

BLM Resource Advisory Committee

Final Meeting Minutes

Approved: June 28, 2011 at the Pocatello Field Office

February 16, 2011

Idaho Falls, Idaho

In attendance: RAC members - Gary Vecellio, Ken Koller, Otto Higbee, Wayne Butts, Kevin Poor, David Pennock, Dave Farnsworth, Bill Schutte, Vic Phillips, Louise Stark, Lawrence Fox, Tom Bassista

BLM staff – Joe Kraayenbrink, Karen Rice, Sarah Wheeler, Todd Kuck, Peggy Redick, Steve Hartmann, Dave Pacioretty, Wendy Reynolds, Danny Miller, Terry Smith, Rick Belger, Dan Kotansky, Jan Parmenter, Monica Zimmerman.

All introduced themselves.

There were no public in attendance.

Chairman Dave Farnsworth and Vice Chairman Ken Koller were reconfirmed. There was no RAC recorder volunteer. BLM staff Karen Rice and Danny Miller recorded the meeting minutes.

Sarah requested volunteer forms be filled out and returned to her. Nancy Kaiser explained the reimbursement forms – mileage, profiles, and hotel receipts. Nancy can be reached at 524-7500. Sarah requested RAC members update contact information and indicate contact preference.

Joe Kraayenbrink introduced Todd Kuck, new Challis FM; Wendy Reynolds will be going to Craig, CO for BLM; Jeremy Casterson has been selected as her replacement; Dave Howell has gone to Washington DC for BLM; Steve Ellis is the new Idaho State Director; Jeff Foss is the new Deputy State Director for Resources.

Joe explained that the current administration expected new RAC members following term expirations and encouraged the RAC to reach out to interested people to apply. Tom B. suggested Lynn Van Every, DEQ and/or Matt Woodard, TU for Natural Resources. Ken K. suggested Dr. Paul Wichlacz???. Dave Pacioretty suggested Brad Shelton, ICL for Environmental Groups. Chairman Farnsworth encouraged member to reach out and recruit others.

WILD LANDS POLICY DISCUSSION

Joe explained the recent Wild Lands Secretarial Executive Order (EO) – The purpose of the order was to reinstitute wilderness characteristics of BLM per the 1976 Federal Land Management Policy Act (FLMPA). The western delegation and governors are concerned. We expect challenges to the legality of the EO. He encouraged the RAC to learn more about it on web sites. Joe explained that BLM can designate an area as a Wild Land through the Land Use Planning (LUP)/NEPA public processes. Ken K. inquired what drove the EO. Joe

explained that it was the absence of policy and guidance. Wayne commented that Custer County is 97% public lands and doesn't want to see additional lands added to wild lands. Joe remarked there was no real funding for implementation. Dr. Pennock inquired if it would impact a lot of land? Joe said that it was possible. Steve H. remarked that wild land proposals go through the NEPA process with public involvement and would be appealable. Gary V. said the new RAC members may want to understand the eligibility suitability process. Joe said the Owyhee County players are very concerned for those lands that were released from Wilderness Study Area status by the Omnibus Lands Bill of 2010. Lawrence F. asked how do you balance existing rights with conserving wild lands? Joe replied that the first step would be to avoid wild lands; he continued that the Twin Falls District China Mountain wind farm proposal will now have to evaluate the project area for wild land characteristics. Existing proposal such as Gateway West will be delayed while wild land reviews take place.

BUDGET

Joe explained that BLM was operating under a Continuing Resolution which is a 10% reduction from last year. He said the President's FY 2012 budget released on Monday will reduce BLM's budget \$12 million; that Idaho BLM is standing down on hiring temporary employees with base funding and is practicing a soft hiring freeze; currently Idaho BLM is operating with an approximate \$3 million debt and that \$1.6 million of the debt is in the Idaho Falls District. Dave F. inquired if the salary freeze effect morale and would employee turnover increase? Joe replied that it hadn't been observed yet, but that it could affect employee's retirement; morale is being impacted by challenges and litigation which have resulted in a tremendous work load and has pulled staff from their land management jobs. Dave F. expressed concern about BLM being able to keep qualified staff to deal with the complexities of the phosphate program.

UPPER SNAKE RMP

Bill S. asked about the different public land categories and their restrictions. Terry Smith explained that LUPs identified special administrative designations – Wild and Scenic Rivers, Wilderness Study Areas (WSAs), Areas of Critical Environmental Concern (ACECs), and Research Natural Areas (RNAs). Those WSAs were designated in the 1980s and that only Congress can make them Wilderness Areas. ACECs and RNAs were designated for unique vegetative communities, wildlife habitat, geologic features, or safety issues. All designations are made through the LUP/NEPA public process. Dave F. commented that BLM lands were for general use except when special designations put restrictions on them. Gary V. commented that because land has the potential for a special designation it must go through a public process to finalize the designation. Bill S. asked how the public is informed. Terry S. explained that public outreach took place through open houses, mass mailings, Federal Register Notices, press releases, web postings, and more recently social media. Ken K. remarked that it was difficult to understand what the public can use and that posting of areas are very important. Dave F. remarked that Wayne B's efforts and others go a long way to inform the public of these issues.

POCATELLO

Travel Management Planning: Dave Pacioretty presented Pocatello FO's issues – Travel Management Planning Blackfoot River riparian project. Dave F. asked if it was one RMP or several. Dave P. explained it was one RMP with several TMP areas and that he expected some public push back from proposed travel restrictions in the Soda Hills area. Dave F. asked that he be kept in the loop and offered to assist with the TMP process.

Pocatello Resource Management Plan: Terry Smith presented the status of the Pocatello Resource Management Plan. Lawrence asked about wild lands in the RMP areas. Terry explained wild lands were considered but none were recommended. Gary V. asked that the RAC be kept informed when the ROD was issued. Vic P. asked if environmental groups could bring legal actions. Louise S. asked if law suits made RMPs outdated by the time they are issued. Vic P. remarked that it seems strange that environmental groups object to new and better land management plans and treatments.

FLTFA: Jan Parmenter, District Lands & Realty Resource Coordinator, gave a presentation on the Federal Land Transaction Facilitation Act (FLTFA) project going on in Bear Lake County. Dave Pacioretty talked about the public meeting that had been held in Bear Lake County with both the County Commissioners and the general public in Montpelier. The RAC was told about that the BLM solicited comments on a parcel by parcel basis. Dave said that any county roads (SS2477) would be reserved in the patents of the parcels sold, if any. The Chairman asked if we had identified possible buyer for the parcels. Dave Pacioretty said no. It was pointed out that the most parcels were 40-80 acres and as small as 20 acres of isolated property. RAC members asked if the BLM had access to the parcels. Jan Parmenter said yes to some but most have no legal access. Karen Rice stated that it is a burden to manage parcels without access that are also surrounded by private property owners. Dave Pacioretty said that disposal through exchange was also a possibility. RAC members asked how we go about selling the property, do we use a realtor? Jan Parmenter said that the GSA markets the property or private contractors have been used in Las Vegas. Wendy Reynolds asked if we had access to adjoining parcels. Jan Parmenter stated that we did not. Dave Pacioretty spoke about *The Reserve at Bear Lake*. We informed the RAC members that the parcel was near a gated community which has homes that are or were valued at as much as 5 million dollars. He pointed out that we have no legal access to it. Joe pointed out that the minimum bid the BLM can accept has to be “Fair Market Value” and that value is gained through the appraisal process. Jan explained that the NEPA process required us to do three separate EA’s in order to deal with the three different areas. Kevin Poor, asked “What happens if FLTFA sunsets again we have no authorization. Jan explained that then the parcels would be sold under the FLPMA and that the funds realized from the sale would go to the Treasury Department. Joe explained that in that case it might be better off to put off the sales until FLTFA is authorized so that a portion of the sale funds could be used to acquire lands with high resource values within the District. Steve Hartman suggested that the funds could be used to purchase land in Challis-Salmon. RAC members joked that the 3% of land they have left in their county was not for sale. The Chairman asked about a time line for the sale process. Dave said in the spring we hope to look at the recommendations, we had funds last year for seasonal help on the ground last year but did not know if we would have any funds this year. Lawrence Fox asked if the sales take an act of congress like FS land. Jan said yes, that act is FLTFA or FLPMA. Karen stated that land exchanges are hard to accomplish and offices compete for the funds from the sales. RAC members asked how the sales were viewed by the Tribes. Dave said that the Sho-Ban were opposed to the idea because they do not like to lose tribal treaty rights. Dave also pointed out that we have more proponents to the sale than we have those opposed. Joe added that we were surprised at the number of proponents that we have in favor of the sale. Lawrence Fox said that in the 80’s they had no bids on other lands that were offered for sale in his area.

Phosphate Program: Bill Stout Geologist for the Pocatello Field Office gave an overview of the phosphate program. Joe pointed out that a recent decision we were upheld in an action involving Simplot. The Chairman pointed out that the state receives 10 million in royalties from the mining. Bill said that 5 million in royalties from the mining of just phosphate have gone to the state and the counties. The RAC members asked if we knew how much phosphate we have in reserves and when we might run out. Bill said that it looks like 50-100 years left in the currently known reserves. The RAC Members asked if exploration is still ongoing. Bill stated that all three

of the current mines owners have ongoing exploration activities. The question was asked “How many BLM employees work on the phosphate issues. Bill answered that currently 6.5 from the PFO plus the District people. One of the members joked “All this for soda pop.” Bill pointed out that we have 4% of the earth’s know phosphate. The Chairman asked where the EIS for the Blackfoot Bridge Mine was in the process. Joe said that there has been a flurry of activity in the past 10 days and he hoped to have answers soon. The question was raised about whether the mining was going underground. Bill said he had not seen definite plans but it was his understanding that they were going underground. Louise Stark asked who pays for the NEPA work. Bill said that the mines do because BLM does not have the man power. Companies provide third party firms to do the NEPA reports.

GIS WORK/FIRE FUELS

Keith Weber from Idaho State University (ISU) GIS, and Kevin Conran, BLM Fire Mitigation / Education Specialist gave a presentation to the RAC. After the presentation Joe asked if the data they are gathering could be stepped down to the county level. Keith said that the model is sound and that enables us to look at fuels reduction on the county level if it is needed. Joe asked based on the current data what counties are most susceptible to fire. Kevin explained that Lemhi County is at most risk in terms of acres. Kevin explained that the data helps to add science to our grant proposals in order to fund fuel reduction. It provides a tool wherein we can identify the highest risk and then priorities our reduction efforts. The Chair asked if they looked at soils and precipitation and how that information was gathered. Keith said that they look at 250 X 250 meter areas through the satellite. The Land Capability Classes (LCC) are used with similar soil types. It was asked if they could use the imagery to identify marijuana. Keith said yes, it’s a snap shot in time. The members asked about the cause of fires. Rick said it’s about 50-50 human vs. natural causes. We have been successful in identifying the fire starters and some have gone to jail. Joe pointed out that statutes limit juvenile recovery to \$2500. Wendy Reynolds said the solicitors are reluctant to prosecute. Rick told a story where some youth after the 4th of July blow up a refrigerator and the explosion resulted in a fire. Four (4) juveniles remained at the scene of the fire and talked to fire personnel. The juveniles did in-service work and worked off half of the fine. Years later they hired two of the juveniles to work for the BLM in fire. The Solicitor did not like the arraignment and we can’t do it again but it worked. Vic Phillips asked if we see mechanical treatment going away. Rick said that 3700 acres were within the district was treated.

SALMON

Canyon Big Timber Landscape Assessment: Steve Hartmann, Salmon Field Manager asked the RAC members for a decision and endorsement on his Canyon – Big Timber Landscape Assessment process. The RAC Chairman was concerned over the ability to keep up the ten year renewal process. Other RAC members thought the process is reasonable but a bit too optimistic. Kevin Poor had some concern over the scoping process and questioned the data collection. Wendy Reynolds asked if the ranchers were buying into the process. Steve Hartmann replied, yes. The Fish & Game representative expressed concern about the social economic effect on the rancher that does a good job with range management. Dave Pacioretty, stated that the standards will be per allotment not lumped together and to look at the watershed areas grouped together. Vic Phillips motioned to have the Salmon Field Office move ahead with the process as outlined. The Chair asked for vote on support of the process and it passed. Steve Hartmann talked about the Bull Trout ESA and the monthly reporting that has to be done to regulatory agencies and Western Watersheds. Bill asked how many miles of fence would need to be installed. Steve replied “lots” and stated that they most likely would have to move the cows. Joe stated that the move would be about ½ mile temporarily. Peggy stated that fencing does not always work to keep cows out, “cows find a way to get

around the fence.” Joe stated that the data collection process cannot go unreported, “If we miss a day collecting data, we will be out of compliance and looking at a possible injunction by Western Watersheds.”

UPPER SNAKE FO

Wendy Reynolds, Field Manager for Upper Snake Field Office gave an update on the RMP effort.

Champagne Creek: Dan Kotansky reported on the Champagne Creek Emergency Remediation. Wendy said the water was milky so the mining company stepped in and has spent 1 million dollars in remediation costs. This was not part of the original reclamation of 12-15 years ago. Otto Higbee reported that the Champagne Creek farmer had nothing but good things to say about the work the mine had done to correct the issue. Wendy said the EPA and DEQ are both aware of the project.

Capacity Study: Monica Zimmerman gave an update on the Capacity Study on the South Fork. She stated that the study is aimed at managing resources’ by developing a large outdoor enjoyment program. Wendy Reynolds pointed out that the BLM was in litigation instigated by a local outfitter and guide.

CHALLIS FO

Thompson Creek Land Exchange: Peggy Redick, Acting Challis Field Manager talked about the Thompson Creek Mine land exchange. She pointed out that Thompson Creek Mine had spent \$13,000 towards some baseball diamond improvements and Thompson Creek taxes are north of 9 million in the county and the mine provides 40% of the jobs in the county. It was also suggested that since mining is allowed on the public land anyway the land exchange was actually giving the public “Something for nothing”.

Jan Parmenter, told the RAC members about the Mackay land sale/exchange in progress. He pointed out that it was an application driven sale and that fair market value must be received for the acres contemplated under the sale. It was also pointed out that the county would benefit by having 208 acres placed on the county tax rolls. Joe pointed out that we did not go after this proposal rather the land owner approached the BLM and is paying all of the costs associated with the NEPA costs.

The Chairman told the RAC that we needed to have a Secretary in place before the next meeting. It was decided that the next meeting would be in June on the 28th & 29th. It was moved and seconded that the meeting be adjourned.