

**John Day-Snake Resource Advisory Council
Meeting Minutes
November 29, 2011- Pendleton, OR**

Business Meeting RAC Attendees:

CATEGORY 1		CATEGORY 2		CATEGORY 3	
X	Adriane Borgias	X	Jim Reiss	X	Jeanne Burch
X	Terry Drever-Gee	X	Bill Lang	X	Patrick Dunham
X	Dan Forsea		Dave Riley	X	Greg Ciannella
X	Mike Hayward	X	Tim Unterwegner		Patricia Gainsforth
X	Art Waugh	X	Berta Youtie	X	Larry Brown

Quorum: YES

RAC Federal Official Attendees:

AGENCY	MANAGER		AGENCY	MANAGER	
BLM Prineville	X	Debbie Henderson-Norton	Ochoco NF		Kate Klein
BLM Vale	X	Don Gonzalez	Umatilla NF	X	Kevin Martin
Malheur NF	X	John Gubel	Wallowa-Whitman NF		Monica Schwalbach

Presenters: Tom Montoya, Michael Hampton, Sue Oliver

Visitors: None

Designated Federal Official: Donald Gonzalez

RAC Chair: Berta Youtie

Notetaker: Pam Robbins

Facilitator: Mark Wilkening

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Meeting Called to Order

Called to order at 8:10 a.m.

DFO Welcome – Don Gonzalez

Thanked everyone for coming. Relayed facility details. Declared a quorum.

Member Introductions

Agenda Review: Reviewed agenda for any changes or additions. Minor changes in timing, content.

New Member Orientation – Mark Wilkening

Slide presentation showing area of coverage, council objectives, meeting procedures, voting process, role of the DFO, member terms and responsibilities, ethics requirements, the chair's expectations of members and the RAC's function, and an overview of the handbook for members.

Q: Are there RACs outside Oregon and Washington?

A: Yes. RACs can be formed for varying purposes and geographic areas.

COMMENT: New members would appreciate having acronyms defined for the immediate short term.

Q: Is there a way to have the RAC recommendations available online?

A: Locating them will be the challenge, but it can be done

COMMENT: It would be good to have access to that, to show the progression of issues and recommendations.

Election of Officers:

Q: What is the term for officers?

A: One year

Nominations: Berta Youtie was nominated for Chair, seconded and passed unanimously.

Adriane had to decline co-Chair. Mike Hayward was nominated, seconded, and passed unanimously.

RAC Program of Work for 2012:

Review of 2011 plan; managers lined out the upcoming planning efforts they know are coming in their administrative units:

Wallowa-Whitman travel management plan in the Spring; Forests looking into travel management in general, with a target of 2015 to have complete info on road systems, recreation, timber, and what they can afford in the long run; Blue Mountain Forest Plan; BLM Wilderness planning (2013); wilderness characteristics inventory; energy development proposals; John Day RMP implementation with step-down NEPA documentation; geothermal proposals; Baker RMP; consolidated input on vegetation treatment district step-down EIS's; Boardman to Hemingway powerline; Cascade Crossing powerline; Malheur herbicide EA; updates to travel management plan;

COMMENT: The budget of \$1.5 million seems very inadequate for maintaining roads on three National Forests.

COMMENT: The wilderness issue in this region will take on a new complexion with the arrival in rural communities of server farms, Facebook support facility, etc.

Q: With wind energy, is that for specific projects or the generic impact of wind projects?

A: Specific projects in mind, but it might be very useful to discuss it in general too. Rights-of-way should be included in that discussion, because they must be part of a complete package.

Q: Is the BLM still making decisions with regard to Cottonwood State Park?

A: Yes. BLM just got a letter from the head of Oregon State Parks regarding the Murtha property. That one is still on tap as Park of the Year for 2013. If they expand the park boundary, that would go through BLM. It's fairly certain that Wild & Scenic River issues would come into play.

COMMENTS: The different geographical focuses will usually have some interplay with topics such as energy, weeds and ESA. The key is making sure that each project aspect is considered if it will affect any given subgroup's area. If the chair of a group on a specific area sees impact for a stakeholder group, the chair should contact that RAC representative for their input.

*****ACTION***** Mark will send a copy of the Baker RMP to new members of the RAC.

Sub-Committee Membership Identified

Noxious Weeds: Berta, Art, Terry, Adriane, Dan (?), Larry, Greg

Blue Mountain Plan: Mike, Adriane, Dan, Bill, Terry, Jim, Jeanne

Baker RMP: Adriane, Terry, Art, Berta, Pat, Bill, Dan

Energy: Adriane, Terry, Tim, Berta, Bill, Pat, Patricia, Larry

John Day Basin (incl Cottonwood Canyon): Berta, Jeanne, **Tim, Pat**, Greg, Adriane, Bill

Travel Management: Art, Tim, Adriane, Jim,

ESA (subset): Dave, Patricia, Tim, Pat, Bill, Greg, Berta,

*****ACTION***** Mark will send an updated hard copy of the roster of members of the RAC, and a group email for each subcommittee's members.

*****ACTION***** Pam will modify member chart on the RAC homepage to indicate subgroup members.

*****ACTION***** Mark will contact absent members to verify their interest in continuing to serve on their current subgroups and if they also want to participate on other ones.

Timing: Baker RMP needs comments in February; Veg EA targets to May for the BLM; Cascade Crossing draft for fall 2012; Wilderness planning efforts in fall 2012; Cottonwood comprehensive plan is in final draft, so the Federal Recreation & Public Purposes Act (FRPPA) process could have a role for the RAC fairly soon; draft of Blue Mountain Plan is scheduled for spring 2012

*****ACTION***** Debbie will get a copy of the John Day plan to all RAC members; the State Parks plan is available online. The current state plan does not have info on the FRPPA acreage.

Q: How much BLM land is involved? Is it contiguous or are there inholdings?

A: Will need to check the state plan to verify those items.

*****ACTION***** Greg will arrange for someone from State Parks to be on the agenda for the next RAC meeting to explain their plans, so that the RAC has necessary information to comment on the FRPPA process for the BLM.

*****ACTION***** Baker RMP subgroup to do pre-work for presentation to the full RAC @ February meeting.

February 16, 2012 agenda will be Baker Draft RMP and the JD Final RMP. May 17-18, in Baker City to cover Veg EAs and the W/W Forest Plan; September 20-21 in Kahneeta tentatively to cover Cascade Crossing, Cottonwood, and wilderness legislation; Nov 27 in Pendleton.

Blue Mountain Forest Plan Update – Tom Montoya, Wallowa/Whitman NF Deputy Forest Supervisor; Michael Hampton, Regional Office, Acting ID Team Ldr

The ID team is trying to get the draft out by Spring 2012. Michael started in October with this team, and will return to the RO in January. He has been doing oversight on the plan from the regional level, and is now working with it in a hands-on capacity. The DEIS is a summary of the consequences of a plan, and this one is more than 500 pages of summary. Normal RMPs are forest-by-forest, but this consolidated one is more efficient. The proposed action went to the public in April 2010, kicking-off this effort. The preliminary draft EIS was reviewed at the regional level and there were 800+ comments that are being woven into the effort. In mid-December, the updated DEIS will be presented to the Regional Forester to identify a preferred alternative. Somewhere between Feb-Mar, the RAC could review a preliminary DEIS & Proposed Plan. The release to the public is planned for April 2012. A final EIS ought to be ready in July 2013; the objection process could be completed and a Record of Decision (ROD) issued by December 2013.

Q: Does funding drive this process as far as timing, implementation?

A: Yes. Right now planning dollars are very limited, and by pooling the process, the forests can be more efficient in planning. Implementation funding is separate, keyed to outputs, so that can vary too.

Q: Will there be one plan and one ROD or one plan and three ROD or a combination?

A: Three RODs from three plans based on one EIS.

Q: Which items are the biggest challenges seen so far?

A: What the forests are trying to do with sustainable forest management and the impacts to the various species (both aquatic and terrestrial), whether listed or not. Agency is responsible for providing sustainable habitat. Climate change complexities must also be considered to identify those uncertainties. Identifying the travel management issues that will be affected has also been an issue. Shifts in the Forest Service planning rules have required reworking the planning effort to meet court decisions for analysis and documentation. Any new starts for forest plans will fall under a new planning rule being implemented in 2012.

Work that the team has done in the last two months has involved the people most aware of the requirements in different areas (air quality, fish habitat, climate shifts, ESA, etc.) to get better balance and range of the alternatives. Plan is scheduled to be sent to the printer in March.

*****ACTION***** Kevin Martin will facilitate getting 15 copies of the plan disk to Mark Wilkening as soon as it's available. If there are particular areas the RAC wants to focus on, those questions should be submitted ahead of time.

Q: Has climate change just been added to the ID team list of things to do, or is there specialized knowledge that is being folded into the process?

A: Both. The team has taken data into consideration, and the region has hired a specialist with expertise in that area to inform the process of which things must be considered and what the effects of this plan could be.

Q: Are the climate change impacts being simply listed, or is there a look at mitigation of impacts?

A: Some of both. The plan is looking at carbon capture inventory of forests and soils.

The RAC will have the data and time with the team to provide direct feedback. FS will also be going out to meet with tribes, local government and key constituents before the plan is released to the public. Many public meetings will also be held in the locations the forests have used in the past. RAC members are encouraged to attend meetings in their area to help the public understand the plan.

*****ACTION***** RAC members should review the plan materials ahead of the May meeting so that they'll have key questions ready for the Blue Mountain ID team, or recommendations ready for the RAC to consider.

Public Comment Period: No public visitors in attendance.

Discussion of Energy Transmission Methods: - Sue Oliver, Oregon Department of Energy

She is a siting officer for transmission lines. In Oregon, if an energy facility is larger than 105 Mw, it comes under State jurisdiction; smaller ones go through County jurisdiction. A site certificate is issued when the State completes its clearances. The process is very standards-based in Oregon, so the Energy Facilities Siting Council (EFSC) is a one-stop process for permits; decision is made by the council.

One big issue that arises is land use. Each agency knows what steps must be met for their approval process, and EFSC can manage through each of those routes. Oregon's Governor appoints council members and those nominations have to be confirmed by the Oregon Senate. DOE is their technical staff and administers the application process.

Permits must be issued exactly as EFSC has approved, though other agencies have oversight responsibility. EFSC reviews the exhibits that show the particulars of the project proposal for each standard of clearance. An applicant submits documentation with a preponderance of evidence of how they meet the standard, or can meet it with mitigation. Some applicants submit conditions of their own or the agency sets mitigation conditions.

All counties have some zoning that is the same, but also have their own rules for types of projects. The Project Order includes the applicable laws and regulations, special information that is still needed, and the specific analysis areas that need to be assessed in the facility's potential application.

Q: Is there a requirement that says if the project adjoins or crosses Federal lands, the proponent would notify the managing agency?

A: Not really. It depends on whether it appears to affect those Federal lands. There aren't measures for controlling what can be seen FROM a special area. If there's a management plan in place, EFSC observes that plan as much as possible. The best avenue to be sure you get notified is to be on EFSC's general mailing list. It is the source for them to assemble site-specific mailing lists.

Q: How would the general public push to have the distance limits expanded to a larger footprint?

A: It's currently in the regulations; have to be changed in the same way as other OAS rules are.

Q: How does EFSC deal with cumulative effects impacts?

A: Each project is considered separately; cumulative effects haven't really been taken into account. It may be an emerging issue for the council, as the proposals become more plentiful. There is pressure to have the council define what a single energy facility site is.

Q: How do you define whether it's a 100 or 800 Mx project?

A: EFSC goes with what is submitted.

Q: Would the Federal agency be able to have a project modified if they were aware of a project?

A: Not necessarily by law; but most developers aren't trying to pick a fight if some mitigation can be undertaken.

Q: Is there any requirement for a proponent to demonstrate a need?

A: The need standard only applies to the transmission line. For other facilities, the legislature precluded EFSC from deciding that. It's strictly a market-driven concern.

There is an amazing amount of coordination that goes on in developing added energy generation capacity. With Bonneville Power Administration, B2H and Cascade Crossing, the proponents are routing to share what they can and limit disturbance where possible. Tom Stoops can come to a different RAC meeting to explain the whole transmission process. Utilities are required to provide Reliability of the electrical grid, so the transmission capacity has to be upgraded to meet the need.

Energy is a critical component of life, and if a proponent demonstrates that they can meet the standard, EFSC must issue a permit.

Q: When the EFSC was established, what was its charge? It doesn't seem oriented to the public.

A: It is primarily for coordination. Historically there was a lot of process behind-the-scenes, but the council is more directed to public involvement. The general public doesn't have a clear understanding of how the process works, but could be very effective in shaping the council's decisions.

Q: With wind tower siting, how does it work on Federal lands?

A: Federal has the full jurisdiction on lands they manage. If they OK a project, it still has to meet the EFSC standard.

When the Draft Proposed Order is issued, the EFSC must provide 21 days for the public to respond. People must raise any concerns at that time, or their legal standing to participate in a contested case is waived. Appeals go to the Oregon Supreme Court, and must be adjudicated within six months.

Q: The Contested Case hearing is a legal hearing?

A: Yes; an agency person will conduct the hearing with an Administrative Law Judge.

There is a push to revisit the controlling statutes, to develop a matrix and other tools that help streamline the process. The legislature hasn't had pressure to remedy this, but Oregon is required to review their rules every five years. This could be a vehicle to modify the rules so it better serves the public interest. The website has some information available for sites (established and proposed) that are up-to-date.

Manager's Updates

Kevin Martin, Umatilla NF: The Forest Collaborative was launched, with more than 50 people attending the public meeting. The RAC was invited, and all are welcome to participate as they like. Attendees toured some dry forest and moist forest plots to discuss treatment options, and the group selected a dry forest-type plot in the Heppner area. They still want to choose a moist forest type too, but have not explored all those options yet. The aim is to develop projects with the input up front so that objections or protests can be surfaced at the beginning and resolved.

The new Supervisor's Office is scheduled to be completed in spring 2012. The Umatilla Forest should be in the new facility to host the meeting next December.

The Meacham Creek restoration project was completed jointly with the Tribe, Forest, and Umatilla Basin Watershed Council. They had great youth involvement in moving fish from the part of the stream being rerouted. A second phase of the project is planned for Fall 2012.

The weed treatment plan was implemented on several plots across the forest. The Record of Decision for the North End Sheep Allotment has been signed and was not appealed. The permittee wasn't thrilled with the decision, but accepted it.

Q: Is there monitoring in place to make sure there is no contact between the domestic and wild sheep herds?

A: Yes. There is good tracking, plus some requirements of the permittee to keep it in control.

The Bear Wallow Fire was on very steep terrain and was managed for fire's natural role. It went to 40 acres, but costs were avoided and public safety was retained with this fire management protocol. The Cobbler II Record of Decision for moist forests will be signed in June and will likely be controversial.

Debbie Henderson-Norton, Prineville District: The Cascade Crossing draft is expected in the Fall of 2012. A paper copy of the John Day RMP will be sent to Art, Berta, and Pat when it is available.

The John Day permit system had a rough start, with water levels so high this year. They're working out the bugs that were evident in this initial implementation.

Q: Rafting permit season did not extend through the entire demand period. Can that be adjusted?

A: The NEPA document was specific with timeframes, but several issues have emerged that the District is working on.

John Gubel, Malheur NF: The Forest prepared a brochure to inform the public about their travel management update. The whole road system became an issue at public meetings, as the scope and effect may have been misunderstood. The Forest plans to open an EA for travel management in Spring 2012.

Q: This will not preclude closures down the line, will it?

A: No. Changes will be examined on a project-by-project basis, and individual project areas will be easier to look at.

Q: When you make those specific changes, does it go through the same process?

A: Yes. Some roads will need to be closed to protect riparian areas, and there are some specific loop proposals, ATV routes, and other development projects that will need to go through the NEPA process.

COMMENT: The current ATV sites might be sufficient, but it would be a good idea to take another look at opportunities for Class II vehicle routes; those people don't have many places for recreation.

Q: Will the update include access for permittees to access Rights-of-Ways, mining claims, other site access?

A: Those are permitted uses and are already included; the travel update is targeted toward unregulated uses and getting a handle on those.

The Chair of the White House Council on Environmental Quality visited the Malheur Forest in August, to view what the Collaborative has done and the *win-win* outcomes of hazardous fuels reduction and biomass use. They discussed the NEPA process and potential avenues to generate efficiencies. Sustainable Northwest was elemental in putting this visit together.

Q: In the past three years, has there been any discernable shift in public attitudes toward the Forest?

A: No. The public sees the shuttered mills as costly lost capacity, the overcrowded forests, and the needed jobs, and doesn't think enough is being done. The Collaborative doesn't get enough credit for what they are accomplishing.

COMMENT: It's easier to notice from outside the community that while they're not where they want to be, there is incremental awareness of the good that's being accomplished.

Litigation for the Malheur is related to their range program. An ONDA lawsuit from 2007 meant judicial action for a couple allotments. Three of the allotments were not allowed to graze in 2011, related to steelhead and bull trout risks. There are concerns of adverse effect, so the forest is doing consultation with National Marine Fisheries Service (NMFS). The Judge has set a date of March 1, 2012 to complete reviews of the biological opinions, which are numerous and complex. Another lawsuit relates to overpopulation of wild horses at an allotment, so the forest is dealing with that too. The same permittee filed a lawsuit against Oregon Department of Fish & Wildlife, claiming that the elk population is endangering steelhead. NMFS consultation is taking place right now. The Forest plans to do a new NEPA for the Herd Management Area to deal with the horses. They have been actively gathering wild horses; helicopter gathering hasn't worked, but local ranchers are baiting and trapping the horses, so 80 have been gathered since October 1. By next year, they should be at an acceptable management level.

Camp Creek had 200-300 weirs inserted, but the pools that were created widened the stream, making the course wider and shallower. The forest has been able to correct much of this, and modify stream crossings to limit impacts. There has been lots of disturbance to the area, generating much concern from ranchers about disparity in how different types of disturbance are treated. The Oregon Cattlemen's Association has been discussing litigation

Q: Does the Forest have to get a permit under the Clean Water Act for this stream work?

A: Yes.

Vale District, Donald Gonzalez: The EA was completed on the Ash Grove Cement project, with no appeals. The district is focusing their energies on the types of projects that will create jobs. Boardman to Hemingway continues to change their proposed transmission line routes, so the District can't proceed. Vale is working with them to get that rolling.

The Oregon Trail Interpretive Center is piloting a reduced schedule for this winter. Tourism is a concern, and the fee schedule for meeting room use and group events needs to be adjusted. The Vale District cannot advance those pricing changes without a recommendation from the Recreation RAC.

ROUNDTABLE:

Bill Lang: Nothing.

Pat Dunham: Mid-Columbia salmon/steelhead substantial progress has been made in the past few years on Federal lands. All the cheap fixes are done now, so future fixes will require more effort/cost.

Adriane Borgias: The Baker RMP schedule needs to be discussed. Can folks pull their comments together in a month?

*****ACTION***** Baker RMP Subgroup comments to Adriane by December 31. She will send a draft response to the group by mid-January, and subgroup will meet by conference call on January 26. Please

look at the recommendations for how to handle lands with wilderness characteristics to see if there are concerns there.

*****ACTION***** Pam Robbins will arrange conference call line for the Baker RMP subgroup for 7:00 PM, Pacific Standard Time.

Greg Ciannella: Pass.

Berta Youtie: Nothing.

Jim Reiss: There is an area on the lower Deschutes that has cattle in a private holding area, where the rancher has fenced off the majority of their land, so that the cattle can only reach the river in specific places. The shoreline has responded amazingly well because of this action.

Tim Unterwegner: Driving back near Service Creek recently, he saw about 40 bighorn sheep in an area close to domestic sheep. They are about 40 miles from their customary range, and the proximity to domestic herd poses some risk.

Mike Hayward: Nothing.

Larry Brown: Pass.

Art Waugh: Noted some articles on fish restoration, cats, and the beaver fossils found on the Prineville District near Dayville. The new 2012 OHV book is due to come out soon if agencies need to replenish their supplies. There is new info for Class IV use.

Terry Drever-Gee: Many plans of operations that have been in a holding pattern for about 11 years are being worked on. There is an effort to move these through and get people back to work.

Convened a forum with Eastern Oregon Miners Association (EOMA), County Commissioners, agency reps, and the Department of Environmental Quality, to see where constituents are running into roadblocks with other parts of the approval system. With Baker County, they're trying to develop a streamlined system for educating miners and making the process of filing a claim more coherent. EOMA is doing inspections on many operations, which will help boost compliance and remedy working relationships.

Closeout:

Travel documents should be submitted to Mark Wilkening including mileage. New members will be contacted for further info to process them through the Federal travel system.

Next Meeting February 16, 2012 in Pendleton.

Adjourned at 4:15 p.m.

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