

BOISE DISTRICT (BD) RESOURCE ADVISORY COUNCIL (RAC) MEETING
March 2, 2011
Boise District Office - Main Conference Room
3948 Development Avenue, Boise, Idaho
Meeting Minutes

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

BD Council Members Absent: Ted Howard, and Brenda Richards.

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

Other BLM Staff Present: Matt McCoy, Four Rivers Field Office (FRFO) Associate Manager; Jon Beck, District Planner/ Lead FRFO Resource Management Plan (RMP); Tricia Roller, Morley Nelson Snake River Birds of Prey National Conservation Area (NCA) Manager, BD; Lance Okeson, Fuels Management, BD, John Sullivan, Omnibus Public Lands Management Act of 2009 (OMA) Supervisor, BD, and Barbara Albiston, Writer-Editor (Note taker), BD.

Guests present: Mike Roach, for U.S. Senator Jim Risch; Bryan Ricker, for U.S. Senator Mike Crapo; and Ron Kay, Idaho State Dept. of Agriculture;

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

Gil Green opened the meeting. Aden Seidlitz welcomed everyone. He thanked them for coming and for all the time and effort they contributed to the Fire Symposium held February 1-2, as a RAC and particularly the RAC's Resource Management Plan (RMP) Subgroup.

Gil Green announced he will be resigning from the RAC effective September 30, 2011. He is retiring from Idaho Power, effective June 8, 2011, but will be available to attend the remaining 2011 RAC meetings. Idaho Power, Gil's employer, wants to have a working employee as a member of the RAC, so Stacy Baczkowski, is being nominated by Idaho Power as a candidate for Gil's position. He introduced Stacy, and provided information about her position, education and work history. She attended the meeting as an observer and interested member of the public. Gil wanted the other RAC members to be aware of his planned resignation when electing officers for fiscal year (FY) 2011 .

There was one remaining **Action Item** from the September 8, 2010 meeting. MJ asked Lance if BLM had identified the number of acres of key habitat that burned and number of leks in each of the five fires (Crowbar, Hot Tea, Pot, Turn, and Blacksheep) that occurred last summer. Lance said he thought that information had been presented, but he would double-check.

Action Item: Lance will get the requested information for MJ.

Hot Topics:

- As RAC members may have heard, Ninth Circuit Court Judge Winmill recently enjoined grazing in the Jarbidge Field Office for several allotments.
- CDA District Manager and Aden signed a letter that the land exchange for M3 is “not in the public interest”. There is also a paragraph that says BD will not entertain any more large transfers until the Four Rivers RMP is completed.
- Wilderness characteristics/Wildlands policy has created much debate and interest throughout Idaho.

Dr. Rimbey wondered if consultants could do any of the NEPA work for BLM. Aden said that would require money and he doesn't know what, if any, will be available.

Four Rivers Field Office RMP Subgroup Report on the Symposium

Gil Green thanked Ted Hoffman, Dr. Rimbey, Rich, Rick, Gene, and Lance Okeson (BLM) for their efforts on this subgroup. Gil asked those RAC members who attended the symposium to share their thoughts.

Rick R: Thought it was a very good meeting, lots of interest.

Gil: Had the “who's who” of the vegetation gurus in Idaho, excellent cooperation among agencies.

Donna: Lots of good comments, and learned a lot of things. She asked if another one was planned.

Rich J: Lots of creative folks doing things; great symposium.

Mike Roach: Would be good to get some support from BLM's Washington, D.C. Office (WO); talked to Rob Roudabush, Division Chief of Rangeland Resources, BLM-WO, about possible impacts of this on policy, and how much flexibility he saw in being able to support the goals and objectives identified during the afternoon working group meeting on day 2 of the Symposium.

Aden: Rob did a white paper for the Assistant Director, Ed Roberson regarding what was said at the Symposium by the speakers, during the discussions and during the working group's strategic planning session.

Ron: Good information came from the symposium; alternatives to give to BLM for their RMP.

Dr. Rimbey - Summary of Symposium:

The best minds in the West, on these issues, were at the symposium. A total of 260 people attended over the two days. The evaluation sheet was to gauge overall effectiveness, as perceived by the participants. (Attachment A)

Gene: Seventy-four people responded to the evaluation sheet, which was handed out on the second day. (Attachment B)

“How Collaborative Resource Management Can Break the Current Fire Cycle”

Ted: He felt each step progresses from the one before and addressed the questions people had. The recommendations came from the group; subsequently, the Action Items resulted from the recommendations. All the interests and concerns were brought up from the various interest groups.

Some people stayed after the end of the symposium and talked about annual invasive grasses. The easel notes from that session were introduced. (Attachment C)

Draft Advisory Letter from the Boise District BLM RAC to Boise District Manager Aden Seidlitz. (Attachment D)

Ted presented a draft letter from the Range Sub-group for the RACs consideration. A discussion was held on how the draft letter was structured; a rewrite was undertaken to clarify certain points and wording.

In response to a question from Grant Simonds, Jon Beck said that the RMP would provide direction for fuels management, but not the site-specifics. Aden said that if the project was covered under an EA, then the work could probably go forward in a year, unless there were problems with LEPA. Lance felt the proposal has a lot of factors in its favor to gain Washington funding. Those factors included, fuels management priorities, protection of wildlife, habitat, and endangered plants and animals.

PUBLIC COMMENT PERIOD

Ron Kay: He applauded the RAC and BLM for working so well together on the symposium.

LUNCH BREAK

RAC votes on RMP Subgroup recommendations.

Aden wondered if #9 was too site-specific as written, in regards to the RMP. Further discussion among the RAC members resulted in an additional rewrite of the letter. (Attachment E)

MOTION: Ted Hoffman amended/moved and Gene Gray seconded that Chairman Green sign the revised letter for presentation to Aden, Idaho State Director, BLM Director, other Washington BLM officials, Department of Interior Secretary Salazar, and Members of Idaho's Congressional Delegation. Vote was unanimous.

Richard Hall, nominee for Land Exchange, Energy, and Utility sub-groups

MJ introduced Richard Hall to the RAC. He had contacted her after receiving a letter stating he had not been selected for a position on the RAC, but inviting him to consider participating on one of the RAC's Subgroups. He had expressed interest in serving on the Energy Development and Utility Subgroup. Richard gave a brief overview of his background and work history. (Attachment F) Members asked if he felt there would be any conflicts with his "day job" as an attorney and what groups he represents. He didn't feel his job would be a problem, but was willing to recuse himself if necessary.

Dr. Rimbey felt it would be good to have someone with a legal background on one of the RAC/on one of the Subgroups.

Nate felt that the RAC would benefit from his inclusion.

Motion: Brian McDevitt moved and Dr. Rimbey seconded the addition of Richard Hall to the Energy and Utilities, Permit Renewal/Litigation and RMP Subgroups.

John Robison – Owyhee Initiative Travel Management Report:

BLM was instructed to develop have a travel management plan for those portions of Owyhee County addressed in the OMA legislation. He serves on the Owyhee Initiative (OI) Board of Directors, and is the Chairperson of the Travel Management Committee of the Board. John announced the committee will be hosting a meeting on Friday, March 4, 2011, from 9-11a.m. at the Boise District Office. He invited the RAC and their constituents to learn about this process and provide substantive feedback.

Aden said that this is a highly charged issue, and appreciates John's efforts. Ted Hoffman said he was on the Owyhee Initiative early in its formation and found out that trappers were not included. He asked John if they had been contacted; John was uncertain of that, but would inquire. Owyhee County is coordinating at present with the OI Board.

Sage-grouse Habitat Management – Report:

Donna said that juniper encroachment has been identified as a primary threat in the Owyhee Uplands. A mastication demo project begun in 2009 on Stanford's and Kerschner's lands had better results than expected, with new grass and browse coming up. They had wanted to do an additional project, but winter came early. They will return as soon as the ground allows. A field trip is scheduled on May 25th, to review the results of the mastication demo project. Other locations are being identified in Owyhee County to expand this effort.

At the Crab Meadows project, the meadow had been hayed and a series of berms built across the stream. They thought the berms would be washed out during the winter, but weren't. The grass came back the next year. It is a cheap and effective process to use for stream rehabilitation.

At the February 23 meeting of the Owyhee County Sage-Grouse Local Working Group (LWG), Michelle Commons Kemner, Idaho Fish & Wildlife, gave a brief sage-grouse report, and said a few youngsters were already displaying. People at the 45 Ranch have seen/flushed up to 200 at a time.

Gene gave her a report on sage-grouse in Canada whose migrations have been tracked at a surprising approximately one hundred fifty-five miles. The report is "*Border-hopping sage-grouse; getting U.S. funding for habitat preservation*". There is a two-day event in Dubois, Idaho, event showcasing sage-grouse mating rituals. She also brought along a newsletter that tells what all the LWG's across Idaho have accomplished during 2010.

Action Item: Grant Simonds requested BLM give a presentation for the Payette River Recreation Management Subgroup.

Ted: The Mountain Home "ad hoc" group for sage-grouse has received a grant for collaring 20 sage-grouse to track and document how they migrate and where they are presently.

Grant asked Donna what success the LWG has had on keeping sage-grouse off the endangered list. She thought they'd done very well; even found some leks in Owyhee County that had not been previously documented.

Gene: There are 13 LWGs in Idaho, and each has submitted an annual report. Their efforts probably won't keep sage-grouse off the endangered species list but all these folks are actively collaborating with both Federal and State agencies to protect and preserve their habitat. Washington County hasn't hunted sage-grouse since 1980. It is controversial to be trying to protect and have hunting seasons still planned for 2011 in other Idaho counties.

Election of New RAC Officers:

Gil Green asked if there were any other members of the RAC interested in serving as the Chairman. No one responded in the affirmative. Gil said he would continue as Chairman until the end of FY 2011, September, 30 2011. As he previously stated, He is retiring from Idaho Power in June 2011, and had been asked to resign his position on the RAC in order that another employee could be nominated for selection to that position. Gil said he had contacted Gene Gray and asked if he would be willing to take over the duties of Vice-Chair. Nate Helm presently holds that position, however, has become increasingly busy with a new job, so does not intend to apply for reappointment to his position on the RAC.

Nate had invited fellow Sportsmen for Fish and Wildlife Board Member, Sean Cluff, whom he introduced to the RAC, to submit a nomination for his position on the RAC.

MOTION: Ted Hoffman moved and Donna seconded that the Gil and Gene be elected to serve as the FY 2011 BD RAC Chair and Vice-Chair respectively. The motion was passed unanimously.

Brian McDevitt asked if the non-members on the sub-group needed to be approved for another year. Aden replied, “No.”

Review and Discussion on the Field Office Reports (provided to the RAC as handouts-copies attached):

Aden said he would be answering any questions concerning the information presented in the Owyhee or Four Rivers' Field office reports.

Owyhee Field Office:

Dr. Rimbey: Margaret Soulen Hinson is working on information concerning bighorn sheep for the American Sheep Industry.

Grant asked for clarification on what a rock-crawler is. Aden responded that those are people who recreate using jeeps/4-wheel drives to drive over/in rocky terrain. Regarding the trespass issue, that person has not responded to letter, although he signed the certified receipt. The cattle found to be in trespass (11) will be sold at auction this week.

Four Rivers Field Office:

Ted Hoffman asked about the 4,600 acres of land requested by the Shoshone-Paiute Tribes for sale near the Simco Road interchange. He asked if they were open for disposal in the present Land Use Plan. Aden thought they were, but would check. There is LEPA within the area requested.

Rick R asked if the land would then be sovereign land. That was unknown. John Sullivan said the lands were classified as Category III in the Kuna Management Framework Plan (MFP), but analysis of potential impacts would have to be conducted under the National Environmental Policy Act (NEPA). Under present planning considerations, it would not be classified as available for disposal.

Morley Nelson Snake River Birds of Prey National Conservation Area (NCA)

Grant asked for clarification of what decorative rock was. Tricia explained that term covers the larger landscaping rocks, not classified as gravels, etc.

Ted Hoffman said some Four Rivers permittees got letters about getting out of areas during fires. The BLM had a meeting to talk about this with people, which he thought was good. He took exception to the paragraph that said people could not cut lines on BLM property with a dozer - "at no time is anyone authorized to cut a line".

He and other permittees felt they have a right to protect their private property. He would like BLM to deal with this issue (i.e., authorize places where lines could be cut, if necessary) He wondered if this could be addressed on the Range sub-group Hammett tour on March 17th? Aden asked Trish to check on that, but after some further discussion, Ted said that the properties he'd been speaking of were 12-15 miles away from the field trip area.

Action Item: Aden said he would have Lance Okeson and Len Spain get with Ted about dozing lines on public lands.

Action Item: Ted will see if there is any private property closer to the field trip that he could use to illustrate the fire problem.

Tricia said that a joint proposal with USGS/Arid Research Station and the Rocky Mountain Research Station was submitted to the Joint Fire Sciences Committee for an Applied Restoration in Cheatgrass Monocultures Research to identify changes in fuels and fire behavior for areas characterized as cheatgrass monocultures. It is not known if funding is available (\$180,000, but would focus on cheatgrass in the NCA).

Dr. Rimbey thought some coordination should happen between the NCA personnel and RAC. Tricia said if the grant was acquired, then that would certainly happen. There would be 52 sample sites (1x1 hectares).

See Appendices I, II, and III for the field office and NCA updates.

OMA Implementation Report

John Sullivan gave a briefing on the implementation of OMA – marking roads and cherry stems vs. what was designated on preliminary maps of the wilderness areas when they were designated in 2009. Thirty-nine discrepancies were identified. All have been resolved except for four. The Owyhee Initiative Inc. Board of Directors will be seeking legislative relief for those four.

Official cadastral surveys have been conducted on the newly designated wilderness areas in 2010, beginning with Big and Little Jacks Creeks Wilderness Areas. Legal descriptions were developed. BLM is now working on the official maps. The maps will be sent to the BLM -WO in six months for submittal to the Senate and House Committees with jurisdiction as directed in the Act.

The OMA legislation required a formal report on the existing range improvements (approximately 300), and their current conditions. The wilderness range improvement report was published in January 2011. Staff has since met again with affected grazing permittees to review and revise the data to ensure the most accurate inventory possible, and to ensure that BLM adequately understands and can portray permittee access needs that will be evaluated as part of the Wilderness Management Plan. Grazing permits need to be modified so that those needs can be met.

John asked for RAC feedback on the internal report *Proposed Interim Grazing-Related Wilderness Access Guidelines*. It was provided to the Owyhee Initiative Inc. (OI) Board of Directors for review and comment at their January 2011 meeting.

Appraisals were completed for the Hanley, Keck, and Anchustegui wilderness in-holding properties. BLM should complete these acquisitions from the Wilderness Land Trust sometime in March 2011. Following the acquisitions, about \$730,000 will remain in the Owyhee Land Acquisition Account. All owned now by The Wilderness Land Trust

Hanley (611.5 acres)
Anchustegui (360 acres)
Keck (200 acres)

The BLM is coordinating with Idaho Department of Lands and the grazing permittee to get the Burghardt Allotment's east boundary fence reconstructed, which would then allow the buy-out and retirement of the allotment's 1599 Animal Unit Months to proceed. Fence construction should begin in May, depending on weather and soil conditions.

The BLM has reached agreement regarding the proposed location of a fence in the Nickel Creek Allotment to facilitate a buy-out and retirement of about 140 AUMs. Although no project funding currently exists, the fence line will be staked and NEPA begun this spring.

In answer to a question, John replied that a fence can be built in a wilderness if it enhances the resource (wilderness).

The Feasibility Review package for the Riddle Ranch land exchange is still in the BLM WO awaiting approval. Once approved, we will publish the Notice of Exchange Proposal in a local newspaper, which provides for a 45-day public comment period.

Travel Management Plan:

The first newsletter concerning travel management was published today. John handed out copies.

- a. BLM held four public meetings in October and November to solicit feedback on our baseline route maps. We have received over 400 comments thus far.

- b. TJ Clifford has begun discussions and meetings with interest groups to continue more intensive map reviews, and to get feedback on draft criteria that will be used for evaluating routes. We are beginning with the route criteria from the Birds of Prey NCA RMP, since the Owyhee County portion of the NCA will be incorporated into the Travel Management Plan.

Next step is developing a set of criteria, will propose the criteria used in the implementation for the NCA.

The BLM is in the process of acquiring baseline information for Wild and Scenic Rivers (WSR) and Wilderness planning. Baseline water quality sampling has been conducted on each of the 16 WSR segments for low, high, and warm water stages.

The Owyhee, Bruneau, and Jarbidge Rivers Boating Guide has been updated and revised. It was developed in collaboration with the Twin Falls, Elko, and Vale districts, and should be available by May 2011.

Donna asked how the exchange between State and BLM lands was coming. John replied it had been approved, but funding was not currently available, possibly 2013. She also asked what would happen to the permittees on those areas in the meantime. He said that access would be limited. Grazing permittees on both the BLM and State lands would be unaffected until the exchange is completed.

Ted Hoffman gave examples of where mechanized actions might be more appropriate than using a horse. He provided suggestions for changes to the draft language of the *Proposed Interim Grazing-Related Wilderness Access Guidelines*. He felt it should be an enabling document; now perceives it as a disabling one. The BLM should coordinate with the OI Board on what is practicable.

Grant Simonds suggested that BLM look at the decision-making tree for the Frank Church River of No Return Wilderness Management Plan (remediated) (Appendix G). It is online at the Challis National Forest website.

Action Item: Ted Hoffman will send comments to MJ on the proposed access guidelines revisions.

Great Basin Landscape Cooperative Initiative: MJ handed out Brenda's report . She reported on her discussion with Brenda. She outlined a number of concerns in her report and asked the RAC members to contact her after they read and she would be glad to provide them additional information.

Action Item: MJ will send out information on the cheatgrass and medusahead management field trip in Jordan Valley on June 6, 2011.

Next RAC Meetings – Tentatively scheduled for July 13 and September 21, 2011.

Meeting adjourned at 3:48 p.m.

APPENDIX I

Resource Advisory Council: Owyhee Field Office Update
February 23, 2011

Murphy Subregion Travel Planning Area - Adaptive Management: Golden Eagle Protection --- As implementation of the Murphy Subregion Travel Management Plan (TMP) continues, so too does adaptive management. To respond to needed changes in management, the Murphy Subregion TMP built in an adaptive management approach to modify management actions resulting from new information gained over time as local environmental conditions change, new management techniques are learned, and as advances in science and technology are better understood.

Recently Golden Eagle territories within the Murphy Subregion travel planning area have been abandoned or breeding attempts have failed consistently. Strong evidence suggests that territory abandonment and breeding failures are correlated with a dramatic rise in Off-Highway Vehicle (OHV) use. If research and monitoring demonstrates additional territory abandonment and/or breeding failures attributable to OHV disturbance, the BLM could be held liable for “take” under the Bald and Golden Eagle Protection Act via “derivative liability” as the Murphy TMP could be interpreted as the responsible action. The issue of Golden Eagle take was the subject of one appeal on the final decision of the Murphy travel plan Environmental Assessment.

To reduce the chance of Golden Eagle take, the BLM has implemented an adaptive management approach and several seasonal trail closures have been proposed. The proposed seasonal closures constitute less than 3 miles but could have an impact on the local rock crawling/4x4 clubs depending on the duration of the closure. Trails could be opened before the full term of the seasonal closure if monitoring activities demonstrate that the closures are no longer necessary (i.e., territory unoccupied, breeding attempt fails). Seasonal trail closures at qualifying territories and/or qualifying nest sites could be permanently rescinded if certain conditions are met after a stipulated period of annual monitoring (see below).

General Golden Eagle Monitoring:

- Ten territories within the Owyhee Front and the subregion will be visited weekly from February 15 – April 15 to determine occupancy and breeding status.
- Once occupancy has been determined at a territory, field visits will determine incubation, age nestlings, confirm fledging, breeding success, and productivity

Annual Monitoring and Seasonal Trail Closure Terms and Conditions:

- Seasonal closures would be in effect from January 1 – July 31. However, lifting seasonal closures may occur at qualifying trails if the following conditions are met:
 - A. If territory determined to be **unoccupied** through April 15, then seasonal closure lifted April 16.
 - B. If territory occupancy **uncertain** through April 15 and if no breeding attempt located through April 30, then lift closure May 1.
 - C. If territory **occupied but breeding status uncertain** through April 15, and if no breeding attempt located through May 31, then lift closure June 1.

- D. If territory **occupied and breeding (i.e., incubation, nestlings) confirmed**, then seasonal closure lifted immediately if breeding attempt fails after April 15, or monitor for re-nesting attempt if failure occurs before April 15 and refer to condition C and proceed accordingly.
- E. Site-specific seasonal trail closures permanently rescinded if territory remains unoccupied for 15 consecutive years (applicable to entire territory) or if nest remains unoccupied for 10 consecutive years (applicable to nest-only). Both would be effective retroactively to the date/s last occupied.

Owyhee Field Office (OFO) staff met with the Rock Crawler group on February 2 to explain the closures, and committed to regular coordination with them as results from the spring eagle monitoring efforts become available.

Murphy Subregion Travel Planning Area—Implementation Update

At the end of January Great Basin Institute brought in 2 hand crews for 1 tour (8 days) as part of the grant work secured through Idaho Department of Parks and Recreation (IDPR) to assist the BLM with the implementation of the Murphy TMP. The hand crews performed single track trail maintenance on roughly 6 miles of trails in 8 days, eliminating moguls, ruts, installing water bars, seeding, and attempting to restore designated single track trails to 24" or less in width. The crews also worked on the restoration of closed trails and unauthorized play areas, raking, seeding, and installing vertical mulching in an attempt to hide the closed trails.

The crews were very successful and efficient. The crews will run three more tours in April performing single track trail maintenance and restoration. The BLM and Great Basin Institute have also applied for grants through IDPR for the 2012 season to continue performing these same tasks for the Murphy Subregion which has roughly 175 miles of motorized single track trail as well as the Wilson Creek Subregion which contains another 80 miles of non-motorized single track trails. In addition to these crews the BLM will continue to work with IDPR and user groups on the proper maintenance of these single track trails.

Note: The 2011 National Public Lands Day for OFO (Sept 24th) will be geared toward single track trail maintenance. The BLM hopes to have roughly 100 volunteers from the motorized and non-motorized communities participate in the event. RAC Members are encouraged to participate and help BLM spread the word among their constituent groups about the need for volunteers.

Grazing Permit Renewal Efforts

The Trout Spring Allotment EA has been completed and is undergoing review by the BLM solicitor. A proposed decision is expected early this year. OFO staff is currently working on the Pole Creek Allotment and Fossil Butte Allotments Group EAs. An EA scoping package for the Nickel Fenced Federal Range (FFR) Allotment is being developed and will be sent to the public in early March. Completed EAs and proposed decisions for these allotments are expected by the end of September.

Initial Risk Assessment of Domestic Sheep Allotments in Bighorn Sheep Habitat

OFO staff is analyzing Idaho Fish and Game big horn sheep data to determine potential changes in OFO sheep allotments and trailing areas.

James Anderson Trespass Impoundment

On February 1-2, The Owyhee Field Office Range Staff, Boise District Law Enforcement, a member of the Boise District Operations crew, and a representative from the Owyhee County Sheriff's Posse rounded up and impounded 11 head of trespass cattle on the remote 45 Allotment located in the southwest corner of the state along the South Fork of the Owyhee River.

These actions end an ongoing eight month trespass of cattle belonging to James Anderson of Winnemucca, Nevada. Despite numerous requests to remove the livestock, Mr. Anderson's livestock continued to graze the allotment. Consequently, a Notice of Intent to Impound was issued October 4, 2010.

Unimproved roads usually makes this allotment inaccessible during the winter and spring months. However, this winter's low temperatures allowed staff ingress and egress in the morning on frozen roads. If the trespass and associated impoundment costs are not paid by the owner by March 4th, the livestock will be sold at public auction.

Ridgeline Met Towers Appeal and Request for Stay

On November 23, 2010, BLM issued a decision to offer Ridgeline Energy a right-of-way grant to construct two anemometer towers in the French John Hill area, southwest of Marsing, in the Rockville Allotment. Notification was sent to the interested publics (that had responded to the scoping notice) that the Environmental Assessment (EA), Decision Record (DR) and Finding of No Significant Impact (FONSI) had been completed and were available for public review.

Western Watershed Project (WWP) filed an appeal and Request for Stay under the claim that BLM violated the Federal Land Policy Management Act and the National Environmental Policy Act (NEPA). Their major appeal points (Statement of Reasons) include the following:

- The NEPA process was inadequate and segmented, and three existing anemometer towers authorized though a categorical exclusion should have been subject to NEPA analysis.
- The towers would intrude on Sage-grouse, golden eagle, raptor, migratory bird, bat, and other sensitive species habitats and would result in unnecessary and undue habitat degradation.
- Safety concerns about small planes in the event the tower lights fail.

OFO responded to the Stay Request and to the Statement of Reasons. A decision on the stay is expected from the Interior Board of Land Appeals soon.

Solar Development Interest near Murphy in OFO

Representatives from Interconnect Solar Development, LLC have had two exploratory, information meetings with BLM. They have expressed a desire to build an unspecified number of solar panels to collect energy for resale to Idaho Power. BLM has not yet received a proposal.

APPENDIX II

Resource Advisory Council: Four Rivers Field Office Update March 2, 2011

1) Basin School District #72 R&PP – 1 protest was received regarding the Notice of Realty Action: Recreation and Public Purposes Act Classification; Lease and Conveyance of Public Land, Boise County, Idaho. The protestor provided no new data that would merit a change in the proposed classification of these lands for sale and lease under the Recreation and Public Purposes Act, nor did they demonstrate that the Four Rivers Field Manager's decision was in error.

A separate issue for this R&PP was the denial to the USFS for an alternate route to access the Elk Creek drainage. The current route crosses private land, and there are no easements in place or likely available. The proposal was denied, as the action would not be consistent with the R&PP Plan of Development.

2) M3 Foothills and North Idaho Exchange – We are continuing to analyze the proposal to determine if it is in the best interest of the public.

3) M3 Eagle LLC ROW update – the contractor recently forwarded the Environmental Assessment and the Biological Assessment (BA). We anticipate forwarding the BA to the USFWS for their review and subsequent biological opinion within the next few weeks.

4) Dewey Land Exchange – an appraisal has been requested. An environmental assessment has been initiated.

5) Tribal Acquisition – The Shoshoni-Paiute Tribe has requested that we analyze the sale of approximately 4,600 acres of public land near the Simco Road interchange. LEPA will be a major consideration.

6) Langley Gulch Power Plant ROW – the appeal of the ROW decision was dropped by the appellant, and construction continues at a rapid pace.

7) Ft. Hall Hill Sanitation Project – we are currently negotiating for a reciprocal ROW agreement to enable access to public lands and completion of a sanitation project to reduce potential fire and mistletoe threats to adjacent private lands.

8) Packards Milkvetch Temporary Closure – Field office staff have been coordinating with USFWS, Idaho Department of Lands, and adjacent landowners to discuss options for reducing impacts of off highway vehicles on Packards Milkvetch, *Astragalus cusickii* var. *packardiae* a candidate species that has an extremely restricted extent and distribution. The plant is a perennial forb endemic to a small area in northeastern Payette County, southwestern Idaho. Conservation interest in this species was heightened following its rediscovery in 1997, after not being reported for about 20 years.

Because so little information about Packard's Milkvetch was available, the BLM's Lower Snake River District and Idaho Department of Fish and Game's Conservation Data Center entered into a Challenge Cost-share agreement to conduct a comprehensive field investigation for this species in 1999. During the investigation, five of the six known occurrences were discovered and an estimated 4,500 plants tallied.

Packard's Milkvetch is restricted to localized and visually distinct sediments characterized by a whitish color, sparse vegetation, and high percentage of bare ground. TM has been more or less resistant to weed

invasion or other obvious signs of serious degradation despite a surrounding landscape dominated by annual grassland vegetation. As long as the habitat remains intact, the long term conservation prospects for Packard's Milkvetch appear favorable.

We anticipate an immediate temporary closure to motorized vehicles, and the issuance of a Federal Register Notice to temporarily close the area to off highway vehicles, followed by preparation of an environmental assessment. A private landowner in the same vicinity has experienced increasing conflict for the last few years with OHV users in the area.

9) Grazing preference transfers completed to date (10 outside of the NCA, 1 in the NCA); grazing preference transfers in progress, to be completed this year (11 outside of the NCA).

10) Grazing permit renewal status:

- Bennett Mountain (31 allotments, 21 permits) - we have most permittee proposals in, and hope to get a scoping document out in April, with a draft EA out by September and biological assessment for LEPA/final EA out by the end of 2011.
- Craters (NCA - 2 allotments, 2 permits) – the scoping letter is about ready to go out; we hope to have the biological assessment for LEPA/final EA out by September 2011.
- Goodrich (6 allotments, 6 permits) – the scoping should go out in March, and we would like to have the final EA out by September 2011. One of the Goodrich allotments is in BHS habitat and is currently a sheep allotment.

11) Little Willow Wetland Burn – Beginning in spring 2011, 21 acres of residual vegetation at Little Willow Wetland (10-acres BLM, 11-acres adjacent private) would be burned to prepare areas for herbicide treatment to suppress noxious weeds. Following the burns, areas infested with noxious weeds would be treated with herbicide in mid- to late spring when target noxious weeds are actively growing. In the first few years of treatment, a second herbicide application in the fall may be necessary to treat re-growth. Herbicides would be applied with backpack sprayers or ATVs. Herbicides proposed for use are Escort (metsulfuron methyl) or Telar (chlorosulfuron). (Herbicide application, either annually or as-needed.)

Location: From Payette, Idaho travel 5-miles east on state highway #52 to Little Willow Creek Road. Then, travel north 18-miles on Little Willow Creek Road toward Paddock Valley Reservoir (Appendix, Map 1). The legal description is: Township 10 North, Range 2 West, Sections 30 and 31.

12) Big and Hot Tea Fire Closures - To protect native seedlings following 2010 wildfires, we are temporarily closing 1,920 acres (three miles northwest of Eagle) and 6,900 acres (12 miles northeast of Mountain Home) of public lands to all motorized vehicle use. The closures will be in effect for approximately 24 months. The two areas will remain open to non-motorized recreation access. Fencing is currently under construction, and temporary closure signs are being placed at key access points.

13) Payette/West of Weiser Geothermal Leasing DNAs – 7 geothermal lease nominations covering over 26,000 acres in Payette, Canyon, and Washington Counties are currently undergoing NEPA review. The Determination of NEPA Adequacy (DNA) for the Payette parcels is complete; West of Weiser DNA should be complete in 1 week. Both DNAs will be forwarded to the State Office for concurrence, as well as for preparation for an August geothermal lease sale.

14) Almaden Competitive Mineral Materials Sale – we expect to have a competitive sale at the end of April for decorative rock, just south of the Almaden mine. The area encompasses approximately 160 acres and would be for surface collection only.

APPENDIX III

Resource Advisory Council: Morley Nelson Snake River Birds of Prey NCA March 2, 2011

- 1) Dedication Point National Public Lands Day Event – We are planning on implementing a small restoration effort at the dedication point overlook/interpretation site. With the NCA we plan to use the Snake River Raptor volunteers and some local high school students to plant sagebrush and native forb seedlings on NPLD in September. Additionally, if needed, follow up efforts to water the plantings will be conducted by these volunteers for the first couple months depending upon subsequent precipitation.
- 2) NCA and Center Allotment Fenceline EA – We nearly close to finalizing the EA and proposal to conduct prescribed burning along 931 miles of fence line to reduce hazardous fuel accumulations of tumbleweeds. We are in Formal consultation with the USFWS regarding this proposal for about 1/3 of the project area that lies within potential or occupied LEPA habitat.
- 3) Swan Falls Dispersed Campground Maintenance (Small 5 acre area) – Continue to rehabilitate (i.e. stabilize and reseed) two-track trails in and around access roads to the dispersed campsites down river from Swan Falls and Idaho Power property. We also plan to reinforce the barriers limiting off-road access, while continuing access to the campsites. We plan to post interpretation and public education signs about the unique Snake River Canyon resources within this special National Conservation Area.
- 4) We have formulated an ID Team who has reviewed the preexisting lease stipulations and we are starting to work with the leaser to develop current and appropriate stipulations for the Black Sands Resort Lease on BLM near the Cove Recreation Area along C.J. Strike Reservoir.
- 5) Received a Seeds for Success Restoration Grant for \$30,000 from the Fish and Foundation.
- 6) Submitted a joint proposal with USGS/Arid Research Station and the Rocky Mtn Research Station to the Joint Fire Sciences Committee for an Applied Restoration in Cheatgrass Monocultures Research Proposal: to identify Changes in Fuels & Fire Behavior Research Proposal for areas characterized as cheatgrass monocultures.
- 7) Grazing preference transfers completed to date (1 in the NCA); grazing
- 8) Grazing permit renewal status:
 - Craters (NCA - 2 allotments, 2 permits) – the scoping letter is about ready to go out; we hope to have the biological assessment for LEPA/final EA out by September 2011.

ACTION ITEMS

1. Provide number of acres of key sage-grouse habitat and Leks burned in five large fires in BFO and FRFO this summer (Crowbar, Hot Tea, Pot, Turn and Blacksheep fires). Updated number of Leks and acres of key habitat burned will be reported when BDO responds to the annual Greater Sage-grouse data call.

Responsible Party: Lance Okeson

DD: 4/15/11

Initial response provided: 04/20/11

2. Grant Simonds requested BLM set up a meeting of the Payette River Recreation Management Sub-group.

Responsible Party: Terry Humphrey

DD: 5/1/11

Initial response provided: Subgroup meeting held on 04/08/11

3. Len Spain will contact Ted Hoffman about dozing lines on public land to protect private property.

Responsible Party: Len Spain

DD: 4/15/11

Initial response provided:

3a. Ted will see if there is any private property closer to the March 17th field trip where he could illustrate the “dozing” problem.

Responsible Party: Ted Hoffman

DD: 3/11/11

Initial response provided:

4. Ted Hoffman will send comments to MJ on his proposed access guidelines revisions.

Ted Hoffman

DD: 5/1/11

Initial response provided:

5. MJ will send out information on the cheatgrass and medusahead management field trip in Jordan Valley on June 6, 2011.

Responsible Party: MJ Byrne

DD: 4/15/11

Initial response provided: