

BOISE DISTRICT (BD) RESOURCE ADVISORY COUNCIL (RAC) MEETING
April 2, 2009
Boise District Office
Boise, Idaho
Minutes

BD Council Members Present: Gilbert Green, Richard Just, John Robison, Nate Helm, **Brian McDevitt**, Dr. Neil Rimbey, Ralph Richardson, Donna Bennett, Ted Hoffman, **Gene Gray**, Ted Howard, Rick Raymondi, Dave Torell.

BD Council Members Absent: Brenda Richards and Grant Simonds were absent.

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

Other BLM Staff Present: Brandon Knapton, Resource Coordinator; Buddy Green, Owyhee Field Office Manager; Arnie Pike, Bruneau Field Office Manager; Rosemary Thomas, Four Rivers Field Office Manager.

Other: Matt Ellsworth, State Director, Mike Matthews South central Regional Director, and John Eli Hodson, Staff Assistant for U.S. Senator Jim Risch, and Dave Torrel, Conservation/Lands Manager, Rocky Mountain Elk Foundation

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.

Everyone introduced themselves.

Welcome and Approval of Minutes. Mr. Seidlitz welcomed everyone, especially the new members (shown in bold in the BD Council Members Present section above). Providing briefing papers in advance as, we did this time, will enable you to be updated outside of our meetings, resulting in more focused agenda topics, requiring face-to-face discussion. Gil Green echoed his approval of the advance briefing papers.

MJ asked if there were questions about pre-briefing papers. There were none.

Mr. Seidlitz suggested the RAC develop a list of Standing Agenda Items for all future RAC meetings. This would assist with preparation for the meetings and focus our meetings.

Minutes of the Sept. 25, 2008 meeting were approved and certified as written.

MJ Byrne passed out an update to one of the briefing papers: Silver Rock Falcon Mining (formerly Deep Rock Mining). (**Appendix 1**)

Hot Topics: Mr. Seidlitz discussed the Bureau's American Recovery and Reinvestment Act (Stimulus) package. BLM hasn't received any confirmation or details about which of our proposed projects will be funded. The President has stressed strict accountability and

adherence to contracting and other regulations. He has also encouraged transparency so the public can see and read about what their tax dollars are being spent on and who is getting put to work. A website has been developed that will be continually updated as various projects are implemented. Funding is being provided for signs to be erected at the sites where projects are underway. That website address is <http://www.recovery.gov>. Department of Interior (DOI) Secretary Salazar also identified a website to learn about recovery projects within DOI. That website address is <http://www.interior.gov/recovery>. Even though there were members' questions as to specific projects, Mr. Seidlitz reiterated that BLM cannot respond at this time.

Owyhee Public Land Management Act (PL 111-11) was signed by the President on March 30, 2009. **See Appendix 2 for a detailed summary of the legislation.**

Mr. Seidlitz said that we'll discuss with the Owyhee Board of Directors, Shoshone-Paiute Tribe, Owyhee County Commissioners, etc. on how the RAC can help us implement this legislation. He also stated that additional funding will be needed to fully comply with the requirements of the law and continue to meet our other commitments.

BLM Statewide Priorities – Idaho's Leadership Committee participated in a retreat last June and developed a list of Statewide Priorities for FY2009 (**Appendix 3a**). BDO priorities are part of this list. Our biggest concern is the litigation.

MJ also provided a copy of Idaho BLM Accomplishments for 2008 (**Appendix 3b**)

Mr. Seidlitz discussed the Idaho BLM General Management Evaluation (GME) held the last week in January, 2009. The Report is scheduled to arrive in late April/early May; when we receive it, we will share it with the RAC.

ACTION: Provide a copy of the Idaho BLM GME to the RAC when it is available.

We did a GME last year in BDO as Mr. Seidlitz came on board. We took those items very seriously and are working on correcting the identified issues. **Appendix 4** provides an update of our progress to date.

Mr. Seidlitz announced that we've hired a new Law Enforcement Ranger, Mr. Keith Whitworth and his canine, Benny.

Wild Horse & Burro (WH&B) Program – There will be a gather in Challis in July, (310 horses), with adoptions in Challis (August 28-30), in Boise (September 11-13) and in Blackfoot (September 18-20). Boise will also be holding an adoption, as part of the National Adoption Day event, on September 16. We have requested funding to gather from the two Herd Management Areas in Owyhee Field Office in early November with another possible adoption to follow.

The recent decline in horse adoptions is a national problem and everyone's aware of it. Nationally, BLM is taking a look at the WH&B program and re-evaluating it. This is another issue BLM would appreciate receiving RAC input and suggestions.

Murphy Travel Management Plan (TMP) – BLM will be issuing the Decision Record soon. We received some 9,000 comments on the draft Environmental Assessment (EA), categorized them by issue, met and worked with the Owyhee County Commissioners and the

Owyhee County Recreation Task Force (RTF). The RTF adopted the new Alternative D, developed in consideration of the comments. The commissioners have requested that we meet with permittees on spur roads and we are almost completed with that task.

The County's Resolution was signed on April 7, 2009, and is included herewith. (**Appendix 5**)

ELECTION OF OFFICERS:

Chair – Gil Green was nominated for a second term. He agreed to the nomination. He was reelected by unanimous consent.

Vice Chair Brenda Richards' Owyhee County Treasurer and Board Member for Implementation of the Owyhee Public Lands Management Act, has opted to not have her name put forward for nomination again. However, she will continue as an active member of the Advisory Council. Neil Rimbey nominated Nate Helm for Vice Chair, and Donna Bennett seconded the nomination. He was elected by unanimous consent.

Rocky Mountain Elk Foundation (RMEF): Brandon Knapton introduced Dave Torell, Conservation/Lands Manager, (RMEF). Dave shared his background and presented the Southwestern Idaho Wildlife Habitat Conservation Partnership Implementation Plan and Map. (**See Appendix 6a-d**) Even with the economic slump, people continue to move to Idaho for quality of life issues. Dave noted that aspen is the largest organism on the planet and is rapidly disappearing.

RMEF is initiating the Idaho Wildlife Habitat Conservation Partnership. Their landscape efforts will be measured in benefits to land, people and wildlife. Three focus areas are Owyhee Uplands Area, Boise/Fairfield Area and the West-Central Area.

Goals: 1) Restore degraded wildlife habitat; 2) Protect habitat threatened by housing development and human impacts

Objectives: 1) Secure conservation easements on private lands 2) Mitigate the impacts of western juniper encroachment in the Owyhee Uplands 3) Restore aspen and shrub-steppe habitat for deer, elk, sage-grouse, and other dependant wildlife 4) Control/restore cheatgrass and medusahead infestations within deer/elk winter ranges 5) build a collaborative network of public/private partnerships

Strategies: 1) Establish Stewardship Agreements with Federal Agencies 2) Implement habitat restoration/protection projects on private lands 3) Coordinate fund-raising with conservation partners 4) develop a science community partnership 5) create public outreach and education program 6) facilitate on-the-ground conservation projects

Methods: 1) Land Protection 2) Habitat restoration and enhancement 3) Public outreach and education.

Dave distributed the Danskin Elk Winter Range Conservation Project brochure.

Brandon Knapton, Resource Coordinator, BLM: BLM is waiting to receive the FY2009 budget figures so that accomplishment of project work this year can be solidified. Earlier this spring, the Idaho and Montana BLM entered into a Memorandum of Understanding with RMEF, which built the basis upon which local partnerships can be developed to meet mutual goals. BLM will be reviewing RMEF's stewardship proposal this year and hopes to begin project work in the Upper Castle Creek area of the Bruneau Field Office. Out-year efforts will seek to provide products for service (juniper for power generation in exchange for habitat improvement project services) and expansion of operational abilities with a coordinated and reliable funding partnership.

M.J. Byrne, BLM asked Dave, how the RAC can help.

Dave: You can support these efforts without funding or legal ramifications. This just develops a nice framework for the partnership. RMEF is working with Natural Resources Conservation Services and the Department of Energy for receiving funding, through writing foundation grants, and perhaps receiving some Stimulus dollars.

Ted Hoffman suggested endorsing RMEF's goals and their approach to resolving issues.

ACTION: Ted Hoffman agreed to draft a statement of the RAC's endorsement of RMEF's goals and approach to helping solve the problematic issues of habitat conservation for elk and other wildlife populations in southwestern Idaho.

BDO's Major Rights-of-Way (ROW) Applications:

Eric Hackett, Idaho Power Company (IPC), Project Manager
Mike Barrie, IPC, Facility Siting Coordinator
Mike Truden, Realty Specialist, BLM:

The Boise District is working on three major ROW applications. They are: 1) Boardman to Hemingway (B2H); 2) Gateway West; and 3) Sunstone Pipeline. Information about the Energy Corridors was provided in the pre-meeting packages mailed to the RAC Members.

Sunstone Pipeline - The proposed project is approximately 602 miles of 42" diameter pipeline that would transport up to 1.2 billion cubic feet natural gas per day from Opal (near Kemmerer) Wyoming to Stanfield, Oregon; where it will interconnect with TransCanada's Gas Transmission Northwest (GTN) pipeline system. All operations on the proposal have been suspended at this time.

Two 500kv power lines – Gateway West and B2H.

Gateway West is further along than any of the projects. The draft Environmental Impact Statement (EIS) is to be released this summer/fall. The BLM State Office in Cheyenne, Wyoming is the lead BLM office for this project.

B2H: On March 9, IPC requested a delay so they could promote and implement a community-based workshop series to facilitate public comments. Vale District Office (VDO) is the lead BLM office for the B2H project.

John Robison said BLM needs to do a better job of looking at the impacts of such projects, off-site mitigation, wind energy, etc.

Boardman to Hemingway (B2H): IPC is trying to connect 2 substations to bring electricity to the Treasure Valley. Counties that the line transverses have also become very interested in both of these transmission lines.

The Draft Scoping Report has been issued by VDO. The Community Advisory Process news release was distributed. (Appendix 7) Interviews have just begun to determine committee membership. IPC will include any and everybody that are interested.

IPC's Community Advisory Process:

- 1) Education regarding the need for the power lines and the process to permit and build them.
- 2) Develop Proposed Action and Alternatives that result from the Community Advisory Process.

To learn more, visit http://www.boardmantohemingway.com/idaho_power.aspx. This is a very informative website.

Ted Howard asked about cultural resource inventory sheets – Tribes would like to review them.

Action: IPC representatives will provide cultural resource inventory sheets to Ted Howard.

IPC will have to get a permit to cross U.S. Forest Service (USFS) and other agency-managed public lands. The Public Utility Commissions of Idaho and Oregon will have responsibility for approving the need for the project.

French John Hill Wind Energy Proposal - Ridgeline Energy LLC.

Rich Rayhill, Vice President, Ridgeline Energy
Jim Voorhees, Project Manager, Ridgeline Energy

Introduction, Wind Development Steps, Project Background, Development Proposal

Wind Development Steps:

- 1) Prospecting;
- 2) Study & Testing;
- 3) Development; and
- 4) Decommissioning.

Ridgeline is between Steps 2 and 3 now. We hope to have the plan of development by summer, 2009. We first presented information to the RAC in 2007. There have been wildlife/cultural studies done since then, worked with private land-owners, etc. New map was distributed, replacing the pre-meeting map. (**Appendix 9**) This takes into account habitat, etc. The EIS process is unfolding. There will be continued testing in various areas.

John Robison asked who the purchasers of the power are, and whether IPC will be exporting it or using it locally.

Rich Rayhill responded to John. He said they have not finalized purchasing contracts yet. Ridgeline continues to research wind patterns and to gather data on sage grouse, habitat fragmentation, etc. and working with government, non-government, land owners, etc.

Ted Howard: I strongly object to moving forward without consulting with Tribes.

Mike O'Donnell, the BD Planning and Environmental Coordinator, explained that the BLM still very early in the process and that further consultation will occur.

BLM Socio-Economic Study

Neil Rimbey – RAC Member, Professor, and Range Economist, University of Idaho (U of I)

The Study and a survey were conducted by his group at the U of I, during the fall of 2008. FLPMA requires public/socio-economic analysis and involvement of the local communities. BLM will eventually develop a business plan from the recommendations that the RACs have provided. There were 300 RAC members total, provided with the survey, 90 was our goal for survey returns with varied geographic distribution. See **Appendix 9** for Neil's power point presentation.

Field Office Updates

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

- Grazing Permits remain our top priority.
- Fossil Butte – Six allotments, Public Scoping Notice out for public comment until 4/30/09.
- Trout Springs and Pole Creek Allotments – Southern half of both allotments were Wilderness Study Areas (WSAs); thus, they have been released for multiple uses with the signing of the Owyhee legislation. The biggest issue is the encroachment of juniper. Permit renewals have to be issued by December 31, 2009.
- Gussman – 2001 Final Decision appealed. Stipulated settlement agreement made with Western Watersheds Project (WWP). 2009 benchmark for review due. Decided an increase in Animal Unit Months was not warranted.
- Nickel Creek – Juniper Mountain Grazing Assn. Working with Solicitor on recent Interior Board of Land Appeals (IBLA) and subsequent actions needed.
- We've completed three large Freedom of Information (FOIA) requests from WWP in the recent months.

Arnie Pike, Bruneau Field Office (BFO) Manager:

I will not address those issues that my colleague from OFO already covered. I am familiar with WSA's management, but Wilderness management is rather new to me with the passing of the Owyhee legislation.

Primary projects in Bruneau's Grazing Permit Renewal process are:

- East Castle Creek Decision went out on 2/20/09. We have received two permittees' appeals.
- We're working on Big Springs (Chris Black and Sierra Del Rio-Donald Feeberg) - We plan to have a final decision in December 2009

- West Castle Creek Allotment (Brian Collett, Blaine Collett, J-K cattle). Final decision in June 2010.
- Camas Creek Pocket Allotment and Nahas Fenced Federal Range Allotment - We plan to have the Final Decision out by September, 2009.

Split Estate: Wanted to cover this topic, mostly for awareness. Much of the Boise District's private land was settled under the Stock Raising Homestead Act of 1916. It transferred the surface estate for the purpose of grazing livestock, but the mineral estate was retained in Federal ownership. Decorative rock is legally part of the mineral estate. Mineral estate is defined by the courts as any inorganic matter that can be removed and sold for commercial purposes. BLM has legal right to managing that mineral estate. Our policy in Boise District is to contact the surface owner before entering the private land. For a claimant to go onto private surface, it is up to the claimant to get the access from the surface owner. If the public wants to acquire the mineral rights, they can apply for such. It may or may not be a priority in terms of BLM's workload. Mr. Seidlitz commented that the appraisal of the subsurface mineral assets is next to impossible to accomplish. **(Appendix 9)**

Geothermal leasing – National EIS just came out. We do have some potential in the Bruneau Field Office, along the Snake River. There are no current leases in the Bruneau Field Office, nor is any expected in the near future. **(Appendix 10)**

Rosey Thomas, Four Rivers Field Office (FRFO) Manager:

- Recreation and Public Purposes applicants (City of Eagle) are now finding time to concentrate their efforts
- Off-Highway Vehicle (OHV) usage is up.
- Stolen cattle, livestock carcasses, OHV damage, between Eagle & Emmett and around Parma (Big Willow).
- A workshop will be held on June 16, 17, and 18 to discuss development of the Implementation Plan for the newly renamed Morley Nelson Snake River Birds of Prey National Conservation Area's RMP.
- FRFO staffs are working on grazing permit renewals in the Bennett Mountain area (31 allotments with 21 permits) this year.
- We are expecting to receive some permit applications for development of geothermal resources on BLM managed public lands in the FRFO.
- The Elmore-Ada project, (40-inch water pipeline) is proposing to take water from the Snake River to facilitate future developments that will occur in Kuna-Mora Road, Simco Road and Mayfield areas, and near Mtn. Home.
- The Kuna-Mora Road Corridor is proposed by Nampa and Ada County Highway Districts, and could be similar to the Eagle Road corridor.
- Ada County Sports Complex wants to acquire (purchase, exchange, etc.) approximately 7,000 acres of BLM public land south of Kuna-Mora road. Current proponents are owners of Firebird and Meridian Raceway.
- We are looking at the potential listings of Sage-Grouse and Slickspot Peppergrass under the Endangered Species Act this year.
- Forestry: Four co-generation plants are proposed in Idaho with Stimulus funding. Garden Mountain and Pumpkin Brainard out of Horseshoe Bend, 600-800 acres.

- Round Valley and Donnelly areas need salvage work.
- A split estate minerals trespass case on private land near Weiser was won in court.
- An arson case near Parma was recently decided in District Court in BLM's favor.

Andy Delmas, Fire Management Officer, BLM – We are busy hiring and training returning and new staff. We've scheduled a prescribed burn on Ted Trueblood Wildlife Area near Grandview and will start burning tumbleweeds in fence lines. Seasonal fire staff will begin working in the next couple of weeks. We will be up to full staff by mid-May. Prevention message is more important this year than ever with more folks staying close to home, and recreating on nearby public lands.

Nate Helm, Dispersed Recreation, representing Sporting Organizations

In 2010, there will be \$250-300K account, generated from sportsmen's tags and registrations, to create matches for large scale habitat restoration and conservation. If BLM can demonstrate multiple species benefits, we might likely have additional partnerships with the Idaho Department of Fish and Game (F&G).

Jon Beck – FRFO Resource Management Plan (RMP)

- Asked the RAC Members for feedback on the information material sent out prior to the meeting, and any comments on how our RMP process is going.
- Are there any points of contention about how we are doing something?
- See **Appendix 12** for Jon's presentation.

Ted Hoffman asked how can BLM and the permittees work together to achieve holistic decisions and monitoring of those. Ted recommended language be added to the RMP so that future monitoring can be done and have alternatives set ahead of time. Then the NEPA process doesn't have to be re-initiated. Ted will provide more detailed comments to Jon.

Gil Green encouraged RAC members to provide feedback to either MJ Byrne or Jon at the earliest possible date.

Strategic Planning for Future RAC Meetings

- Set date(s) for the year's meeting.
- Send pre-meeting papers.
- Owyhee Public Lands Management Act Implementation.
- Litigation.

Gil Green said that many of the RAC "meetings" can be taken care of by email, etc. to avoid having to pay for Federal Register Notice, etc. Ms. Rosey Thomas encouraged RAC members to attend community meetings that will be hosted by BLM to discuss the RMP draft Alternatives and when the draft EIS is published for public review as they did with the Morley Nelson Snake River Birds of Prey National Conservation Center's (NCA) RMP.

Neil Rimbey said that in the past, at the beginning of the fiscal year, the RAC has set the dates for their quarterly meetings, and lately, they are being changed or cancelled. If the dates are set, let's stick to them, because we've reserved the day for these meetings.

MJ asked whether the RAC would want to attend the annual Washington County Weed Tour on June 11, as a field trip, and then have a regular RAC meeting following, perhaps the next day. Following discussion, it was decided not to pursue this opportunity as a group.

For field trips, Mr. Seidlitz suggested:

1. Owyhee Field Office- recreation, wild horse, grazing allotment permit renewal, and Juniper issues.
2. FRFO RMP – This could be a day-long tour covering much of the BLM managed public lands in the ten counties of the Field Office.

Perhaps a RAC member could go on different field tours and bring back a synopsis of what he/she saw and issues discussed to the Council rather than all the Council Members needing to participate in every one of them. John Robison suggested that BLM provide direction ahead of time as to what product(s), outcome(s) we're looking for.

Next Meeting:

- Wednesday, July 8 – Location: Boise District Office
- Plan on re-energizing/sunseting some of the subgroups, and creating a couple of new ones to address issues on which the RAC can provide BLM with advice and recommendations

ACTION: Mr. Seidlitz will email standard agenda items for the July 8 meeting.

John Robison said it might be a good idea to get together with other RAC's to hear from them what kind of issues they are working on, recommendations they have delivered to BLM, workshops they have hosted, etc.

ACTION: MJ will identify and distribute where BLM posts RAC information including meeting minutes to websites, and contact information for other RACs across the nation.

Other Discussion:

Buddy Green:

Range Reform – Played a major role in the development and initial implementation of the range reform regulations. What we are now facing was never intended. Our eye has been taken off the ball and we are now focused responding to litigation. Is there a way for the RAC to engage in this issue? It would probably carry a lot of weight.

We would like to see the RAC put together an objective review of the administrative and judicial processes that we have to follow. Look for efficiencies and ways to address process and begin to look at potential solutions.

Is there a way to get us off the proverbial wheel of litigation? If the fixes were easy, they would have already been produced. We need a "30,000 feet look" (a big-picture review) at how we're doing.

Gene Gray complimented our Field Office Managers. Then he asked how the process evolves. Buddy explained the appeal and litigation process. Perhaps a RAC-sponsored document for information sharing and problem solving might be helpful?

Ted Hoffman suggested a concerned Federal employee coalition could address the lack of progress with other participants, including sportsman groups such as those for which Nate has ties. Policy level officials of BLM, USFS, Fish & Wildlife Service might be a good group as well.

Neil Rimbey said a Boise Weekly article might be appropriate. A colleague of his, Cindy Salo, formerly with United States Geological Society (USGS) and now operating a consulting firm from home, plans to be more vocal about her opposition to the litigation tactics used.

Mr. Seidlitz suggested a subgroup could be convened to begin discussion of this litigation issue following the April 9th Joint RAC Meeting in Hagerman, or this can this be an agenda item for the next RAC meeting on July 8th. (**Ted Hoffman and Neil Rimbey volunteered**)

Mr. Seidlitz asked John Robison about his perspective on the Owyhee Public Lands Management Act.

Mr. Robison indicated the Act calls for the Owyhee Initiative Working Group to become a Board of Directors to help oversee its implementation. There are expectations out there for BLM. Working through the Board of Directors or a Subcommittee, we want to strengthen those contacts in the effort to be more transparent.

Mr. Seidlitz thinks the RAC will have a definite role to play. What are the priorities, who have been waiting the longest for what, etc? Talking with Brenda Richards, John Robison, and Grant Simonds, all RAC Members now on the Board, will help BLM fulfill their responsibilities in implementing the Act as well as articulate how the RAC can play an effective and important role.

John Robison thinks we can improve lines of communication among the RAC, Working Group, etc. He suggested BLM propose a joint working meeting between the RAC and the new Board.

Mr. Seidlitz suggested perhaps having someone from BDO serve on the Board of Directors.

MJ asked for a review of the action items from the meeting.

Gil Green accepted a motion for unanimous consent that the meeting be adjourned, at 3:30 p.m.

Submitted by Mary Pierce, Notetaker
May 12, 2009

Certified by:

<u>/S/</u>	<u>07-08-09</u>	<u>/S/</u>	<u>07-08-09</u>
Gilbert Green	Date	Aden Seidlitz	Date
RAC Chairman		Boise District Manager	

Appendix

1. Silver Rock Falcon Mining updated briefing paper
2. PL 111-11, Owyhee Lands Management Act
3. BLM Statewide Accomplishments List, 2008, and Statewide Priorities, 2009
4. General Management Evaluation Accomplishments to date
5. Owyhee County Resolution
6. Rocky Mountain Elk Foundation Presentation by Dave Torell
7. Community Advisory Process by Idaho Power Company
8. Ridgeline Energy Map of French John Hill Project
9. Public/Socio-Economic Involvement Study Presentation by Neil Rimbey, U of I
10. Split Estate Information, Arnie Pike
11. Geothermal Leasing Information, Arnie Pike
12. Management Efficiency & BLM Land Consolidation Presentation by Jon Beck