

**John Day Snake
Resource Advisory Council
Pendleton, OR
Meeting Minutes
February 24, 2010- Business Meeting**

Business Meeting RAC Attendees: Patricia Gainsforth, Bill Lang, Art Waugh, Adriane Borgias, Berta Youtie, Ellen Bishop, Craig Ely, Mike Hayward, Tim Unterwegner, Dan Forsea Terry Drever-Gee, Dave Riley, Pat Dunham

RAC members not present: Mark Webb

Quorum: Yes

RAC Federal Official Attendees: Debbie Henderson-Norton, Don Gonzalez, Brian Goff, Delanne Ferguson, Steve Ellis, Doug Gochnour

Federal officials not present or represented:

Presenters: Todd Thompson

Visitors: Dave Henderson, Todd Kuck

Designated Federal Official: Debbie Henderson-Norton

RAC Chair: Berta Youtie

Notetaker: Pam Robbins

Facilitator: Christina Lilienthal

Meeting Called to Order/Introductions- Berta Youtie, Chairman

Election of Chair – Berta Youtie, Unanimous

Election of Vice-Chair – Mike Hayward, Unanimous

2010 RAC Work Plan

Federal agency recap of activities was presented first.

Steve Ellis (Wallowa-Whitman NF): Blue Mountain Forest vision document will guide management for next 10-15 years. The plan will determine timber harvest for three forests and will need (and receive) a lot of input. Wallowa-Whitman will issue a decision on their Travel Management Plan by the end of this year. Additional Forest activity centers on aquatic health and projects funded by the American Recovery and Reinvestment Act (ARRA).

Doug Gochnour (Malheur NF): Forest has been busy with the Idaho Power transmission line decision. The utility expanded their analysis to look at 42 variations of the route. They'll soon unveil the ones they will be focusing on for further analysis. Travel Management plan work to begin about start of FY2011; but will only address the cross-country travel issue.

Debbie Henderson-Norton (Prineville District): John Day River Study (Limits of Acceptable Change) EA – is in progress. Implementation must be coordinated with the numerous State Agency efforts in advance of the decision, to ensure consistent enforcement and understanding by the public of the rules

being proposed. The John Day RMP should be finalized by the end of the calendar year. There are new energy proposals for wind development within the RAC boundary and at the margins. Grazing consultation could require some RAC assistance. There is a newly designated Spring Basin Wilderness area along the John Day River designated by the 2009 Omnibus Bill. Numerous land exchanges need to be completed, and there will be an opportunity for public involvement during the planning process.

Delanne Ferguson (Umatilla NF): Wind energy activity specific to the UMA with increased interest, and proposals for test towers. They also have increased activity surrounding their Weed EIS

Don Gonzalez (Vale District): The District will be busy this fall preparing the ramped down NEPA document for herbicide use. They're completing Wilderness Study Area (WSA) characteristic assessments across the district for any upcoming NEPA projects. Maybe the RAC can help outline the stakeholder concerns ahead of the scoping, so the effort can avoid some difficulties.

Member suggestions for agenda topics:

- Borgias – climate change letter
- Riley – energy opportunities on BLM land, and request for a timetable of plans/topics and their expected milestone dates, so the RAC has idea of what is needed and what the priorities are
- Youtie – sage grouse status
- Hayward – new FS planning rule? are wild horses an issue?
- Gainsforth – information transparency and communication with residents, so that the community dialogue is more accurate (no surprises, fewer “firefights”), grapevine rooted in the truth
- Forsea – wolf / ranching interaction
- Waugh – dam removal on Snake River or tributaries (sedimentation, water levels for fish, recreation, etc.) and the Klamath agreement
- Dunham – public land recreation use/demand/facilities

Recommend maybe an endangered species subgroup?

Recommend a link from the RAC page with the most accurate available information on a given topic

Agenda Review/Logistics/Travel voucher/Update Roster – Christina Lilienthal

Need to sign travel authorizations & vouchers & return to Christina, or mail to:

Bureau of Land Management

c/o Christina Lilienthal

3050 NE 3rd Street

Prineville, OR 97754

OR/WA BLM Vegetation EIS – Todd Thompson

This effort began two years ago to step down from the national plan. Oregon had been enjoined from using all but four herbicides. The Oregon Environmental Council, Oregonians for Food & Shelter, and The Audubon Society have stepped up as partners. Pending the Record of Decision (ROD), they would dissolve the injunction for invasive/noxious species, so that agreement is in place pending ROD and satisfaction of all appeals. If the ROD involves the option for using herbicides for any native species, BLM must work with them on resolving that injunction.

There may be other groups that object, but the BLM at least has a place to start. Public comment has run the span from “Don’t spray anything anywhere anytime,” to “What’s taking the BLM so long; start now (or yesterday)”. The BLM continued to take comments after the closing date of the comment period (through January 6), and have been coding the responses since then. BLM received 1043 letters with substantive comments, and the planning team is responding to those

questions/comments. The greatest concern was form letters directly specific to 2-4D and its use. BLM has assessed the need for that specific herbicide, and an appendix will discuss all the facts and factors.

BLM will release the decision ROD on a staggered basis. The hope to start in April for a July publication. The FEIS is not appealable, but there is more attention to the topic as these things get issued. Big groups that weighed in during the draft period will not likely go to the IBLA, but other people with different concerns might.

District NEPA documents will be the point where we can see how successful the effort has been. Tiering from national plan to state plan to district plans will provide consistency in conservation and mitigation matters while allowing for special management areas, unique uses. District boundary is not a sufficient justification for differences.

Next week the planning team will review the responses to prepare that appendix. April 12 will be the final FEIS internal review before it goes out. There is potential for the RAC to do a conference call consult for this (sometime between 4/12-5/10).

Q. Can Districts start their tiering efforts as soon as the ROD is issued?

A. They could start. It's not possible to say specifically which things can be done first. The State Office will be providing all the support they can and some staging work to help Districts get quickly to their own EAs, using the core elements found while preparing the State document. Each District has some unique consultation issues, but if 85% of the operational needs can be accomplished under the umbrella plan, and Districts have these tools in the toolbox, they can better avoid problems.

Q. What happens to the comments made after the FEIS is issued?

A. The BLM reviews those comments to see if there are major flaws that could bring the effort to a halt. The decision-maker could use that feedback to shape changes in the ROD. It will be almost a year since people made their original comments when they come out in the FEIS, so the phase-in will allow the BLM to make sure they portrayed the input correctly.

Q. There are new issues with some pesticides/herbicides. Does the FEIS address the additional data as it develops?

A. If new concerns arise for a specific substance or the affected species, there are mitigation measures that agencies can use as they make choices for what/how to use. BLM will follow official guidance (EPA labels, etc), then add further protections through consultation. If labels change or other registration or formulation change occurs, the BLM can discontinue the use of a given compound right away. The agency will do risk assessments whenever they choose to apply a specific herbicide to a specific place. The parameters & attributes of the area and the factors important to that site (Individual Risk Assessment Tools) will allow a risk rating specific to the soils, species and slope of that site.

Q. Batched consultations don't avoid controversy. What would be the implications of site-by-site consults?

A. Implosion of the program, basically. None of the agencies have the capacity to deal with a case-by-case workload. There are some "no-effect" projects, but not enough to keep things from getting derailed.

Q. What about the unidentified species to consider?

A. Survey & manage and cultural clearances still have to be done.

Q. How does the RAC do the best job of looking at this document – what areas do we need to focus on?

A. Need to consider that awhile and let the subgroup know.

Agency and Planning Updates

Baker RMP, Vale District BLM – Todd Kuck

Published the AMS last March. The District is working on draft RMP; hope to submit it for the State Director's initial review. A draft will also go to the RAC subgroup at that time. The four issues: landscape health, livestock grazing, energy development, and transportation including travel management. Five action alternatives are being considered; all involve some use of herbicides. There is one sub-alternative, analyzing no grazing. All propose some withdrawal for mineral use. The unit has been busy working on permit renewals for grazing too. They resolved a lawsuit on Pritchard Creek that was filed with OHA. It was settled in November, ahead of the December hearing date. BLM prevailed on the Hells Canyon Preservation appeal. Monitoring data from the past five years was considered when modifying the renewed permits. Some pastures were not meeting Standards & Guidelines, so permit modification is focused on helping that.

EA and final grazing decisions are coming on Pedro Mountain (Durkee) area (13 allotments in that zone). The Lime Wind project will have 7-12 turbines; there were no appeals, so now we're waiting for plans from the proponent. There will be seasonal restrictions for bird and large game wildlife needs.

Other energy site interest is undergoing evaluation. Horizon Wind Energy has expressed interest in that area, on a combination of public & private lands. The District is awaiting a decision on transmission line ROWs to determine whether the project is feasible.

Q. How will the BLM determine what areas will be part of the mineral withdrawal?

A. Could be part of an ACEC, or part of sage grouse habitat, or other specific landscape needs. Miners will need to weigh in during the EA comment period if they have substantive input. This would also include energy considerations.

Q. What is the remuneration arrangement with agencies for these energy sites?

A. Public lands are cheaper, but most development so far is on private land. Contracts are usually 30 year term, with annual rent payment.

Q. Does the money stay local or go to the national program?

A. It goes into national budget, but a portion comes back through PILT. State is working on a coordinated decision framework and payment structure for future development. Rates & terms are set on a national basis.

Comment (Ely) There are several moving parts and areas for coordination on this subject: FERC, State FWS, fed rights-of-way, etc.

Wallowa-Whitman NF – Steve Ellis

Their travel management plan is coming soon. The Forest Service Weed EIS is more specific to each Forest; and also coming soon. The Forest was cited by OSHA on the death of Steve Uptegrove while on duty at a marijuana eradication project. The OSHA report attributed the cause as rotor-wash toppling the snag tree onto Steve. Safety gear issues were listed, but not as the major factors. The Forest's response was sent in today; the public document is on the OSHA website. Forest managers are using this info as a learning tool about how to do things better. There will be another investigative report coming from the Forest Service Serious Accident Review Team, with recommendations for policy/procedure changes.

The Forest received \$14.6 million for ARRA projects: \$1.6 to trail maintenance in Eagle Cap, Elkhorns, and Hells Canyon Wilderness Areas; funds also dedicated to repairs of the scenic byway on Anthony Lakes Highway; 39 Road; legacy road projects did not include the Imnaha. The Forest wants to have shelf-ready stuff if other opportunities arise. This workload has had big impacts on their contracting and engineering staff areas.

Malheur NF – Doug Gochnour

Summary distributed to RAC. Inbrief focus is on the Forest's ARRA work. With extremely high unemployment in the area, the Malheur got \$28 million for projects. Their target is to have it all into contract by March 1. They received \$5 million for a pellet mill pilot project in Grant County – Malheur Lumber; did not get one for Harney County. Other emphasis areas were recreation facilities, road work, and fuels reduction.

A group representing themselves as the Arayan Nations is looking at land purchase in Grant County for their national HQ. Public response is heightened.

Forest leaders had a good experience in meetings with the two Collaboratives in Harney & Grant Counties: Bigger Look. The Nature Conservancy brought mapping applications to show land & resource status, which gave both groups a better grasp of the opportunities & challenges.

A lawsuit over grazing has helped resolve the issues of concern, with many fewer problems.

Q. Can we get more info on the pellet mill?

A. Forests nationwide had a 3-day window to propose ARRA projects that might improve the situation in their local area. Regional Offices did the first sift, then Forest Service Headquarters, then the Department of Agriculture. The Malheur proposed two of those mills for co-gen projects, and it got rolled into a single proposal, where a selection committee chose the finalist. One important criteria was to attempt to direct funding to local contractors in the most hard-hit counties.

Umatilla NF - Delanne Ferguson

The Forest got \$7.6 million in stimulus money; one large item was a stewardship contracting effort. There is trail work being done by the Youth Corps. They got \$1.7 million to invest in facility improvements at recreation sites, and \$400,000 for road maintenance on the Walla Walla District so that timber activities can be accommodated. The Forest's Access travel management effort is complete. Their Weed EIS is a sister document to the Wallowa Whitman, and is as local as the forest will get. It authorizes the ten herbicides most needed.

At the next RAC meeting, the Umatilla will likely present the North End Sheep Allotment; there are 100,000 head of sheep on this permit. The issue they will be dealing with is the domestic sheep/bighorn sheep contact and risk of disease. ODFW & tribes are engaged with the permittees to limit risk. This particular geographic area also has wolf & moose populations.

Q. Do all the Forests have the weed-free hay requirement?

A. All Forests now have that policy. It has created a market for providers of weed-free hay.

Prineville District BLM – Debbie Henderson-Norton

Chip Faver, the new Field Manager has been in place for a week. The Prineville District is the host office for the BLM OR/WA Statewide Energy Team, which is providing support to all Districts. Their work will include wind, biomass, geothermal, LNG, and coal bed methane right off the bat.

The timeframe for issuing the final the John Day Basin plan is late-July. Based on public comments to the draft EIS, the Grazing Matrix concept was updated in a new alternative and is now referred to as the Grazing Decision Tree. The John Day River Study EA is going well. Mandatory launch permits might be deferred to next year. If a lottery system is developed for launching users, permits will come from a common pool, similar to the Deschutes program, but the John Day permit system will be allocated by rafting parties, not individuals. The Oregon Marine Board, Division of State Lands, and Oregon State Parks all have different rules, so agencies are working to make those more coordinated. The decision on fees has been deferred.

The State is purchasing the former Murtha Ranch on the John Day River – now called Cottonwood Canyon State Park. It will be their largest park, and consistent with the values already in place with the wild and scenic river.

Potential wind energy development at North Pole; the West Butte Wind Power Right of Way project is on DOI fast-track for energy development, draft EIS will be available for public comment soon.

Omnibus Bill for 2009 included designation of 3 new wilderness areas on Prineville District, Spring Basin, on the John Day River will require numerous land exchanges, prior to completing the mandated wilderness management plan. The District continues working with the Confederated Tribes of Warm Springs to complete a large exchange within this new wilderness area. The OHV lawsuit on Little Canyon Mountain is in 9th Circuit Court right now.

ARRA funds for Prineville District are devoted to working with County Weed agents to allow them to treat public lands – most of that activity is in the Wild and Scenic River corridors.

The District got notification of a potential new wilderness area proposed through Wyden's office.

Q. Have federal agencies ever tried map overlays to show resources? Can subgroups get more comprehensive maps?

A. Yes; also with counties and State. We can provide what we have, but there is still plenty left to do, such as agreeing on standards, selecting what has to be shown, etc.

PUBLIC COMMENT PERIOD

No Visitors.

SUBGROUP UPDATES

Noxious Weeds – (Berta Youtie) – This group has sent recommendations to the Secretary on the urgency of the issue. They made comments on all the Forest vegetation management efforts, and helped with the preliminary development of BLM's Vegetation EIS. One outstanding issue was a letter to the BLM that didn't fit timelines, so members responded individually. They requested that the Secretary of Agriculture move out on addressing invasives in their planning efforts.

John Day Basin RMP – (Berta Youtie) – Spent a lot of time with the Prineville BLM planning team to help with the travel management and grazing matrix topics. The subgroup tried to coordinate a meeting between environmental groups and grazing permittees to bridge some of the points of contention. They have commented on the draft and await the next steps. They'd like the overall RAC to decide whether and how to participate during the appeal period.

*****ACTION:** Debbie Henderson-Norton will send info to the RAC about meetings of the LAC partners, if they're interested in participating.

OHV – (Art Waugh) – This is a big issue when we get into the RMP and Forest Plans; however things are quiet right now. OHV users will probably shift more to BLM lands now that the Forest classification is done.

BLM Travel Management – (Adriane Borgias) – The subgroup assisted heavily with the pre-scoping for the BLM's Travel Management Strategy. Now they're waiting to hear if there is more involvement needed.

Baker RMP – (Adriane Borgias) – Subgroup had limited opportunity to do much on this, since the RAC could not meet during the plan preparation. The questions and comments that arose during the field visit proved very helpful, however. The Resource Area will likely need RAC assistance on the next steps in July as it gets closer to go to the publisher. There is lead time before this plan goes final.

Energy– (Adriane Borgias) – This is a new group that has not had a chance to meet. There were many topics emerging in this arena that the RAC could contribute to the effort: Boardman to Hemingway, West Butte, wind energy, geothermal, pipeline, etc.

Blue Mountain Forest Plan – (Steve Ellis) – Transition on this effort. Katie Countryman is taking the lead on the current effort, which is funded for completion in 2011. Their proposed action will be published in Federal Register in mid-March. Several scoping meetings are planned, including a Portland (or other Westside location) session. This effort has been on hold until the latest FS Planning Rule is finalized. Feedback has been positive from the spectrum of interested publics, so they're moving forward in this framework. RAC involvement should be during the scoping period (this spring), and when draft EIS (with suite of alternatives) is published; likely Dec 2010/Jan 2011. Topics should include ASQ, range suitability, climate change, and identification of management indicator species. The State of Oregon has agreed to speak with one voice on their plan comments. Kevin Burch with Oregon Department of Forestry is the one bringing the State's comments. Forest Supervisors will not be the deciders; this will be the Regional Forester's decision.

Q. Does this mean that all prior work is lost to this effort?

A. No. Keeping all that data and the efforts of the co-conveners is why the Forest can get this done in two years. Forest Supervisors decided that working by CX could undermine the integrity of the plan.

Recreation RAC Participation

RAC has agreed to have Pat Dunham apply to serve on the Recreation RAC if the category is appropriate.

Roundtable

Tim Unterwegner – Nothing

Art Waugh – First of the year had two major overhauls to ATV rules, which may cause concern with users: age group limitations for safety belts & helmets, licensing requirements. An allocation committee was formed to determine where funds are invested on ATV acquisition, development, enforcement, etc. Pat Harris left the State oversight committee due to term limits; then reapplied and is Chair again. ATV users are finding that restrictions on Longview Fiber lands are being stringently enforced. 4x4 Clubs are closely watching the Sled Springs lawsuit and other motorized use challenges. Art wants to hear if RAC members have any other issues.

Ellen Bishop – She's glad to join the RAC, and needs/requests help in giving the best support possible on the John Day Basin topics. Ellen will be conducting two Elderhostel trips on the paleo lands to map weed infestations and learn about the area. A different service project will take place the weekend after July 4, outside Mitchell for star-thistle eradication, and on Scotch thistle.

Aaron Kilgore – Lots of conversation about wind development, and it would be great to use the expertise of the RAC members to evaluate where development is appropriate, whether transmission would fragment habitat, etc.

Dan Forsea – Nothing

Terri Drever-Gee – Miners have been getting exceedingly frustrated with the pace of approving operating plans – some can take 10 years. Cooperation/coordination with Counties needs to be more visible to this constituency.

Patricia Gainsforth – Brainstorming session on the communication topic would be helpful. Might want to start focusing on a few questions, and maybe propose a few interview questions as conversation-starters. Lack of trust, lack of information may be the main obstacles for everyone; if we can meet these issues ahead of time, it would be more functional for all of us – could neutralize resistance, friction on the issues.

Steve Ellis – Nothing

Doug Gochnour – Nothing

Brian Goff – Nothing

Mike Hayward – Nothing

Debbie Henderson-Norton – Sendoff for Dave Henderson

Berta Youtie – NRCS has great new program for anyone living in sagebrush habitat. Berta distributed info showing where. The State has a new permit required for certain watercraft; receipts will be dedicated to controlling invasive aquatics. May 14-16 there will be a banquet, field trip and education effort by the Native Plant Society of Oregon: how native plants changed geology. She organized a native seed grower workshop, which 110 people attended. There is still a need for commercial growers of native forbs.

Craig Ely – This was his first meeting; many topics on today's agenda are addressed by white papers or plans within the State. He could bring that material to the next meeting. The ODFW website has the papers on wolves and on sage grouse.

Delanne Ferguson – Planned Endangered Species Act training for Umatilla Forest employees. She welcomes any RAC members who are interested. Delanne will send the dates to Christina for distribution to the RAC.

*****ACTION: Delanne will send dates for the UMA ESA training to Christina Lilienthal.**

Don Gonzalez – NHOTIC is doing *Leave No Trace* training right now. The District needs volunteer camp hosts for Birch Creek to provide support for rafter activities, etc. The Trail Center will also hold a weed eradication effort in June at the Interpretive Center site. Don will bring briefing papers to the next RAC meeting that will key on the Program of Work emphasis areas.

Dave Henderson – Thanks! Appreciate the time and the work done by all.

Adriane Borgias – Appreciate the new energy. On Climate Change, she's wondering if there is any recent news from agencies: The State has some new things.

*****ACTION:** *Officials send current policy guidance to Adriane so the subgroup has the latest info as a baseline.*

*****ACTION:** *Adriane will send information to members of the Subgroup.*

Pat Dunham – Nothing.

Dave Riley – ESA considerations have a huge impact on people and policies; that cannot be overstated. Dave would like to take five minutes to visit with others on that subgroup. Would like a re-look at the grazing matrix as a future agenda item.

Bill Lang – PSU will host American Society for Environmental History plenary session on March 11, from 5:30-8:00 p.m. at the Hilton Hotel focusing on the Klamath Basin agreement. Includes two historians who have been involved in reviewing the Biological Opinions, an agricultural rep from the negotiating committee, a representative from the Yurok Tribe, and a rep from PacifiCorp. This is the largest effort to remove a hydropower source in the nation. Hydrologists were really surprised with the Marmot Dam. They will hold a screening of "River of Renewal" on Friday in the Hilton. Portland State will host an open forum about "what to know about the past to understand sustainability now in Smith Center-238.

Pam Robbins – 2010 recruitment will begin in late March-early April.

Christina Lilienthal – Reviewed request to update contact info, gave travel instructions, and intro

Set Meeting Schedule/Brainstorm Agenda Items

ADJOURNED BUSINESS MEETING at 3:05 pm

******ACTION ITEM: (STATE WHAT & WHO)***

*****ACTION:** Debbie Henderson-Norton will send info to John Day Basin subgroup about the *Limits of Acceptable Change* partners, so those interested in participating can get involved.

*****ACTION:** Delanne Ferguson will send the dates for the Umatilla's ESA training to Christina Lilienthal for distribution to RAC members.

*****ACTION:** JD Basin subgroup to schedule a conference call by March 31 to determine how best to proceed

*****ACTION:** Pam Robbins will send application info and form for the Rec RAC to Pat Dunham, info to Mike Hayward by March 15.

*****ACTION:** Todd Thompson to send preliminary copy of Vegetation EIS to noxious weed committee by Apr 12

*****ACTION:** Berta will send a draft summary of things to look for in the Veg EIS t by April 16 to the noxious weed subcommittee

*****ACTION:** Noxious weed committee has conference call with feedback on Veg EIS on April 19 so response is ready ahead of May 10.

*****ACTION:** Steve Ellis will send scoping document to all RAC members when it becomes available (around Mar 26) so that RAC can look at it.

*****ACTION:** Terry will give summation of Blue Mountain Subgroup at the April 30 meeting

*****ACTION:** Agency officials send current climate change policy guidance to Adriane by March 15, so the subgroup has the latest info as a baseline to begin their work.

*****ACTION:** Adriane will send latest version of the climate change letter (with current information) to Subgroup members by March 30.

*****ACTION:** RAC Members interested in participating on the communication workgroup should contact Patricia Gainsforth by March 10

*****ACTION:** Christina Lilienthal will send Roster, Subgroup Assignments, and meeting schedule to all parties for JDSRAC.

*****ACTION:** RAC members will send travel documents to Christina if they haven't already turned them in.

Agenda items:

Overview of energy development landscape, players, impacts @ April 30 RAC in Pendleton (S.Ellis)

Katie Countryman on Blue Mountain Forest Plan Revision @ April 30 meeting

Sage grouse implications @ April 30 – Gary Miller USFWS

Grazing matrix refresher @ July 19-20 meeting

Harney & Malheur “Bigger Look” Collaboratives @ July 19-20 meeting

Middle Fork field trip @ July 19-20 meeting

Schedule a meeting timed so that Baker RMP can be a topic @ September 17 meeting

Approved as written:

/s/ Berta Youtie

/s/Debbie Norton

RAC Chair

Designated Federal Officer