The workshop was well attended and well received. At the workshop, we outlined work for the next few years. As projects are implemented, we will report back to the RAC.

Jon Beck: Power Point Presentation (see **Appendix 5**). I will be happy to meet with the **RMP Subcommittee** at any time. Four Rivers RMP Alternatives: Eight million acres only involves 800,000 acres of BLM land. We are working on how to get into the hard-to-reach areas. We'll go to our Intergovernmental Coordinating Group (IGCG) next Tuesday, and then run it by the RAC subcommittee before we go to the public.

John Sullivan: Birds of Prey Record of Decision (ROD) was signed in September 2008.

Brenda: Re: The single FR notice that announced the sub-group meetings in general should work. **ACTION: Let it be noted that a separate FR notice will have to be issued 30 days prior to when the full RAC meetings are held.**

Sub-Committee Write-Ups: MJ said she did not write one up on the Payette River Working Group – it is working so well already.

If interested non-RAC members are invited to serve on sub-committee(s) that will be noted in the minutes.

Grant is on the Owyhee Board and is Chair of the Recreation, Travel Management and Mapping Committee. MJ asked if Grant wanted to serve on the off-highway sub-group. While Grant agreed, he said his time is fairly limited.

List of Existing and Proposed New Subgroups:

- A. Payette River Working Group – Functioning – Annual Meeting- Grant Simonds, John Robison, Nate Helm.
- B. OHV Group - Rick Just, Chair; Nate Helm, Ralph Richardson, Brian McDevitt, Jeff Cook, (Idaho Dept. of Parks & Recreation).
- C. Sage Grouse – Functioning – Ray Raymondi, Chair; Donna Bennett, Brenda Richards, Nate Helm, Neil Rimbey, Gene Gray.
- D. RMP - Gil Green, Chair; Neil Rimbey, Brenda Richards, Gene Gray, Ted Hoffman, Brian McDevitt, Ted Howard
- E. Owyhee Public Lands Management Act (OMA):
- F. Energy – Ray Raymondi, Gil Green, Brian McDevitt, Neil Rimbey, Donna Bennett.
- G. Fire & Fuels Mgmt., met only once, if that. Is this one that should be deleted?

Agenda item for next Owyhee Board meeting: RAC members (subgroup meet with Aden and get his view, expectations) and present it to Fred Grant. He can present information to the Board. Brenda will Chair (she and Grant Simonds will meet with Aden) and then present it to Fred.

ACTION: Neil moved: MJ will circulate the electronic version of the statements to each committee for their review and revision.

ACTION: Litigation subgroup (ad hoc) will report at the next meeting and a decision will be made at that time whether or not to make it a standing committee.

ACTION: MJ will send out announcements to local media of Subgroup meetings (i.e. press release). Members of the public are always welcome but they are not able to vote on Subgroup

recommendations of the full RAC. RAC members were urged to always be watching for interested publics that may be interested in serving on the RAC Subgroups.

The meeting adjourned at approximately 3:30 p.m. The next meeting is scheduled for Wednesday, October 7, 2009, 9:00 a.m. to 4:00 p.m., in the Snake River Conference Room, Boise District Office.

Minutes prepared by Mary Pierce.

Certified by:

<u>Nate Helm (signed for)*</u>	<u>11/02/09</u>	<u>/S/</u>	<u>11/02/09</u>
Gilbert Green	Date	Aden Seidlitz	Date
RAC Chairman		Boise District Manager	

*Note: Nate signed for Gil because as on November 2, 2009, Gil had not been reappointed to the RAC. Nate is Vice-Chairperson for the RAC.