

STEENS MOUNTAIN ADVISORY COUNCIL
[FINAL] MEETING MINUTES
JUNE 9-10, 2011
FRENCHGLEN, OREGON

Thursday, June 9, 2011

Members Present

David Bilyeu, Chair, Environmental Representative - State, Bend, OR
Daniel Haak, Vice Chair, Mechanized or Consumptive Recreation, Burns, OR – Thursday morning only
Richard Angstrom, No Financial Interest, Salem, OR
Paul Bradley, Wild Horse Management, Hines, OR
Tom Davis, Fish & Recreational Fishing, Sisters, OR
Stacy Davies, Grazing Permittee, Frenchglen, OR
Pam Hardy, Dispersed Recreation, Bend, OR – Friday only
Richard Jenkins, Recreational Permit Holder, Diamond, OR
Fred Otley, Private Landowner, Diamond, OR
William Renwick, Environmental Representative - Local, Burns, OR
Hoyt Wilson, Grazing Permittee, Princeton, OR

Members Absent

Burns Paiute Tribal Member
State Liaison

Designated Federal Official (DFO)

Kenny McDaniel, District Manager, BLM, Hines, OR

Designated Federal Official Assistants

Christi West, SMAC Coordinator, BLM, Hines, OR

Facilitator

Wendy Green Lowe, P2 Solutions, Idaho Falls, ID

Presenters

Chris Bates, District Biologist, BLM, Hines, OR
Chas Biederman, Range Rider, BLM, Hines, OR
Eric Haakenson, Wilderness Recreation Planner, BLM, Hines, OR
Mike Kelly, Outdoor Recreation Planner, BLM, Hines, OR
John Reponen, District Lead Forester, BLM, Hines, OR
Joan Suther, Steens/Andrews Resource Area Field Manager, BLM, Hines, OR
Autumn Toelle, Rangeland Management Specialist, BLM, Burns, OR

Commenting Public

Tex Goates (interested public)
Steve Hammond (interested public)
Susan Hammond (interested public)
Matt Little, Oregon Natural Desert Association

Others Present

Tyler Airola (interested public)
Teylor Goates (interested public)
Nicole Lucas (interested public)
Tara Martinak, Public Affairs Officer, BLM, Hines, OR
Pete Runnels (Harney County Commissioner)
Julie Weikel (interested public)

Welcome, Introductions, Housekeeping, and Agenda

David Bilyeu - Opened the meeting and introduced Wendy Green Lowe, from Idaho Falls, Idaho, the new facilitator who had been hired to provide facilitation support for the SMAC. The prior facilitator, Terry Morton, left recently for a new challenge in Africa and Jerry Hubbard from BLM in Oregon served as the facilitator for the April meeting. David Bilyeu was joined by Dan Haak and Kenny McDaniel in making the decision to hire Wendy, with support from Kim Caringer, Larry Fisher, and Lindsay Sexton of the US Institute for Environmental Conflict Resolution - a federal agency operating out of Tucson, Arizona. Wendy is on the roster of professional facilitators maintained by the US Institute. The US Institute sent a request for proposals out to roster members in Washington, Oregon, and Idaho with a description of the support needed by the SMAC. Dan Haak, David Bilyeu, and Kenny McDaniel reviewed the proposals and selected Wendy Lowe after interviewing her.

David Bilyeu asked Wendy to introduce herself.

Wendy stated that she has a Bachelor of Arts degree in Environmental Studies from the University of California, Santa Barbara and a Masters in Public Administration from Indiana University in Bloomington, Indiana. She has been working in the field of public participation since 1988. In addition to being on the US Institute's Roster, she is a Certified Professional Facilitator under the auspices of the International Association of Facilitators. She has been a member of the International Association for Public Participation since 1992, serving on the International Board of Directors for the organization for four years. She is also one of 12 people in the US licensed to deliver the IAP2's Certificate Program in Effective Public Participation. She stated that she specializes in consensus processes where there are diverse perspectives in the room. She supports the US Department of Energy, the BLM, and the Forest Service, and the Idaho Departments of Fish and Game, Health and Welfare, Lands, and Environmental Quality. She is currently working on projects involving public participation in hazardous and radioactive waste management, woody biomass utilization on public lands in Western Wyoming and Eastern Idaho, and sage-grouse conservation. She expressed appreciation for being selected to support the SMAC and excitement about helping them in their important work.

Self-introductions were made around the room, including members of the public and BLM staff sitting in the audience. Housekeeping items were addressed and the agenda was reviewed. David Bilyeu confirmed the other SMAC members' plans for participating throughout the meeting so the SMAC will have a quorum as needed. He reviewed the agenda, noting that it is tight. A new issue may come up

related to fencing in the cow-free zone; the SMAC can discuss whether to add time for that topic later. In addition, it was noted that the Page Springs Weir is not accessible due to local flooding and that portion of the field trip may have to be optional. David Bilyeu asked if people might be willing to stay later than the 12:30 p.m. time established on the draft agenda as needed to complete planned work. All agreed to stay as late as 12:45 or even 1:00 p.m. to allow the SMAC to complete its work.

Stacy Davies noted that Paul Davis may attend on the second day to discuss the Alvord Hot Springs Campground proposal during the public comment period.

The SMAC approved the agenda for the meeting; it is attached as Appendix A.

Chairperson Update

David Bilyeu reported that he has been working with Kenny McDaniel to put the finishing touches on a letter to the Burns Paiute Tribe requesting that they appoint a member to fill the vacancy on the SMAC. A copy of the Steens Act and the SMAC's Vision Statement will be included with the letter. Kenny McDaniel has signed the letter and it will be sent on Monday, June 13, 2011.

To fill the State Position, David Bilyeu has asked Rich Angstrom for help. Rich is planning to talk with Louise Soliday. Mike Ryan has been mentioned as a replacement for Steve Purchase, who has retired. This non-voting position is important and David Bilyeu stressed how important it is to get someone in that position.

Hoyt Wilson added that Judge Grasty was meeting with the Tribes on another issue, and had agreed to mention the need for them to appoint a member to the SMAC.

Designated Federal Official Update

Kenny McDaniel was pleased that almost all of the members are here. You can see we have had a lot of rain which may mean a short fire season.

- BLM will have a horse gather starting on July 1, 2011; targeting removal of 85 horses on Kiger herd and 54 on Riddle herd. The plan will be to gather 140, but remove a smaller number. Kenny McDaniel passed around a handout listing all planned wild horse gather scheduled throughout Oregon and Nevada. There will be no gather in the South Steens this year; there was a gather there last year and another is planned again for two years out. Funding has been restored and EA resulted in no comments.
- North Steens Transmission Line project, the power company - Columbia Energy Partners (the applicant to construct the transmission line) and their contractor (Entrex – the company that is working on finishing the EIS) are in negotiations about the funding to finish the EIS. Consequently, the EIS has not yet been submitted to BLM. Burns District will review first before it is released for public review and comment. Kenny McDaniel reported having received comments from USFWS, etc. with an emphasis on concerns about impacts on wildlife. He does not know the schedule at this time; he had thought it would be by end of May, but the document is not yet complete. Kenny McDaniel responded to a question about route; BLM has notified Judge Grasty that the company's preferred alternative will be the North Route. Fred Otley asked about how much the EIS is costing; he had heard that it will end up costing twice as much as originally planned. BLM's preferred route will be the north route. The decision maker will be the Deputy Secretary (for all 2011 priority energy projects – and this project falls into that category – are approved over the District level). If there are any protests filed on the project, they will not go through the Interior Board of Land Appeals (IBLA) process; it would go directly to the District Court.

- The Wild Lands Policy – the Secretary of the Interior withdrew his proposal to designate new Wild Lands - Secretary Order 3310 - on June 1, 2011. That withdrawal suspends the order, originally announced last year. Taking that new order off the table means that BLM will return to the prior policy (FLMPA, etc) that had been in place before the Order was issued in December of 2010. The policy means there will be no change in how BLM conducts the inventory process which looks at wilderness attributes.
- Transportation Management Plan – On April 28, 2011 (after the last meeting) Judge Papak, the District Court judge in Eugene issued a ruling that he had insufficient information to permit judicial review on seven of the issues raised in ONDA's lawsuit. The judge did rule in BLM's favor related to two issues related to the Steens Act comprehensive plan and the NEPA range of alternatives. He held that the IBLA has been arbitrary and capricious regarding the other seven issues and remanded the decision back to the IBLA to reconsider those seven issues. The judge did not find any violations of the Steens Act, the National Environmental Policy Act, FLMPA, or the Wilderness Act. He did not vacate the BLM's transportation decision (which means that remains in force) and he denied ONDA's request for an injunction on route maintenance.

On June 6, 2011, ONDA filed a motion for reconsideration in the case and a motion requesting permanent injunction on travel management and on route maintenance. BLM is now preparing a briefing for the judge (which is due on June 21, 2011) and then will begin preparing information to submit to the IBLA. If the judge rules in ONDA's favor, it would stop all route construction and maintenance. The seven issues include 1) prohibition on off-road vehicle use, 2) prohibition on construction of new motorized roads or trails, 3) non-impairment requirement for FLMPA, 4) non-impairment requirement for the Wilderness Act, 5) disclosure and discussion of opposing views, 6) accurate environmental baseline, and 7) prohibition on segmentation of connected issues. They are arguing that BLM did not meet those requirements in the Transportation Plan. What's interesting is that ONDA did not identify those issues in its original submission to the IBLA.

Stacy Davies asked for clarification about the decision related to the wild horse gather. Kenny McDaniel explained that the goal is to remove a specific number of mares per stallion.

Tom Davis expressed appreciation for Kenny McDaniel's short summaries and asked him to consider providing those in writing. Kenny McDaniel agreed to put a summary together. Tom also reported that there is a lawsuit in Nevada that has been filed claiming that wild horses are native; this is a water rights case which is attempting to gain water rights to support the wild horse population.

Field Manager Update

Joan Suther reported on several items that had been included in the members' packets that they received upon arrival at the meeting:

- Stonehouse Seeding and Pipeline EA, which was included in the SMAC member packets. BLM would appreciate receiving a recommendation from the SMAC by the end of the meeting, if possible.
- Wildland Juniper Management Trail EA, which was mailed to SMAC members last week. BLM would like a recommendation by the end of the meeting on this document as well.
- Comprehensive Recreation Plan – BLM would like recommendations for incorporation into the alternatives being evaluated in the Comprehensive Recreation Plan. There will be a presentation explaining the various alternatives being considered in this document after the break.
- North Steens Ecosystem Restoration Project Litigation – On May 23, 2011, ONDA filed a brief with declarations and attachments regarding the North Steens Ecosystem litigation. This litigation has

become active again after negotiations to reach a settlement failed in April. ONDA has filed for a temporary restraining order and a preliminary injunction; discussion is ongoing between the attorneys on both sides. Consequently, BLM has opted to stop all activities that had been underway, including grants that were already under contract and some work with Oregon Fish and Wildlife related to Bitterbrush restoration as well as some other projects being done independently in the Moon Hill area. Another example of work that is not moving forward right now is for prescribed burning – including work in Riddle Brothers Ranch historic district which would help protect historic structures and restore that area to proper ecologic condition. Kenny McDaniel added that the reason that decided to delay work through the end of August was to try to avoid the possibility of a preliminary injunction. It is hoped that stopping work will demonstrate BLM's willingness to work with the judge and focus on the merits of the case. A temporary restraining order could effectively prevent all work for up to two years. Of course BLM is disappointed that they cannot do any ecosystem restoration work in the North Steens until late summer.

Stacy Davies asked if preparations had begun for prescribed fire scheduled for the Fall of 2011. Kenny McDaniel confirmed that preparations had begun and that BLM intends to move forward again as soon as possible. Fred Otley suggested that BLM should not delay any longer than necessary – wood piles settle over time and the resulting fires will likely burn hotter and could result in greater damage to soils and native species.

Paul Bradley asked if the public can collect firewood; Joan Suther responded that no firewood collection is presently allowed in the vicinity in the North Steens ecosystem restoration. Casual collection of firewood is always possible, but permitted firewood collection is not allowed there.

Stacy Davies stressed the importance of the private partners and pointed out that the litigation might jeopardize grants moneys that have been committed for supporting planned projects. Stacy is concerned that the public needs to be informed about what is going on.

It is believed that no interveners have filed on the litigation to date, but there may still be time to intervene.

- Work has begun on a few land exchanges with split estate issues (where BLM owns the surface area and the state of Oregon owns the mineral rights or vice versa). BLM would like to try to clean up the ownership issues, particularly in areas that lie within a mineral withdrawal area.
- There is another set of exchanges in the early stages that would allow transfer between BLM and the national wildlife refuge to make management easier for both agencies.
- Fencing in the no livestock grazing areas. BLM is almost done with an EA for trailing or crossing permit to allow permittees to cross the no livestock grazing area to gain access to their permitted areas. She reminded the SMAC that one permittee, Tex Goates, requested SMAC discussion of this issue at the prior meeting. In anticipation, BLM is preparing a draft EA to allow crossing the no grazing area, even though Mr. Goates has not yet requested permission to cross the area.

Fred Otley asked about applicability of this issue to other areas. Joan Suther explained that anyone crossing BLM lands to reach a permitted area is required to apply for a crossing permit. Fred Otley asked about situations where unpermitted crossing may have been occurring for 40 or 50 years. Joan Suther stressed that crossing permits are oftentimes incorporated into grazing permits on BLM lands. Fred Otley thinks it's an administrative nightmare if they want to step up enforcement of permitting for crossing to gain access to permitted areas. There are some roads that have been used historically but in other cases, crossings have occurred without roads. Stacy Davies asked if this issue (crossing) should be considered a right or a privilege for permittees; it is his opinion that all

access issues boil down to that question. There is a hundred years of precedence of permittees crossing unpermitted areas. IF BLM insists on issuing permits, crossing changes being a right to a privilege and privileges can be revoked. There was some history related to this issue in the Burns District when a new range conservationist attempted to issue permits and it turned out not to be worth the effort.

David Bilyeu asked if the crossing permits means that fencing of the no-grazing area may not be necessary. It was agreed that this topic may be discussed again tomorrow if Mr. Goates attends the meeting on Friday and brings this subject up during public comment.

Break

Page Springs Weir

Chris Bates, the BLM Burns District Biologist reported on efforts at the Page Springs Weir. This historic (1937) structure constructed primarily out of concrete and rebar was originally constructed by USGS for gauging purposes. It is about ¾ of a mile upstream from the Page Springs Campground. The Steens Act, Title III, Sec.302(e)(4) stipulated that the weir should be removed if it is proven scientifically justified and funds are available. The EA will evaluate no action, removal, and modification alternatives. A number of other alternatives have been ruled out from further consideration. Ms. Bates reminded the SMAC that there was a prior version of the EA and the SMAC had submitted a recommendation on that EA. Since that time, BLM has studied, in cooperation with the Oregon Department of Fish and Wildlife the effects of the weir on movement of Redband trout as well as other species. It has been demonstrated that the weir is not a barrier to migration for the Redband trout; a telemetry study showed that all but one fish was able to make it through the weir.

Ms. Bates was asked if the station could be modified to continue to provide gauging data, without the weir. She said that possibility will be evaluated. She explained that the USFWS is helping to analyze the weir. That agency has relied on accumulated data from the weir for a long time.

The Bureau of Reclamation has recommended a low-flow notch modification. No matter what action is taken, BLM will have to comply with all the relevant procedures for modifications to a historic facility as well as appropriate procedures for modifications to developments within wilderness areas. A draft EA will be completed in August and BLM would like to ask the SMAC to consider developing advice about this topic during the September meeting.

Tom Davis provided thoughts on the weir from his perspective.

Stacy Davies asked if the SMAC wants to change its 2007 decision on the weir. Chris explained that a new EA has been prepared and they would like the SMAC to take a look at the results from the new evaluations. Observations were made that removal may have impacts on the resident fish populations as well as stream dynamics.

Comprehensive Recreation Plan

Joan Suther introduced Chas Biederman, Mike Kelly and Eric Haakenson to present their work on the Comprehensive Recreation Plan.

Mike Kelly provided a handout summarizing what is being evaluated under the various alternatives for a variety of aspects of the plan (attached as Appendix B) and provided an overview presentation about that information.

For Roads:

- Alternative A would entail no change
- Alternative B – signs would be placed to notify folks about a new gate (for seasonal closure) on the South Loop in logical places so that vehicles can turn around
- Alternative C – the South Steens gate would be moved 100 yards west of its current location
- Alternative D – the South Steens gate would be moved to west of Burnt Car Road
- Alternative E – Chas will explain

For Winter Recreation:

- Alternative A would entail no change
- Alternative B – non motorized recreation only. Currently only three keys to the gate are allowed at one time at the Page Springs gate and one more is allowed at Steens Resort; this alternative would expand the total number to keys to ten. People apply to get the key by applying for a permit with no time limitation, although most people limit to no more than four days. People who given the keys are asked to allow no more than ten people in at a time.
- Alternative C – ten permits would be allowed for both motorized and non-motorized recreation would be allowed.
- Alternative D – leave the gate open lower down and ten permits would be issued for the upper area.
- Alternative E – no change

For Special Recreation Permits: Some permits have already been issued and would not be revoked. Not all of those permits are still active.

- Alternative A would entail no change. Currently no new permits are being issued in the wilderness. Permits issued in prior years would be allowed to continue consistent with prior permitted use.
- Alternative B – no more than five additional permits would be issued for wilderness areas, and no multi-year permits would be issued.
- Alternative C – no limit on the number of additional wilderness permits, but no multi-year permits would be issued.
- Alternative D – no limit on the number of additional wilderness permits, and multi-year permits would be for no longer than five years
- Alternative E – no change

For Off-Highway Vehicles (not in wilderness areas)

- Alternative A would entail no change
- Alternative B – limited to developed roads, including mountain bikes
- Alternative C – limited to developed roads, still considering what mountain bikes will be allowed to do
- Alternative D – same as C
- Alternative E – no change

In response to a question, Mike clarified that wheel-chairs are exempt from restrictions in Wilderness; deer carts and all other wheeled transportation devices are considered off-highway vehicles

For Information and Signing:

- Alternative A would entail no change
- Alternative B – an Interpretive Plan to be developed, no additional signs except in the location of existing kiosks on the north and south loop roads
- Alternative C – an Interpretive Plan would be developed and additional interpretive signs will be developed for kiosks in the fields and in Frenchglen
- Alternative D – the same as Alternative C with an additional audio tour and interpretive programs possibly with volunteer or interns, possibly working in conjunction with the refuge
- Alternative E – no changes

For Campgrounds:

- Alternative A would entail no change
- At Page Springs, the cottonwood trees would be replaced over time under Alternative B, would be replaced sooner under Alternative C, and both the outdoor amphitheater and cottonwood trees would be replaced under Alternative D
- At Fish Lake – Under Alternative B, camping sites 1-12 would allow tent camping only, the picnic area would be brushed, and the trails would be graveled. In Alternative C, there would be one group camping site added and the picnic area would be moved to the boat ramp area. Site 5 would be converted to be handicap accessible. Sites 6-10 would be converted to allow equestrian use and a corral would be moved to the campground. Under Alternative D, the entry sign would be updated. There would be one group camping site added and the picnic area would be moved to the boat ramp area. There would be a new larger dock. Site 5 would be converted to be handicap accessible. There would be no change in equestrian use.
- The Jackman Park Campground would be designated for tent camping only under Alternative B. In Alternative C, the entry road would be widened and three more sites and an additional toilet would be added. Under Alternative D, up to ten new sites and a new restroom would be added.
- Under Alternative B at the South Steens Campground, a connector trail would be built to connect the campground to the trails. In Alternative C, a group site and a handicap accessible site would be added. A group site would be added to Alternative D.

An equestrian connector trail to the Big Indian trail would also be built at the South Steens campground for Alternative C and D.

- At Mann Lake, there would be no change under Alternative B. In Alternatives C and D, 15 sites would be added.
- At Alvord Hot Springs, there would be no change in Alternatives B, Alternative C would be semi-developed, and 10 new sites would be added in Alternative C, and
- Alternative E – no change

Rather than going through all the alternatives, the SMAC members were invited to review the handouts at their leisure, examine the maps, and ask questions as the opportunity arises.

Mike Kelly offered to review one of the more prominent changes being considered since this information was presented to the SMAC before. BLM is looking at the possibility of adding a horse trail head near the Steens Resort. BLM could purchase a one-time easement through the commercial private campground and acquire some property and a stock well from the Refuge, which doesn't really fit within their mission anyway. BLM would put in parking and turn around space and tie into Desert Trail. Horseback riders could ride up the trail on the river side so they don't have to cross the bridge. The campground would be off to the west. This new area would be available for day use only. Mark Webb, the new owner of Steens Resort has said he is willing to put in horse camping on the resort as well which would provide overnight options for those using this new trail head. Originally proposed by the Back Country Horsemen, Steens Chapter.

Public Comment

Matt Little, Conservation Director with ONDA:

- Explained that the judge's decision on the Transportation Management Plan was confusing to ONDA. He said they have asked the judge to reconsider because it was unclear why he ruled that the BLM's decision could stand, but that he had inadequate information on which to rule for seven out of nine of the points in ONDA's suit. We don't know how to interpret this ruling and so we have asked for clarification.
- On the North Steens Ecosystem Restoration. Brent really wanted to settle on this case as we are as interested in seeing the juniper management move forward as everyone else is. The judge ruled in our favor, which means we are allowed to seek a settlement to cover our legal costs in pursuing in the lawsuit. We went into the settlement negotiations asking for less than we could have asked for, but BLM was not agreeable to what we proposed. We can agree to what needs to happen on the ground but it is my understanding that it's too far along to go any other way at this point.
- Page Springs – we are supportive of moving forward with the decision on the Page Springs Weir. Looking forward to comparing the alternatives and seeing the new EA.
- Stone House EA – I have only had a brief amount of time to look at it and we will be submitting comments during the public comment period. Having a range rider available would be preferable instead of infrastructure for the new water developments to spread out the use and minimize impacts. We would prefer not to have a pipeline cross the Wilderness Study Area; it would be better to have it piped from the other private ground instead. Good idea to fence the riparian in there as we do think it will be good to provide water, maybe even a little farther away, to help sage-grouse.

Steve Hammond, area rancher with a family-owned operation

- Some of us had real high hopes when the Steens Act was passed that a committee with diverse perspectives could get together to develop recommendations for BLM. It remains to be seen, it seems like BLM is not paying as much attention to your advice as I would like to see.
- We used to get more timely information from BLM regarding their plans, whether road construction or juniper management, whatever. That information has dwindled in recent years. We appreciate getting that information so we know what to expect and we can manage appropriately. We hope BLM will do a better job informing us in the future so we know what to expect.

- Cattle fencing. I commented on this several times, many years ago. Fences are used to control livestock. There was an initiative awhile back to remove all the fences to achieve the desired wilderness characteristics in the cattle free zone. Once the fences were gone, it was challenging to us to control our cows. They are just like deer; they just go wherever they want. We had to educate the BLM range riders on what to do when they find cows where they don't belong. They are hard to handle that time of year, and they need to be handled just right so we can get them back where they belong.

The opportunity was provided for others to provide comments to the SMAC; no others were interested at this time.

Response to Public Comment

Kenny McDaniel asked Steve Hammond how BLM had provided updates to landowners in the past. Steve responded that in the past there were meetings between landowners and BLM staff. BLM provided a lot of documents at those meetings and eventually the volume of documents became overwhelming. Steve said he wasn't really interested in reviewing all of those materials. He would prefer to be provided with briefings once decisions have been made that would provide adequate notice to the landowners before a change was implemented. Stacy Davies explained that there used to be annual meetings with landowners. It has been awhile since that has happened. Steve Hammond stressed that due to their geographic proximity to the Cooperative Management Area, the landowners don't think they should be treated like members of the general public. Fred Otley explained that the Steens Act called for such cooperation with landowners. Paul Bradley explained that there is a website that provides access to information and status updates for BLM activities, located at: <http://www.blm.gov/or/districts/burns/index.php>

Rich Angstrom offered another observation stimulated by both comments received. The SMAC's ability to provide advice to BLM that is informed by a wide variety of perspectives is compromised by the fact that ONDA is not represented on the SMAC. Rich believes there is adequate representation of private landowners within the existing membership of the SMAC. He is hopeful that an ONDA representative will be appointed by the BLM to a SMAC position in the future. This would improve the functionality of the SMAC and might even prevent some lawsuits. Reaching consensus may be more challenging and time-consuming, but BLM would benefit from listening in on the discussions, even when consensus is difficult to reach on issues being considered. Stacy Davies asked why Rich felt it is easier for the private landowners and grazing permittees to represent the population of landowners than it is for David Bilyeu to represent environmental organizations, including ONDA.

Fred Otley observed that ONDA has not demonstrated a willingness to collaborate. Matt Little is new, and there is a change in attitude which may mean that the organization will be more collaborative in the future. The organization did not always demonstrate a willingness to participate. He doesn't feel it is fair to suggest that BLM denied ONDA the opportunity to participate when ONDA has not shown a willingness to cooperate and collaborate in the past. ONDA is not in the collaboration business, they are in the litigation business. There are a limited number of positions on the SMAC and not everyone that wants to provide input does have a seat at the table.

Kenny McDaniel asked that the presenters be provided an opportunity to finish their presentation before leaving for the field trip.

Tom Davis added his support for getting a representative of ONDA on the SMAC.

It was agreed that the composition of the SMAC is a topic that will need additional conversation at some point in the future.

Comprehensive Recreation Plan - Continued

Chas Beiderman provided information about the miles of impacts to linear features (road and trails) that are presented in the Comprehensive Recreation Plan. A handout was provided that listed the miles of trails, miles of roads closed, miles of trails in the Wilderness Study Areas, miles of trails in the Wilderness Area, miles of new trails proposed for construction, miles of marked trails, and miles of roach rehabilitated in the wilderness; the handout is included as Appendix C. Alternative E is new and has not been presented previously. Alternative E is the citizen proposal, exactly as proposed. There is no obligation to choose one alternative exclusively.

Dan Haak stated that he had asked for usage data for mechanized travel in the Steens Mountain Cooperative Management and Protection Area. BLM had provided the data he requested and he passed three items presenting the data around the room; those items are attached as Appendices D, E, and F. He observed there is one glitch in the data and they think they understand what caused that glitch. He observed that access for mechanized travel is controlled through gates and seasonal closures. It is his belief that the mechanized travel that has occurred over the last decade had resulted in virtually no degradation of the resource. Dan Haak stated that he is adamantly opposed to restrictions of motorized travel as that use that has occurred in the past has not degraded the resource. He apologized for being unable to participate in the meeting the next day when the SMAC discusses its recommendation on the Comprehensive Recreation Plan.

Joan Suther explained that she wanted to reiterate BLM's desire to get a recommendation from the SMAC. Because the plan documents the impacts that would result from the alternatives considered, and she will have the ability to select any combination of alternatives. For example, if the SMAC prefers one alternative for a campground and another for dispersed recreation, that will be fine.

Joan Suther went on to explain that BLM received the criteria from the SMAC related to impacts of roads (submitted by the SMAC in February 2007), and had grappled with how to evaluate the existing roadways using those criteria. In some cases, the criteria were useful and provided a meaningful way to evaluate existing roads. In other cases, BLM staff had some trouble figuring out exactly what was intended by the SMAC.

Chas reported that some effects of road closures would apply across the board. Criteria that proved relatively more challenging to measure included general effects from resource conditions, cultural information, economic information, ecological issues, wilderness quality, public use/use level, and fish and wildlife. He reported that generally closing roads would make salt distribution more difficult and time consuming and he noted that having salt licks well distributed helps relieve cattle pressures on water sources. Road closures also would also make it more difficult to monitor and suppress wildfires and manage juniper. Fire suppression after road closures might force BLM to build new fire lines to allow motorized fire suppression equipment access. Some roads are closed seasonally and road closures could have mixed impacts on users like hunters and hikers – meaning that the experience will be enhanced for some users and diminished for others. This information was all previously described in the Travel Management Plan.

Chas went on to explain that road closures would have impacts on wilderness quality. For example, numerous qualities of the wilderness experience would be improved by road closures. BLM does not believe that any of the current roads in the CMPA have negative impacts on fish and wildlife so road closure would not necessarily benefit fish and wildlife. For example, current populations of Redband trout are healthy according to the Oregon Department of Fish and Wildlife and not at risk as spawning occurs when most roads are inaccessible.

Closing the roads may have negative economic impacts, which may be balanced out by savings in reduced costs associated with road maintenance. Road closures would likely limit access for area ranchers and people who fish in the CMPA. Road closures would harm cultural artifacts as reduced access would result in more foot traffic and increased potential for trampling and illegal removal of cultural artifacts. BLM would need to consult with the Burns Paiute Tribe to better understand impacts on their treaty rights. Safety is another consideration, which were not mentioned by the SMAC. For example, road closures would reduce BLM's ability to respond to disasters like wildfires by restricting access to areas within the CMPA. Dan Haak has some additional information related to road closures. He also noted that the North Steens Transmission line, currently being evaluated in an Environmental Impact Statement, would not be impacted by any road closures under consideration.

Chas then provided a PowerPoint presentation to explain the process that is being considered for evaluating which roads might be closed. BLM would like to ensure that the Draft Road Maintenance Form addresses the SMAC's needs (it is included as Appendix G). The first step would be to identify all of the sections of roads that are candidates for closure, which will be challenging as not all of the roads have names. BLM staff will take pictures and provide observational data on each road section (including the purpose of the road, condition, history of maintenance activities, redundancy, future projects, etc.) to support evaluation. He projected a map of the Big Bridge Creek area, illustrating Witzel Spring Road which comes off the Notch Spring Road, just north of the Loop Road and adjacent to the Refuge. He talked the SMAC through how the form would be filled out based on observations made in the field to support considerations regarding potential closure. He also pointed out how photo locations can be labeled on the maps.

Fred Otley suggested that the form be altered to allow for lots of observational comments. He asked for clarification of the purpose of the form. Joan Suther responded that the form was primarily designed to allow evaluation of the criteria proposed by the SMAC. Staff can certainly report on their observations on any road, but Fred Otley thinks BLM should seek input from the affected public in considering closure of any particular segments.

Tom Davis suggested that all subjective wording be removed from the form to limit reliance on information that cannot be measured objectively. He also took exception to the conclusion that existing roads are not eroding and that the resulting sedimentation will not have negative impacts on the fish in the streams. Chas reported having talked with the BLM fish biologist, who has concluded that the impacts will be minimal. The fish biologist stated that the negative impacts to the fishery from sedimentation caused by roads are minor in comparison with sedimentation from all adjacent lands. In areas where juniper is the dominant species, the soils are devoid of other forms of vegetation, meaning that there is a lot of un-vegetated soil surfaces around streams that contribute large quantities of sedimentation in addition to that which is caused by roads. Tom does not support the conclusions made by the biologist and suggested those conclusions are not supported by the support of evaluation that would be contributed by a hydrologist.

Fred Otley noted that all sites need to be considered on a site-specific basis. He suggested that the form could be used to identify road segments that need maintenance, for example.

Chas focused attention back on the draft form and talked about how the group might be able to help them improve the form. It was suggested that origin and historical use are critical to evaluating the ongoing importance of any road segment; Chas suggested that there is not uniform information for all road segments.

Fred Otley expressed approval for the check-list approach. He added that staff completing the form could identify areas that may need to be looked at more closely by a specialist, like a fisheries biologist,

for example. Joan Suther clarified that it will not be possible to have seven specialists examine every road segment; that would be too time-consuming and too expensive. She reiterated the challenge, that BLM does not necessarily understand specifically what the SMAC was looking for in the seventeen?? criteria.

Stacy Davies clarified that the default would be to keep all road segments in service until there is a suggestion that a segment be closed. Joan Suther responded by explaining that BLM has received a request to close hundreds of miles of roads within the CMPA. Some of those miles may already have restricted use or seasonal restrictions; but many more miles have been proposed for closure and BLM needs a defensible process for deciding which should be closed.

Paul Bradley asked about the status of the comprehensive road inventory that was supposed to be completed as a result of the Comprehensive Travel Management Planning process. Joan Suther said that information is presented in a map format, but there is no inventory in existence. Fred Otley observed that it is a big deal to close a road, just like it's a big deal to open a new road. He suggested that BLM take the time to conduct a well-informed review. Tom Davis reiterated his concern that BLM seriously consider the potential for erosion, the potential for sedimentation in streams, and the impacts on fish in those streams.

Stacy Davies clarified that BLM is asking for clarification for how to use the input provided by the SMAC in its earlier recommendation. Fred Otley observed that the process should not necessarily trigger a road closure as the only possible outcome; observations and evaluations could result in a decision that maintenance is the best solution.

Stacy Davies stated his opinion that the form was a good start, but that BLM should follow best management practices and comply with its own travel management plan for the CMPA. Joan Suther reiterated that BLM would like to adapt the form to ensure that the issues important to the SMAC are being evaluated during the review of road segments for potential closure.

Dick suggested that historically, roads were not mowed to help prevent erosion, but ONDA assumes that roads that are not mowed are not maintained and has suggested those roads should be closed.

Chas Biederman responded by requesting suggestions for improvement for the form. However, he reminded the group that BLM has limited resources and may not be able to acquire all information that is suggested. He went on to state that BLM would like to know which alternatives are preferred for each aspect of the Comprehensive Recreation Plan.

David Bilyeu suggested that everyone take the time to review the matrix of alternatives before the next day. Rich Angstrom clarified that the group should focus its attention on the alternatives proposed by BLM and provide input on those alternatives. BLM needs clarification from the SMAC to help it understand the comments already submitted. In response to a question about timing, Joan Suther stated that she would need a recommendation from the SMAC before the September meeting. It was agreed that the one hour allocated on the agenda for the next day may be inadequate. It was agreed that the chair meet with BLM and consider revisions to the agenda to try to accomplish as much as possible on the second day.

The group agreed that they were ready to stop discussing this topic for the day. Before collecting their lunches and getting organized for the field trip, Joan Suther introduced John Reponen, senior forester for the district. He will accompany the SMAC to provide information about what is planned for the prescribed fire to address juniper in the Riddle Brothers Ranch area, which will be the second stop of the field trip, after the group goes to the South Steens Campground.

Field Trip

Two stops were taken on the field trip: South Steens Campground and the Riddle Brothers Ranch. A previously planned stop at the Page Springs Weir was not implemented as the water was too high to allow SMAC members access to an area where they could observe the weir.

At the South Steens Campground, SMAC members and BLM staff discussed trailhead locations and parking separation for equestrians and other users. All agreed on a couple of good locations for trailheads. All also discussed constructing or marking trails to connect campgrounds to trails without the need for trail users to hike or ride on the Loop Road (safety issue.)

At Riddle Brothers Ranch, Jon Reponen provided an overview of the juniper management project. He pointed out cut units and hand piled juniper that has been prepared for burning this fall. SMAC members and BLM staff discussed future planned activities in the area, as part of the larger North Steens Ecosystem Management Project.

Friday, June 10, 2011

David Bilyeu opened the second day with a quick review of the agenda, taking into consideration a few discussion topics that had not been included in the original agenda for the meeting. It was agreed to take the Wild Horse Gather off the agenda as BLM has already made the decision to conduct the gather and no longer needs a recommendation. It was also agreed to add an opportunity to discuss the Wildland Juniper Management Area Interpretive Trail Environmental Assessment and the Stonehouse Seeding #2 Pipeline Extension Environmental Assessment as time allows. The SMAC members agreed to stay as late as 1:00 p.m. to allow for these changes. The following was approved as a revised agenda for the second day of the meeting:

8:45 – 9:00 am	Review, revise, and approve November 2010 and April 2011 Meeting Minutes
9:00 – 10:10 am	Discuss recommendations on the Comprehensive Recreation Plan
10:10 – 10:20 am	Break
10:20 – 10:30 am	Mule Deer Initiative, Sage-grouse Sub-committee; Land Trust and Conservation Easements Updates (Stacy Davies)
10:30 – 11:15 am	South Steens Environmental Assessment Update, Autumn Toelle
11:15 – 11:45 am	Public Comment
11:45 – 12:15 pm	Response to Public Comment
12:15 – 12:30 pm	Wildland Juniper Management Area Interpretive Trail Environmental Assessment
12:30 – 12:45 pm	Stonehouse Seeding #2 Pipeline Extension Environmental Assessment
12:45 – 1:00 pm	Closing (Next Meeting Agenda, New Action Items, and Meeting Evaluation)

November 2010 Meeting Minutes

All reviewed the draft minutes from the November 2011 meeting. A number of minor changes were noted, including some submitted by Dan Haak in writing the previous day.

Stacy Davies moved to approve the minutes with the suggested changes. The move was seconded by Bill Renwick. David Bilyeu called for a vote and all voted in the affirmative.

April 2011 Meeting Minutes

All reviewed the draft April 2011 minutes. A number of minor changes had been submitted by Dan Haak. Pam Hardy and Fred Otley requested a few clarifications.

Bill Renwick moved to approve the minutes with the suggested changes. The move was seconded by Fred Otley. David Bilyeu called for a vote and all voted in the affirmative.

Comprehensive Recreation Plan

Wendy Lowe proposed a process for assessing how many people were in support of each alternative for each category. Each SMAC member posted a small post-it sticky in the portion of the matrix to indicate their preference for alternative for each category. The results of this exercise are included as Appendix

Once everyone had posted their preferences, the group agreed to discuss those where disagreement was most evident. It was agreed to start with winter recreation, as there was a wide diversity of reactions to the alternatives presented. The following observations were made:

- Pam Hardy noted that many of the conflicts associated with winter recreation result from trying to accommodate both motorized and non-motorized recreation in the same place at the same time. Separating those two user groups spatially or temporally is more important to her than the number of permits that are issued.
- Fred Otley suggested that the South Loop Road, which is currently closed to snowmobiles in the winter might be opened up for motorized recreation. It was explained that the road tends to drift in the winter making efforts to keep the road accessible challenging.
- Stacy Davies suggested that his motorized recreation could be focused in the South Steens and the upper country. His private ground or the private ground around Fish Creek or Dingle Creek could be opened up for snowmobiles if access could be provided across BLM. BLM should consider trying to get agreement from the snowmobilers and the private landowners to make this happen. When asked about the Rooster Comb area, he agreed that perhaps that access to that area should be limited, except perhaps for expert snowmobilers. Another area that could be set aside for motorized recreation would be the Moon Hill area or the Stonehouse Area.
- Tom Davis noted that alternating access on a schedule might be confusing; people may not be aware of the schedule and come up on the wrong weekend expecting to be able to recreate. He is also concerned about safety; snowmobilers go missing every year even in more populated areas. He suggested limiting access to dangerous areas through permitting; highly skilled recreationists could apply for special permits.
- Fred Otley noted that search and rescue is a big deal on the mountain; the snowmobilers are always willing to pitch in and help when people go missing. Snowmobilers in the general vicinity might make the area safer for cross-country skiers as well. Cross-country skiers may be attracted to an area knowing that snowmobilers are around that could help in an emergency situation.
- Paul Bradley noted that there are good opportunities up the North Loop Road and the South Loop Road – he thinks the current situation is working and he would prefer not to get too restrictive.
- Joan Suther noted that she would like the plan to be as adaptable as possible so that it can be used well into the future. The current situation may be working for now, but she is seeking advice on what to do if demands for recreational opportunities increase over time.
- Pam Hardy noted that non-motorized users may not even come to the area once they know that motorized users are there. Her experience demonstrates that the non-motorized users don't want to hear the noise and don't want to smell the exhaust. They may not go to the Steens at all if they think they might encounter snowmobiles.
- Rich Angstrom noted that he used to do a lot of cross-country skiing and when there is no trail, it is a lot of work to cut a new trail. At this point, he thinks the situation is working. There are all kinds of opportunities for cross-country skiers on the mountain. The snowmobilers are pretty respectful and will go out of their way to be respectful.
- Fred Otley noted that there are parts of the mountain that can be dangerous for anyone who is not an expert. He thinks there are areas that should have limited access.
- Pam Hardy wanted to make sure that there is flexibility in the approach taken. One snowmobile could go in to set trail for the cross country skiers, but then come back out and no others for any day that is dedicated non-motorized users.

- David Bilyeu expressed that he does not want to cross-country ski where snowmobilers are. Mixed use means cross-county skiers will avoid using those areas.
- Tom Davis agreed with much that had been said. Motorized use precludes non-motorized uses. The Three Creeks area outside of Sisters could serve as an example. Motorized and non-motorized users share a trailhead, but their trails are completely separated. He added that he thinks the SMAC should recommend flexibility so that BLM can periodically revisit user numbers and adjust. Adaptive management is important and could emphasize the quality of the experience for each user group.
- Dick Jenkins reported that he has done both snowmobiling and cross-country skiing on the Steens. He has never seen anyone else (beyond the group he was with) when he has been up there. Are there really too many people that the two user groups have to kept separate?
- Mike Kelly responded that he had been a snow ranger on the Deschutes out of Sisters. There were no limits on the number of users, which is quite different from the Steens. Last year, on the Steens, we had a total of 46 visitors between just before the holidays and last week. About 1/3 of those people were snowmobilers and the rest were skiers or snowmobilers. One large group had 9 but mostly we see groups of just two people. We had weekends, even whole weeks when no one is up there at all.
- Joan Suther added that the North Loop Road is the only route that is open for motorized users. Non-motorized users have the run of the rest of the place.
- Some people access through Charlie Otley's private ground.
- The road above Kiger is for non-motorized uses only; no one else can get up there.
- Stacy Davies hears support for both types of users; no one is trying to deny one group or the other from being able to use the mountain in winter months. He would like BLM to consider adding more areas that motorized users can use (more than just the North Loop Road), and increase the number of permits allowed. BLM has offered four basic alternatives: no change (four permits per day) (Alternative A), increasing to ten permits but all non-motorized (Alternative B), increasing to ten permits combined motorized and non-motorized (Alternative C), and ten combined permits but opening access up by leaving the Paige Springs road open (Alternative D). He didn't think there was any support for Alternative B. Could folks choose from the alternatives that BLM has identified?
- Pam Hardy said she could support one of those alternatives if BLM were designate four weekends a year that would be closed to non-motorized use only.
- Stacy Davies asked if those people who do not want to encounter a snowmobile could be directed to use Moon Hill Road, so that above Fish Lake, there would be no snowmobiles allowed.
- Pam Hardy wants to provide some confidence to non-motorized users that they can go up to the Steens without being forced to use areas where motorized users are also present, that their vacation doesn't get ruined by going up when motorized users are also going to be there.
- The problem may be communicating what is allowed to folks wanting to come up.
- There is very little snow mobile use in January. Could the skiers who don't want to be around snowmobiles be invited to come in January?
- Pam Hardy doesn't think it is fair to ask them to ski only when the weather is bad.
- Fred Otley thinks that the SMAC should give the BLM as much flexibility as possible. He made a motion that BLM adopt Alternative D with an adaptive management component that allows BLM the flexibility to seasonally designate non-motorized weekends as needed when use gets to a level that separation is needed.

- Pam Hardy could support that motion if it stated that BLM should provide one weekend a month for non-motorized users. The adaptive management option would allow BLM to stop providing that opportunity, or if more people come that weekend, maybe add another weekend.
- Tom Davis suggested that the SMAC should advise BLM to renegotiate all of the cooperative agreements, leave the North Gate Open, open up the South Steens country for cross-country skiers, and allow motorized users by permit only, and authorize the adaptive management approach.
- Rich Angstrom would like to be able to take a look at a map to get a better idea of where each user group has access. It seems like the current situation offers very expansive opportunities for cross country users, but very restrictive for motorized users. The current balance may be appropriate. Perhaps a three-fold brochure with a map would solve the problems by providing good information for folks so they can plan their vacations for their own desires.

Wendy Lowe asked the group what to do about the fact that they are out of time. Options would include taking the other two Environmental Assessments off the agenda, and delay the recommendation to the next meeting.

- Fred Otley suggested that when Stacy Davies was chair, topics were introduced at one meeting with recommendations at the next meeting.
- Rich Angstrom said he thought all the remaining items need to be addressed. The rest of the Comprehensive Recreation Plan sections need to be discussed. He thought we should consider adding another meeting between now and September to focus on just this document.
- Tom Davis thinks we need more time to discuss this; don't think we are going to be able to resolve the winter use recommendation, much less the others.
- Hoyt Wilson observed that this discussion will be important and time consuming. Not enough time was allotted for this discussion. He would like to table the discussion about the Comprehensive Recreation Plan and go on to the other topics on the agenda for the day. He made a motion to schedule another meeting before September to provide advice to BLM, but provide more time to. The motion was seconded. BLM is willing to support this idea and it can be accommodated even with steps that must be taken. The motion passed. A date will be chosen later.
- David Bilyeu observed that a number of meetings have had to be cancelled due to delays in getting members appointed. One year, the SMAC missed 3 or 4 meetings. He thinks it is only fair to schedule another meeting if necessary.
- In response to a question, Chas Biederman stated that the alternatives have been written up. The analysis has not been completed. BLM could provide the alternatives in writing to the members before the next meeting.

Break

South Steens Environmental Assessment Update

Autumn Toelle presented on the current status of the South Steens Allotment Management Plan (AMP).

Since the last SMAC Meeting, the BLM had an interdisciplinary team (IDT) meeting where all members of the IDT were able to bring up their issues and concerns, as well as bring Autumn a little more up to speed on the document and how it has evolved. The majority of recent work has focused on one restructuring the document and changing the format to match BLM's standards and include current issues. Chapters I and II of the document have been fully updated and improved, including the Purpose

and Need which was revised to better identify the real purpose and need of the document. One main change is that this document is no longer considered an "AMP Update" but will be a new AMP for the allotment.

In addition, the alternatives were modified and developed, and range from slightly different to very different from the previous document. Autumn wanted to make sure the SMAC understood that the alternatives she was presenting, had been developed by her, and at this point have not yet had IDT or managerial review, therefore, they may still change. There is one new alternative, Alternative F, labeled Reduced Grazing with No New Developments. This alternative would reduce the permitted grazing stocking rates as measured in animal unit months (AUMs) to the highest level that has been used since the river was removed from the allotment (approximately 7,000 AUMs). No new developments would be constructed, based on an assumption that if the allotment was able to support 7,000 AUMs then with what developments were available, it should be able to do that now. Stacy Davies had some concerns over this alternative and why it was included. Autumn and Joan responded by explaining that this alternative had been developed in order to address some comments on the previous document that BLM had neglected to consider a reduction in grazing in any of the alternatives.

The grazing management in the proposed action will likely be slightly different from that which was presented in the previous draft document. The season of use would begin 15 days later since most years it is not possible to support a turnout on April 1. There are also some new terms and conditions related to grazing, mostly which are specific to the Hollywood Pasture, where the largest conflict between horse and livestock use occurs. Increased monitoring has also been identified for the AMP and the document was revised to explain plans for monitoring more clearly.

Another change from the previous document is that there will not be any reservoir removal, instead the BLM will consider reservoir abandonment. Autumn explained that "converting back to pre-reservoir would open up large areas of disturbance" which is what BLM wants to avoid. When abandoning the reservoir, BLM will no longer do maintenance or repairs; as they stop functioning, they will be left alone to return to a natural condition, without any additional disturbance occurring. One other change from what was done last time the document was released is that BLM is evaluating the option of spring development and comparing it with the option of protecting springs and the riparian areas around them using exclosures. Within the action alternatives, all springs are proposed to be protected with an exclosure at a minimum.

Maps have been started and Autumn is now doing a view-shed analysis. This effort examines what the visual impacts of each potential development that might be. For example, a bright shiny trough is being used to evaluate the maximum effect of new trough installation on the view-shed. This effort will illustrate what the visual impact of all developments being considered at various distances away. Each view-shed map takes about an hour to develop and she apologized for not being able to bring one to share with the SMAC.

Next steps will include:

- Finish writing up the alternatives, including all project design elements and mitigation components
- Finish the mapping and view-shed analysis
- Meet with the ID team again to explain the new alternatives that are being considered
- Route and review through everyone who needs to buy off on the document
- Revise one final time, including a thorough check of all citations and references

- Develop a draft “Finding of No Significant Impact”
- Conduct a public comment period on the Draft Environmental Assessment
- Develop proposed decision
- Support for the decision.

Fred Otley suggested that BLM evaluate an alternative that excludes private ground from the area that is accessible for wild horses (meaning if wild horses could be excluded from use land and water on private ground) so it is very clear the impact the wild horse herd management would have on public land if their access to private ground were prevented, particularly in drought situations. We need to know what the impact would be if a private landowner were to sell his property and the new owner did not want to allow continued access. Cooperative management only works when we all understand that the private landowners still own their ground and they are under no obligation to continue to support public objectives.

Tom Davis recommended that the alternatives evaluated should be consistent with what is called for the Steens Act. The alternatives that are evaluated should be implementable in compliance with the Steens Act. BLM should consult with the solicitor and make sure the alternatives evaluated are consistent with the Steens Act. One of the unique features of the Steens is the old-west cultural heritage and its ranching history.

Rich Angstrom expressed some concern about the fact that there has been no analysis of the visual impacts of naturalization of the water features, which was what the SMAC promoted the last time it reviewed this document. He encouraged BLM to do some prototypes of the sort of installations that the SMAC had been talking about. This could help to justify the final decision. He didn’t think it would be that hard for BLM to put out RFP to have someone develop some prototypes using naturalized rock to see what the impact on the landscape would be. Autumn agreed that such an effort would help compare the visual impacts of the two alternatives.

Fred Otley reported on a rock fence that had been installed that allows passage for deer and elk but has very limited visibility.

When asked about the schedule for finalizing the document, Autumn Toelle stated that she would like to finish the document as quickly as possible, but she is not in such a hurry that she is willing to release it before she feels good about it.

Stacy Davies said the SMAC put a lot of effort into putting its recommendation together the last time around. He encouraged her to take the time she needs to do a good job. She is still going to consider the SMAC’s comments one more time along with comments from Oregon Department of Fish and Wildlife. She wants the proposed action to be as similar to what the SMAC was looking for as possible.

Tom Davis asked how water would be transported to support the plan. There are many options for moving water around. He added some thoughts for consideration including groundwater and surface water, power sources, troughs, piping, underground versus above ground, etc. He anticipates having concerns about some of those considerations and he would like to weigh in on these key choices, especially for the wells.

Rich Angstrom reported that the group did not consider power sources for the developments the last time around. Water sources considered included primarily springs and surface water.

Autumn Toelle presented a map illustrating reliable and unreliable water sources. She also illustrated a map with two-mile buffers around reliable water sources. The areas that do not fall within one of those

buffers are areas where BLM needs to figure out how to provide reliable water. The following observations were shared regarding the water sources:

- Stacy Davies confirmed that there is no present plan to use water from Home Creek. Autumn Toelle explained that said she did use Home Creek as a source of water. It is included as a water area, but not a water source so it was not buffered.
- From a range management perspective, Rich Angstrom wondered if it was better to have the water buffers to overlap by about one mile as livestock may not be willing to go two miles to get water. Autumn Toelle confirmed that the more overlap, the better, as it spreads use our and minimizes impacts in the vicinity of the water sources.
- Rich Angstrom asked if the water needs for water are similar or different for deer, elk, and wild horses. Horses are willing to travel; deer and elk have a much larger travel radius.
- Fred Otley suggested a map of the existing situation in a dry year looking at where the animals might congregate so that we can understand how wildlife will behave in a drought year.
- Rich Angstrom asked about private water. Autumn Toelle confirmed that the maps portray water on both public and private lands. She went on to state that she could also include maps showing the situation with only public water sources identified. It was agreed that the cooperative management approach that informed the Steens Act falls short of obligating the private landowners from providing access to water sources on their private ground. The fact that they have been willing to speaks well of their commitment and intentions, but long-range planning should not depend on ongoing willingness to be share scarce resources.

Autumn Toelle explained plans for road development as well. Some alternatives include road development along existing roads in the wilderness study areas. Edge development involves some development only along the edges of the wilderness study areas. She is interested in trying to meet the goals with as little development as possible. She has a lot of things to consider before finalizing, including the SMAC's prior recommendation. (it is very hard to report what she was talking about without the benefit of the slides she was projecting)

Rich Angstrom said we are stuck with the fence in compliance with the court order. I think we all agreed that the fence was the worst idea, the idea that is least supportive of maintaining good habitat. He wondered how fences can be designed to minimize negative impacts. Autumn Toelle replied that the fence can be designed to minimize impacts on wildlife (height, height of the lowest horizontal bar, etc.) Fred Otley reminded everyone that design considerations can be incorporated to minimize impacts on wildlife. To benefit wildlife, existing fences could be redesigned to mitigate for negative impacts caused by unavoidable impacts on the wilderness study areas.

Public Comment

Susan Hammond, local rancher:

She wanted to remind everyone that the public has provided comments on winter recreation in the past. She hopes those prior discussions will inform future plans. In addition, she reported that all of the private landowners have problems with the cow-free zone. Each landowner has unique problem, depending on their operation. She believes that everyone knew prior to the Steens Act was even signed that without a fence, it would not be possible to keep the cows out of the cow-free zone. She thought everyone understood at the time that the BLM would be responsible for construction and maintenance of the fence.

Tex Goates – and his daughter Gentry (sp)

Tex Goates explained that he leases a cattle ranch that is on privately owned land leased from George Strumple. He asked to confirm that BLM had recently sent him a letter (he has not received the letter yet).

Joan Suther confirmed that the letter had been sent. She explained that it summarizes the grazing regulations that relate to crossing permits, trespass issues, and the Steens Act that are relevant to his operation, as well as options for not grazing that area and options for cooperative agreements with the BLM.

Kenny McDaniel added that BLM does require a crossing permit for those crossing federal land that is and that BLM does not believe it has the burden of keeping cows off the public land. Kenny McDaniel went on to suggest that he is hopeful they will be able to work out a solution that will work for both parties. He would prefer to avoid getting into a situation where trespass is unavoidable, which would require an enforcement action – he just doesn't want to go there if it can be avoided. He noted that it is very difficult to maintain a fence in deep snow like is present in the Steens this year (2011). He added that it would be practically impossible to complete an EA for a fence this year and that it is very expensive to install a fence. He closed by stating that BLM eventually would like to acquire the property to simplify management. It makes no sense to prepare an EA and to go to the expense of installing a fence if the need for that fence will not be long-term. The BLM's legal counsel has advised the District that it has the authority to require a fence for the purpose of resource protection; it does not have the obligation to build a fence to prevent trespass. He added that he understands everyone may not be agreement about what was intended behind those involved in the negotiations that resulted in the agreement ten years ago, adding that "The only thing I can do is read the Act and it is clear to BLM that the Act did not obligate the BLM to build a fence."

Tex Goates went on to explain that he understands there used to be a fence at the top of a ridge line that formed a natural boundary for the area that he has under permit. He wanted to know why the fence was removed. It would not be hard for his cows to go right up and over that ridge. He signed his permit in good faith, based on what he had been told. In sum, he has boundary challenges both between the permitted grazing lease and the cow free zone and between the leased private ground and the cow free zone. Both present concern for him.

Matt Little – Conservation Director, Oregon Natural Desert Association

Matt provided comments on the winter recreation aspect of the Comprehensive Recreation Plan. He thinks some people would be interested in spending some quiet time on the North Loop. He also likes snowmobiling as well. Since he does both, he appreciates the goal of keeping those users separate.

On the road closure consideration, ONDA thinks that BLM should consider more comprehensively which roads need to be roads, which should be trails, and which should be close. He doesn't like Alternative E at all. He thinks Alternative D should look at the whole road structure comprehensively. He thinks the two alternatives should be combined. He thinks roads should be turned into trails. He doesn't think the alternative should be characterized as the ONDA alternative if it is not really what ONDA had asked them to look at.

On the South Steens Environmental Assessment, he observed that it is difficult to comment at this point as he hasn't been able to look at the whole thing yet. He doesn't want to weigh in on various components until he can see the whole thing at once. He did want to point out that ONDA will be looking to see if any of the proposed developments would affect the wilderness characteristics. He suggested that BLM run the draft Environmental Assessment by the solicitor before releasing the

document for public review so that alternatives considered will comply with the Steens Act. For example, ONDA will not be in favor of water developments if having that additional water could be used as justification for utilization rates at some point in the future as those higher utilization rates would have negative impact on the wilderness character. When asked for clarification, he explained that if an allotment is currently authorized at 1000 AUMs in order to meet standards and a water development means that the allotment could support 1500 AUMs, ONDA would not be in favor of increasing the stocking rates. He is not responding to anything specific at this point, but rather pointing out what ONDA will be looking at when the organization reviews the Environmental Assessment.

Response to Public Comments

Joan Suther responded to Tex Goates' comments about the fence removal. Based on her records indicate that fences have only been removed if they were not maintained and were not necessary; fence around the parcels have not been removed. One parcel was almost completely fenced but it was not maintained. She does not know about the wood fence at the ridge top that he mentioned. Stacy Davies added that when grazing was removed from the top of the rim, the fence – which was well maintained – was removed because it was no longer needed when the grazing operation was removed. He didn't think it occurred to anyone that the fence might be needed to keep cows from coming up and over from the other side. Fred Otley talked to a guy named Matt Goodson. He works for BLM now, but he was formerly with a contractor that removed fence. He would be a good person to talk to.

David Bilyeu said that he appreciated Kenny McDaniel's response to Tex Goates with a short-term and long-term solutions. As Susie pointed out, each landowners has his or her own unique issues. The SMAC should probably take some time to look at the various in-holdings and possibly putting together a prioritized list of those in-holdings and looking at building a proposal for how to spend the \$25 million. The SMAC should probably look at long-term solutions.

Hoyt Wilson said if barbed wire is there, doesn't matter how long it has been there, but if it is in place, it is fairly easy to add posts and cheap to add some steel posts and some temporary corners. Stringing the wire through the brush is difficult and expensive. If it was taken out along the boundary, the cost of removal was fairly expensive. It is a big deal to remove fence. If the use on the land is grazing, it is not advisable to remove fence.

Stacy Davies had asked that the fencing issue be put on the agenda and he would like to be able to really discuss this fencing issue. It was agreed that this was the time that was appropriate for the topic to be discussed. That had been agreed to the previous day, when the agenda was approved.

Susan Hammond returned and stated that the fencing problem is very expensive. She wanted the SMAC to know that law enforcement has been involved, enforcing trespass issues. She said there have been law enforcement issues, when cattle have been run by law enforcement into places they don't belong. Law enforcement personnel don't really know how to move cattle, particularly when weather changes. Cows naturally go down the mountain in the fall and up the hill in the spring. She knows the congressional intent for the cow free was that the agency should be responsible for maintaining the fence to protect the cow free zone. She would rather not have the solicitor to get involved; she would prefer to ask for Congressional involvement, to resolve this question. Some age old fences were taken out. Even if a fence doesn't look necessary to people who don't know very much about cattle. Those fences may have been helpful to direct cows as to where they should go over the course of the year. She is concerned with how law enforcement is handling the situation.

Stacy Davies observed that BLM's current interpretation of the fencing issue is interesting and disappointing. He noted that writing legislation is difficult. No one wants to trespass, but it's hard to

avoid it without adequate fencing. He challenged the characterization that there is a difference between fencing for resource protection versus fencing for avoiding trespass. The concept of what is a resource is dependent upon one's perspective. The term resource protection was chosen because everyone agreed and understood that fencing can be used to protect resources. The ranching community considers grass or water or land to be a resource; others think wilderness is a resource that should be protected. The environmental community supported the language because what was important to them was the wilderness characteristics. Ranchers supported the wording as fencing is important to protect our interests. What term could have been used instead that would have avoided the confusion we find ourselves facing now? The intent was agreed to; Susie is on the right track in her recollections. Perhaps we need to seek help remembering what was intended. If we have to go to court, well so be it. How is BLM deciding which fences the range riders should fix and which should not be fixed? Wild Horse Canyon used to be part of the Serrano Allotment. Somehow it was deemed to be part of the no livestock area, although it was specifically labeled in the Steens Act. There were pieces and parts of many allotments that were nicked off and included in the no livestock area. In the landowner meeting, the landowners were led to believe that BLM would take responsibility of protecting the federal land. Landowners do have responsibility as well, we understand that. We are responsible for our own fences. But BLM should not be going back on what had been agreed to. Shifting all this back on the landowner just isn't fair. Of course, mistakes have been made and it doesn't do any good to lay blame for mistakes later. Removal of the gap fences up on the rim was a mistake. We should all just admit that. Moving forward, Tex needs a solution, very soon. As soon as the drifts melt up on the upper end of that pasture, there will be cows penetrating the wilderness. Tex's cows from his permit will be on the wilderness by July 1st. Stacy Davies closed by saying that he hopes there can be some good honest discussion seeking resolution, very soon, before the lawyers get involved, and before we have a problem that could have been avoided.

Kenny McDaniel said he would welcome the kind of discussion. Somewhere along the line, the words and the intent don't appear to be consistent.

Stacy Davies added remembering a sheep permittee; he remembered attending a meeting where it was agreed that if the marking wasn't working, BLM would fix it.

It was agreed that a meeting to involve all landowners could help resolve this issue. Kenny McDaniel asked Hoyt Wilson for help in getting people together. Hoyt agreed, but asked if there is a map that would identify the problem areas. Stacy Davies suggested that there may be maps, but that the permittees and the landowners will know where the problems are.

Rich Angstrom offered some thoughts on this cow free fencing issue. Animals, acts of God, cows are going to get out and get into places they are not supposed to be. As a former law enforcement officer, he reminded everyone that the definition of trespass relies on a concept of intentionality. Accidental trespass does not meet the legal definition of trespass. He went on to say that the SMAC members are supportive of efforts to identify in-holdings for possible acquisition. However, he opposes the ideas of efforts to put the squeeze on someone just because BLM wants a particular property. The government needs to play fair in approaching people and asking them to sell. They should only go forward with landowners who are willing to sell, and every effort should be made to negotiate a fair price. Removing the fence and then trying to impose the cost on the private landowners, then going out and saying we would like to buy that piece of property, it sort of looks like the government is acting in its own interest.

Hoyt Wilson offered the observation that when the language that was agreed to, when the landowners agreed to the creation of the cow free area, that agreement was premised on the commitment that BLM was responsible for keeping the cows out. In some cases, the fencing was already in place to hold the line. The line on the East side that was arbitrarily agreed to was at the 6,500 foot elevation line. BLM

knows as well as he does that he's got a handful of cows that like to go up to the 7,500 feet. He would never agreed to build a fence, eight miles in length, at 6,500 feet, that would be buried every winter and have to be repaired every spring; That is not reasonable. According to this current interpretation, it's my problem. The way the Act is written, someone could come along some day and try to tell me that I have to build that fence. I can't afford to build that fence just to keep six cows below that elevation. If I say I won't build that fence, could they then turn around and tell me I can't run my cows on that piece of land because I can't keep them out?

Kenny McDaniel stressed that he would really welcome having the conversation. He would prefer that the Steens Act had some language that says what Hoyt Wilson just said. Right now, we can't do anything but read what the Steens Act says. He thinks the timing is good - the Act was passed ten years ago - to go back and have the conversation to clarify the interpretation.

Stacy Davies explained that there was no perceived need to put that sort of thing in writing. The words that were agreed to were agreed to in the spirit of cooperation. We didn't want to tie BLM's hands because we all know that there are bad actors. Those from our side did not want to hold BLM responsible for all situations, even those that involve a bad actor. We couldn't say BLM is responsible unless they are really dealing with someone who is a bad actor.

Tom Davis observed that sometimes there are large files associated with each piece of legislation that provide a lot more information about the legislative intent; each Congressman may have contributed to the file. Stacy Davies said the file in this case is pretty limited, maybe three sentences. Pam Hardy said courts will rely on those sorts of files. Those files that are contemporary with the passage of the bill can be compelling. Files that were built after the fact are not that necessarily helpful.

Rich Angstrom asked from ONDA's perspective whether the idea of providing access to snowmobiles on the South Steens would be acceptable if there was a trade-off to provide better access for cross country skiers into the North Steens. Pam Hardy suggested that all combinations should be considered. Some weekends for those seeking a quiet experience, some weekends for a combination of users – as some people do both. She does think that people need to take some responsibility for knowing what the rules are when they want to go somewhere to recreate. She related from her childhood a lake where motorized and non-motorized users alternated weekends. It worked well for years.

South Steens Environmental Assessment Update (continued)

Fred Otley wanted to make sure that Autumn Toelle heard Stacy Davies' final point. Stacy asked for the opportunity to reiterate his point that BLM should look at the seasonality of water availability. Autumn confirmed that she understood what he had said.

In response to a question, Autumn would like to be done with accepting public comment by September. She agreed to notify the SMAC when the EA goes out for public comment.

Rich Angstrom asked about the seasonality of the reliability of water sources. Autumn explained that she understood reliable water was defined as reservoirs that still have water in them by late summer. Those that don't have water all year long are not considered reliable.

Tom Davis commented on Autumn's prior comment that she wants the document to be a good one before it is released. He had not been on the SMAC the last time the document was discussed, but it appears to be an important document.

Wildland Juniper Management Area Interpretive Trail Environmental Assessment

Wendy Lowe reminded people that they received this document in the mail just before the meeting. It analyzes two alternatives in addition to the no action alternative. Maps were included in the document. Joan Suther explained that one alternative uses an existing road and about a ¼ of a mile of trail. The other alternative uses that plus an additional trail for a total length of about 0.9 mile. Both goes through the six different various treatments in the Wildland Juniper Management Area and BLM would install some interpretive panels and a self-guided brochure that to explain the treatments. Joan Suther would like a recommendation that BLM implement the preferred alternative, which is the longer trail and with more interpretive information. This had been discussed earlier. The trail would follow an existing road.

Bill Renwick asked about vehicle access. It was clarified that Alternative B would actually have two short sections of trail with interpretive panels, and Alternative C would connect those two short sections, resulting in a total trail length of 0.9 miles. The longer trail would follow an existing road (originally built to support implementation of the juniper management treatments) which would be closed under Alternative C. It was noted that that road had never been open to public access. The road would be closed except for administrative access. Some members objected to closing the road. It is only ¼ mile in length. Joan Suther added that Alternative C would also include building a parking lot that could accommodate buses and recreational vehicles. Fred Otley argued against closing the road, suggesting that leaving it open would improve access for access for the elderly, for example. Joan Suther was asked why BLM preferred closing the road. She replied that it was to protect the interpretive signs and added there is not a lot of use on the road. Paul Bradley observed that many members of the public are under the impression that all roads are closed and that current use levels may not resemble historic use because people don't think they can use the road. Joan Suther suggested that the SMAC could consider the road closure later; she does not need that part of the recommendation to move forward with installing the trails.

Motion: **Stacy Davies moved that the SMAC recommend that BLM implement Alternative C, but note in its recommendation that the Council was not able to reach consensus to support closure of the road.**

Second: **Pam Hardy seconded the motion.**

Objections: **David Bilyeu called for objections; there were none.**

Vote: **The motion passed unanimously (Dan Haak was not present for the vote).**

Action: **David Bilyeu, SMAC Chair, will write a letter to transmit the recommendation, clarifying the lack of consensus to support closure of the road.**

Note: **The SMAC may revisit the closure of the road at some point in the future.**

Stonehouse Seeding #2 Pipeline Extension Environmental Assessment

Bill Pieratt, supervisory natural resource specialist explained the EA). This proposal is for the Stonehouse pasture in the Pollock Allotment, which has a winter grazing area and a spring/summer/fall grazing area. The Stonehouse pasture is in the spring/summer/fall grazing area. The objective spring/summer /fall grazing area is rest and deferred rotation. There are about four or five units, depending on whether you count a piece of state ground that is leased by Juniper Ranch. The pasture has native uplands and crested wheatgrass seeding in the box. About half way up the slope, is Barrel Spring about in the middle of the pasture (which is on private land). In the south end of the pasture there is another spring called Summit Spring, which is also on private ground. Both pieces are owned by Juniper Ranch. On the north end of the pasture is Stonehouse Creek. There is a road that goes up

Stonehouse Creek, on the south side of the creek, all the way up to the top of the mountain. There is a fence on the north side of the Creek. There are three parts of the proposal.

First, BLM proposes to build a riparian fence between the road and the creek. The upper end of the pasture has fully functioning or proper functioning riparian. The lower end of the pasture is functioning at risk with an upward trend. The proposal would increase the rate of improvement by building that fence. It would be a temporary barbed wire fence. Part of the fence would be in a Wilderness Study Area. Some people will object on principle, but building a temporary fence is consistent with our policy on management within the Wilderness Study Area.

Second, at Barrel Spring (on private land), there is a pipeline from the spring that crosses the Wilderness Study Area, but that pipeline existed prior to designation. It runs across the pasture and a county road to a trough on the east side. We would like to spur off the pipeline and add two troughs. Our reason is this: we are getting about the right amount of utilization in the native, but not enough in the Crested wheatgrass. It is expected that increasing the availability of water in the Crested will increase utilization there and better manage the whole pasture.

Third, at Summit Spring, Juniper Ranch has a right of way to their private land through the WSA and that spring. The proposal is to develop the spring (which is on private land) and run a pipeline down the existing right of way (so there would be no additional disturbance in the WSA), north and east to another new trough. The Stonehouse Pasture is about three miles long. Three new troughs, made of recycled rubber tires. Probably painted with camouflage paint to reduce the visual impact. The north end of the pasture still has access to water pond served by Little Summit Creek on the private ground.

Pam Hardy stated that the proposal seems reasonable to her, but she expressed concern about being presented with such a complex proposal with very little warning and being asked for a response at the same meeting. She feels like the SMAC is being asked to rubber stamp something and she doesn't like being put in that position. She doesn't feel they have had enough time.

It was explained that there is a public comment period that will end on July 7, 2011. The SMAC has that long to submit their comments.

Rich Angstrom stated that he enjoys considering this sort of project. Ideally the SMAC would have had a chance to go look at this project. He agreed with Pam Hardy that BLM needs to give the SMAC more time to consider this sort of proposal so the group can do its best work. To preserve the integrity of the SMAC, it needs more time to work. On the surface, the project seems reasonable.

Hoyt Wilson is familiar with the project and it makes sense to him. With the exception of the pipeline crossing the corner of the WSA, there is little to be concerned about.

It was confirmed that the pipeline will be buried. He mentioned that they are also looking at what they are calling a "Chia" pipe that would have small holes along it and would be placed above ground. The assumption is that vegetation would grow right next to the pipe and in a few years would not even be visible.

Stacy Davies observed that it not reasonable to assume that the SMAC can take field trips to every project. He thinks people may have to be willing to go out on their own to visit proposed projects.

Tom Davis said he does not need more information on this particular project, but he agrees that the SMAC needs more time to do its work.

It was clarified that the conference call can be used to vote.

- Motion:** Hoyt Wilson moved that the SMAC recommend that BLM implement Alternative B.
- Second:** Fred Otley seconded the motion.
- Objections:** David Bilyeu called for objections; there were none.
- Vote:** Seven SMAC members voted in favor of the motion (Paul Bradley, Tom Davis, Stacy Davies, Dick Jenkins, Fred Otley, Bill Renwick, and Hoyt Wilson). David Bilyeu, Rich Angstrom, and Pam Hardy abstained.
- Action:** The vote has not closed. SMAC will schedule a conference call to allow for further discussion of the Stonehouse Seeding #2 Pipeline Extension Environmental Assessment by the SMAC. Dan Haak will be invited to participate in the conference call as well.

Rich Angstrom expressed his concern that the SMAC preserve the integrity of its processes. We are abstaining to protect our process, so the results of the SMAC's work represents its best work.

Stacy Davies stressed that some folks are familiar with the project site. They are not voting as rubber stamps, but rather they are voting in favor of the proposal because it makes sense.

A conference call was subsequently scheduled as agreed to. SMAC members Dave Bilyeu, Dan Haak, Rich Angstrom, and Bill Renwick participated along with Joan Suther, Bill Pieratt, and Darryl Bingham from BLM. By the end of the call, both Dan Haak and Rich Angstrom voted in favor of the motion. Dave Bilyeu abstained. Having received a total of nine votes, the motion passed. It was agreed that David Bilyeu, SMAC Chair, will write a letter to transmit the recommendation. The minutes from the conference call are attached to this document as Appendix I.

August 2011 Meeting Agenda

The SMAC discussed three options for scheduling a meeting in August. The date selected, based on the availability of SMAC members, was August 11-12. The meeting will be held in Burns, Oregon at the BLM offices. It was agreed that this meeting will be devoted to discussion of the Comprehensive Recreation Plan and development of recommendations for the BLM on that document.

Mule Deer Initiative and Sage-grouse

Stacy Davies reported that there are a lot of things going on with sage-grouse. Most importantly, the county is seriously looking at developing a countywide Candidate Conservation Agreement with Assurances; there will be another meeting on the 24th. On the Mule Deer Initiative is focused on monitoring mule deer populations. That monitoring reveals that there are too many cougars. As a result, Oregon Department of Fish and Wildlife decided to harvest up to 25 cougars per year. Last year, 20 cougars were harvested right around Frenchglen, and this year, they focused on the South Steens and the West Steens and 18 have been harvested so far. It does appear that the cougar harvest is helping the mule deer populations.

New Action Items

The following action items were identified and agreed to:

- ✓ Kenny McDaniel/David Bilyeu will send the letter to the Burns Paiute Tribe.

- ✓ Rich Angstrom will talk with Louise Soliday about the state position.
- ✓ Kenny McDaniel will put together a summary of what he reported at the beginning of the meeting
- ✓ Wendy Lowe/David Bilyeu will distribute a doodle poll for the conference call.
- ✓ BLM will schedule a conference call to allow for further discussion of the Stonehouse Seeding #2 Pipeline Extension Environmental Assessment by the SMAC.
- ✓ The SMAC will call for votes from the remaining SMAC members (David Bilyeu, Rich Angstrom, and Pam Hardy – who all abstained from the vote on the motion and Dan Haak who was not present when the vote occurred) on a recommendation to proceed with the preferred alternative presented in that Environmental Assessment
- ✓ David Bilyeu will write a letter on behalf of the SMAC to BLM transmitting the recommendation approved by consensus on the Wildland Juniper Management Area Interpretive Trail Environmental Assessment
- ✓ BLM will initiate a meeting with landowners to discuss options related to fencing in the cow-free zone
- ✓ BLM will distribute a map illustrating current winter recreation use areas to SMAC members for consideration in the discussions about the Comprehensive Recreation Plan
- ✓ Wendy Lowe will complete the rest of interviews and would like to have some time to report on her observations.

Meeting Evaluation

Wendy Lowe asked for feedback on how the meeting had gone. She asked what had gone well and for suggestions for improvement at future meetings.

What Went Well	Opportunities for Improvement
Adaptability to rough-housing	Clarify chair/facilitator roles
Facilitator was tough on the SMAC when necessary	Work on the process for developing recommendations
	Get written summaries from BLM (Designated Federal Official and Field Manager)

Rich Angstrom wished Christi West the best of luck in her future endeavors.

Wendy Lowe invited people to call her (208-523-6668) or contact her via email (wendy@p2-solution.com) if they would like to talk with her. She is eager to know each member individually and hopes people will stay in touch.

Meeting was adjourned at: 1:00 pm

Next meeting date: August 11-12, 2011, Burns, OR

Submitted by: Wendy Green Lowe, Facilitator

Attached Appendices:

- A. Final Agenda
- B. Comparison of Alternatives

- C. Miles of Linear Proposed Actions for the Comprehensive Recreation Plan
- D. Response to Dan Haak's questions
- E. CMPA Motor Vehicle Resource Damage Violations
- F. Visitation Since 2000
- G. Draft Road Monitoring Form
- H. Results of Preference Matrix for Alternatives Considered in the draft Comprehensive Recreation Plan Environmental Assessment
- I. Minutes from July 5, 2011 conference call.

The Steens Mountain Advisory Council approved the minutes on: **August 12, 2011**

Signed by David Bilyeu, SMAC Chair: */signature on file/*

STEENS MOUNTAIN ADVISORY COUNCIL MEETING

AT THE SCHOOL IN FRENCHGLEN, OR

Thursday, June 9, 2011

Agenda

Steens Mountain Advisory Council **SMAC**

TIME	TOPIC	PROCESS	LED BY
9:00	Welcome, Introductions, Housekeeping, Agenda Review	Information sharing	David Bilyeu/Facilitator
9:10	Chairperson Update	Information sharing	David Bilyeu SMAC Chair
9:25	Designated Federal Official Update	Information sharing	Kenny McDaniel District Manager
9:45	Field Managers Report	Information Sharing	Joan Suther Andrews Resource Area Field Manager
10:05	BREAK		
10:15	Comprehensive Recreation Plan	Discussion	Michelle Franulovich
11:15	Public Comment	5 minutes/person	
11:30	Response to Public Comments <i>[as needed]</i>	Discussion	SMAC
11:45	Riddle Bros. Ranch, Trailheads, Page Springs Weir	Field Trip	
	LUNCH (Sack Lunches)		
	Riddle Bros. Ranch, Trailheads, Page Springs Weir	Field Trip	
17:00	ADJOURN		

Friday, June 10, 2011

08:30	Approve Previous Minutes	Information Sharing	SMAC
08:45	CRP Recommendations	Recommendation	SMAC
09:45	Recommendation on Wild Horse Gather	Recommendation	SMAC
10:00	BREAK		
10:10	Mule Deer Initiative; Sage-grouse Sub-committee; Land Trust and Conservation Easements Updates	Information Sharing	Stacy Davies SMAC Sub-committee Chair
10:30	South Steens EA Update	Information Sharing	Autumn Toelle BLM
11:15	Public Comment	5 minutes/person	
11:45	Response to Public Comments <i>[as needed]</i>	Discussion	SMAC
12:15	Establish next Meeting Agenda, Identify New Action Items	Discussion	Facilitator / SMAC
12:30	ADJOURN		



June 9-10, 2011 SMAC Meeting, Appendix B. Comparison of Alternatives

Subject	Alternative "A"	Alternative "B"	Alternative "C"	Alternative "D"	Alternative "E"
Roads	No Change	Signs would be placed notifying of upcoming gate on South Loop. Signs would be at a logical place where vehicles could turn around	South Steens gate would be moved 100 yards west of current location.	South Steens Gate moved to west of Burnt Car Road. See Roads Converted to Trails section.	See Roads Converted to Trails section.
Winter Recreation	No Change	Nonmotorized recreation only. A maximum of 10 permits/keys issued with a deposit	Ten permits (groups) maximum. Both motorized and nonmotorized recreation allowed.	Lower gate on North Loop Road to remain open. Ten permits for upper area.	No Change
Special Recreation Permits	No Change	5 permits for wilderness, no multiyear permits	No limit on wilderness permits issued but no multiyear permits	No limit on permits wilderness issued, maximum of five multiyear permits	No Change
Off Highway Vehicle	No Change	OHV limited to developed roads including Mountain Bikes	OHV limited to developed roads	OHV limited to developed roads	No Change
Information/Signing	No Change	Interpretive Plan developed, no additional signage except for kiosks	Interpretive Plan developed with additional interpretive signage. Kiosks in Fields,	Interpretive Plan developed, additional signage, audio tour developed, Interpretive programs	No Change

			Frenchglen and on Penland Road Interpretive programs at Page Springs	Interpretive programs at Page Springs	
Campgrounds	No Change	<p><i>Page Springs:</i> Cottonwood trees replaced over time</p> <p><i>Fish Lake:</i> sites 1 -12 tent camping only, Picnic area brushed & trails graveled. Corral repaired.</p> <p><i>Jackman Park:</i> designated tent camping only</p> <p><i>South Steens:</i> Connector trail built</p> <p><i>Mann Lake:</i> No Change</p>	<p><i>Page Springs:</i> cottonwood trees replaced</p> <p><i>Fish Lake:</i> 1 group camp site. Picnic area moved to boat ramp area. Site 5 converted to handicap accessible. 6-10 sites to accommodate equestrian use, corral moved to campground</p> <p><i>Jackman Park:</i> Entry road widened. 3 additional sites added. Additional toilet added.</p> <p><i>South Steens:</i> A group site and handicap accessible site would be added.</p> <p><i>South Steens Equestrian:</i> connector trail to Big Indian trail</p> <p><i>Mann Lake:</i> 15 sites</p> <p><i>Alvord Hot Springs</i> semi</p>	<p><i>Page Springs:</i> Outdoor amphitheater & cottonwood trees replaced.</p> <p><i>Fish Lake:</i> Entry sign updated. 1 group camp site. Day use and picnic area. Site 5 converted to h/a. New, larger dock. No change to equestrian use.</p> <p><i>Jackman Park:</i> Entry sign updated. Up to 10 new sites added. New restroom.</p> <p><i>South Steens:</i> Group site</p> <p><i>Lilly Lake:</i> New site 5-10 sites</p> <p><i>Mann Lake:</i> Same as Alt. C</p> <p><i>Penland Road:</i> New site</p> <p><i>Alvord Hot</i></p>	No Change

			developed	<i>Springs: 10 sites</i>	
Developed Recreation Sites	No Change	<p><i>Kiger Gorge</i> – Trail would be constructed utilizing gravel. Parking lot enlarged.</p> <p><i>East Rim</i> – gravel trail would be constructed to main viewpoint. Parking lot enlarged</p> <p><i>Wildhorse Lake</i> – parking lot enlarged</p>	<p><i>Kiger Gorge</i> – Paved trail or boardwalk to main viewpoint. Parking lot enlarged. 2-4 picnic tables added. Portable toilet.</p> <p><i>East Rim</i> – Paved trail or boardwalk to main viewpoint. Parking lot enlarged. 2 picnic tables</p> <p><i>Wildhorse Lake</i> – parking lot enlarged</p>	<p><i>Kiger Gorge</i> – In addition to Alt. C, toilet added</p> <p><i>East Rim</i> – same as Alt C</p> <p><i>Wildhorse Lake</i> – same as Alt C</p> <p><i>Riddle Bros. Ranch</i> – Scheduled Tours posted on Web</p>	<i>No Change</i>
Dispersed Recreation Sites	No Change	<p><i>Pate Lake Agreement</i> with landowner.</p> <p><i>Lily Lake</i> – 5 sites semi developed</p> <p><i>Moon Hill</i> – 5 sites semi developed</p> <p><i>Penland Road</i> - Kiosk</p>	<p><i>Pate Lake Agreement</i> with landowner</p> <p><i>Lily lake</i> – 10 sites semi developed</p> <p><i>Moon Hill</i> – 10 sites semi developed.</p> <p><i>Penland Road</i> – Kiosk, picnic tables, small parking area</p> <p><i>Turkey foot</i> Area toilet added.</p>	<p><i>Pate Lake Agreement</i> with landowner</p> <p><i>Lily Lake</i> – Campground developed w/toilet.</p> <p><i>Moon Hill</i> – 10 sites semi developed</p> <p><i>Penland Road</i> –</p>	
Trails	No Change	See Linear Proposed Actions Table.	See Linear Proposed Actions	See Linear Proposed Actions	No Change

		One trailhead parking area would be developed off of Penland Road.	Table. Need to Add Trailhead parking areas will be developed off of Penland Road, at the North Steens Mountain Road Colds Springs Road intersection, and near Page Springs.	Table. Trailhead parking areas will be developed off of Penland Road, at the North Steens Mountain Road Colds Springs Road intersection, near Page Springs, and west of Fish Lake.	
Roads converted to Trails	No Change	No Change	No Change	62 miles	150 miles

June 9-10, 2011 SMAC Meeting, Appendix C. Miles of Linear Proposed Actions for the Comprehensive Recreation Plan

	Alternative A	Alternative B	Alternative C	Alternative D	Alternative E
Trails total	0	4.2	39	158	264
Roads closed	0	0	0	62	150
Trails in a WSA	0	0	0	53	70
Trails in the wilderness	0	3.1	33	68	110
Trails from the citizen proposal	0	0	0	116	264
New trail construction ⁺	0	1.2	15	37	40
Marked trails	0	3	11	8	12
Roads rehabilitated in the wilderness	0	0	13	38	50

⁺These trail sections do not follow either a closed or open road and are not marked.

June 9-10, 2011 SMAC Meeting, Appendix E. Response to Dan Haak's questions

Questions for the BLM to be addressed at the June 9/10 meeting in regard to the Recreation Plan and ONDA's proposed road closure request.

1. Vehicle counter data for the years 90,95,2000,05,08,09,10. Select several that have been in use and represent usage trends on the "most used" portion of the mountain and specifically those that are located on roads proposed for closure. **See attached document. Years requested are highlighted in red.**
2. The estimated average date of closure and reopening of the four main gates on the loop road for the past 10 years.

Gate opening and closing is dependent on weather and road conditions.

Page Springs Gate #1; Open June 1, Close November 15.

Jackman Gate #2; Open June 21, Close November 1.

Rooster Comb Gate #3; Open June 15, Close November 1

South Steens Gate #4 ; Open June 7, Close November 7

Black Canyon Gate # 5; Open May 15, Close November 15

Burnt Car Gate, Open May 15, Close November 15.

3. Significant events of resource damage related to vehicle or motorized use in the past 10 years within the CMPA. **See George Orr, LEO Report.**
4. Significant events of resource damage related to dispersed camping in the CMPA in the past 10 years. **BLM documented in spring 2011, 3 to 4 juniper trees along the Three Springs Way that had been cut down with a chainsaw----this is in the South Fork Donner Und Blitzen WSA. See also, George Orr, LEO Report.**
5. Significant resource damage due to other forms of recreation within the CMPA in the past 10 years. **See George Orr, LEO Report.**
6. BLM Law enforcement activities which resulted in a conviction related to resource damage or potential resource damage within the CMPA in the past 10 years. **See George Orr, LEO Report.**
7. Has there been any other human caused negative significant resource or environmental event in the past 10 years not related to BLM management actions. **See George Orr, LEO Report.**

Significant event as used above is defined as an event which generated an official report and required the BLM to take action to repair or limit the effect of the damage or the effects of which exceeded 2 years.

8. Has the BLM documented any event with regard to motor vehicle use in the CMPA which the SMAC should be aware of in forming our recommendations concerning the Recreation Plan.

Closed roads require additional sign maintenance as signs get vandalized. See also George Orr, LEO Report.

June 9-10, 2011 SMAC Meeting, Appendix E:
CMPA MOTOR VEHICLE RESOURCE DAMAGE VIOLATIONS

Since 2002 there are 4 documented motor vehicle violations that occurred within the CMPA that resulted in convictions. These violations were related to use of motor vehicles in a manner that could be destructive to soil and vegetative resources. These violations occurred off of open routes on and off road.

2002 Individuals were driving off the road near Nye cabin. Vehicles were off road and parked within the Steens Mountain Wilderness. No resource damage was noted. The vehicles were moved and the owners were cited.

2007 One individual was cited for driving an OHV on a road that was closed within the Steens Mountain Wilderness near Indian Creek. No resource damage was noted. Traffic was contained solely to the closed road.

2008 One individual was cited for driving off road near Cold Springs. This individual drove around the loop road gate when the road was seasonally closed. They made it to a large waterhole in the road where they drove around in a wet meadow and caused severe resource damage. This damage consisted of the displacement of soil, grasses and sedges. This individual was cited and had to pay fines and restitution in the amount of thousands of dollars.

Wilderness violations that resulted in incident reports. No convictions resulted as individuals were not caught only evidence these violations remained (tire tracks etc.) No resource damage occurred as these violations occurred on roads closed within the Steens Mountain Wilderness.

2003, 3 violations

2004, 6 violations

2005, 4 violations

2006, 8 violations

2007, 11 violations

2008, 3 violations

2009, 12 violations

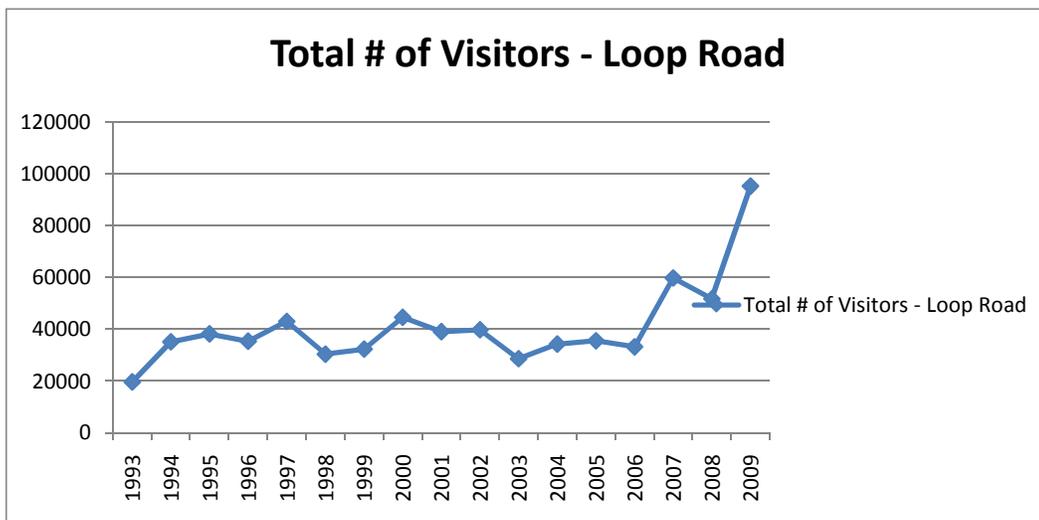
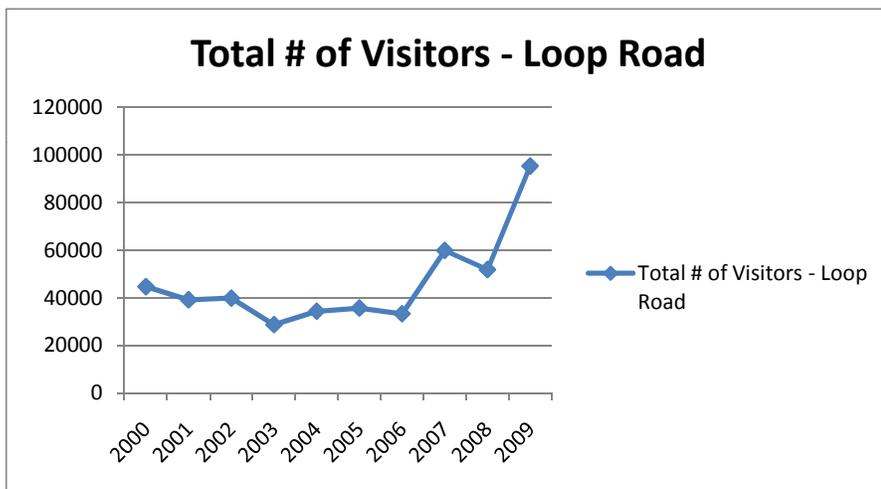
2010, 10 violations

George P. Orr

District Ranger Burns BLM

June 9-10, 2011 SMAC Meeting, Appendix F, Visitation Since 2000

	North Loop Road	South Loop Road	Total # Vehicles	Vehicles divided by two	Total # of Visitors - Loop Road	Vehicles for Entire CMPA	Cars/2	Total # of Visitors for Entire CMPA
1993	8577	5478	14055	7028	19607	18974	9487	26469
1994	16638	8522	25160	12580	35098	35224	17612	49137
1995	15845	11530	27375	13688	38188	36956	18478	51554
1996	15419	9909	25328	12664	35333	34192	17096	47698
1997	15291	15531	30822	15411	42997	41301	20650.5	57615
1998	12892	8862	21754	10877	30347	28715	14357.5	40057
1999	14126	9022	23148	11574	32291	31250	15625	43594
2000	17156	14803	31959	15980	44583	42186	21093	58849
2001	15692	12287	27979	13990	39031	35813	17906.5	49959
2002	15989	12510	28499	14250	39756	37049	18524.5	51683
2003	11487	9005	20492	10246	28586	26639	13319.5	37161
2004	11496	13036	24532	12266	34222	31891	15945.5	44488
2005	12553	12923	25476	12738	35539	33374	16687	46557
2006	11245	12553	23798	11899	33198	31413	15706.5	43821
2007	22456	20394	42850	21425	59776	53562	26781	74719
2008	18824	18259	37083	18542	51731	61929	30964.5	86391
2009	51389	16909	68298	34149	95276	81348	40674	113480
2010	33,023	13,462	46485	23242.5	64847	46485	23242.5	64846.575
Average			30283	15141	42245			



June 9-10, 2011 SMAC Meeting, Appendix G. **ROAD MONITORING FORM**

Evaluation By (Name, Title) Charles Biederman, Range Rider Date 6/8/2011

1. Way / **Road** (circle one) #Unknown 2. Location _____

3. Way / Road Name Witzel Spring Road

4. Is there evidence or documentation of maintenance? Yes, visual evidence (see below)

5. Route condition (i.e., excessive erosion, braiding, visibility, functionality, surface type)

Route has no excessive erosion, appears to be bladed recently, very visible, mostly functional except where a reservoir has overflowed onto the road, road has a natural surface.

6. Photo numbers 543-551

7. Current purpose of road (circle the appropriate one(s) and list number of improvements)

Range/Livestock Improvements (stock tank___, developed spring___, **reservoir 8**, fence 2, corral___), **Inholdings** (ranch, farmhouse), Mine site, **Concentrated Use site** (ex. **camp site**, overlook), Utilities (transmission line, telephone, pipeline), Communication site, vegetation treatment, Fish-bearing water, **hunting access**, fishing access, **control burns associated w/North Steens Ecosystem Restoration Project, Access point for North Steens Ecosystem Restoration Project**, a prescribed fire holding point for the Five Creeks Project, access point for Five Creek Project, road critical in protecting structures from fire

Other provides access to other roads with range improvements

8a. Is there another road available to access these features? No where? _____

8b. Is the other road in better condition than this road? _____ Describe _____

9. List any foreseeable future projects that depend on this road:

Appendix H. Results of Preference Matrix for Alternatives Considered in the draft Comprehensive Recreation Plan Environmental Assessment







Roads
Converted
to Trails

Alford
Hot
Springs

Turkey
Foot

	A	B	C	D	E
Roads Converted to Trails	RA SD HW RJ PB TB		WX	PH DB	TD
Alford Hot Springs	NA PB	NA	NA springs Semidev	10 sites SD DB RA TB	NA
Turkey Foot	HU PB	NA PH	Hw DB to RA SD		NA

STEENS MOUNTAIN ADVISORY COUNCIL
MEETING MINUTES
JULY 5, 2011
Via CONFERENCE CALL

Members Present

David Bilyeu, Chair, Environmental Representative - State, Bend, OR
Daniel Haak, Vice Chair, Mechanized or Consumptive Recreation, Burns, OR – Thursday morning only
Richard Angstrom, No Financial Interest, Salem, OR
William Renwick, Environmental Representative - Local, Burns, OR

Members and Other Relevant Parties Absent

BLM's SMAC Coordinator, BLM, Hines, OR
Burns Paiute Tribal Member
Paul Bradley, Wild Horse Management, Hines, OR
Tom Davis, Fish & Recreational Fishing, Sisters, OR
Stacy Davies, Grazing Permittee, Frenchglen, OR
Pam Hardy, Dispersed Recreation, Bend, OR – Friday only
Richard Jenkins, Recreational Permit Holder, Diamond, OR
Kenny McDaniel, District Manager, BLM, Hines, OR
Fred Otley, Private Landowner, Diamond, OR
State Liaison
Hoyt Wilson, Grazing Permittee, Princeton, OR

Facilitator

Wendy Green Lowe, P2 Solutions, Idaho Falls, ID

BLM Staff Present

Darryl Bingham, Natural Resource Specialist, BLM, Hines, OR
Bill Pieratt, Rangeland Management Specialist, BLM, Hines, OR
Joan Suther, Steens/Andrews Area Manager, BLM, Hines, OR

Stonehouse Seeding #2 Environmental Assessment

Wendy Lowe reminded those on the call that the Stonehouse Seeding #2 Pipeline Extension Environmental Assessment had been presented briefly at the June 9-10 SMAC meeting and the SMAC had considered a motion to approve the proposed action evaluated in the EA. When the motion was called for a vote, seven members voted in favor and three abstained; one member was not present when the vote was called. The decision at the meeting was to leave the motion on the table and host a

follow-up conference call. The purpose of this conference call was thus to allow abstaining members to ask questions about the proposed action and other alternatives considered and to call again for a vote.

Dan Haak asked Rich Angstrom to explain his concern about the EA. Rich explained that he simply needed more time to review the EA before he could vote on it. He did not want the SMAC to “rubber stamp” any BLM decisions.

Dave Bilyeu asked if the pipeline to Summit Creek would be buried. Dave Pieratt explained that another option would be to sleeve the pipeline and keep it above ground. Darryl Bingham explained that the BLM would like to be adaptive in the way the proposed action is implemented.

Dave Bilyeu observed that he would like to have had the opportunity to explore an alternative combining aspects of Alternatives C and D. Dan Haak reminded him that there was a motion on the floor. As less than a quorum were in attendance on the conference call, such discussions are out of order.

It was explained that the section of pipeline that would traverse the wilderness study area is only 0.35 mile in length and it provides water from private ground to a pasture on BLM that is permitted. The pipeline would follow an existing right of way along a road that had been disturbed very recently.

Dave Bilyeu asked why Alternative B is preferred over Alternative C. It was explained that Alternative C could provide no more than two gallons of water per minute, which is not really enough water to support the trough.

Dan Haak expressed his appreciation for providing multiple sources of water so that BLM is not forced to rely on only one source of water.

Dave Bilyeu asked about the placement of the fence along Stonehouse Creek. It was explained that grazing occurs on both the north side and south side of the creek. Placement as proposed in the proposed action offers the most protection to the riparian habitat if grazing on both sides of the creek is taken into consideration. It was also pointed out that the fencing would offer some protection during trailing of cattle to permitted areas.

No more questions were raised by SMAC members.

Dave Bilyeu called for a vote. Rich Angstrom and Dan Haak voted in favor of the proposed action. Dave abstained; he observed that the information presented during the conference call provided compelling reasons for supporting the Proposed Action. In his capacity as the representative for statewide environmental interests, however, he cannot support the Proposed Action without further consultation with ONDA. He suggested that had the June agenda allowed for fuller discussion about the EA, he might have been able to support the proposed action. It would have been better if the SMAC had known ahead of time that this topic was to be on the agenda and additional time allocated for fuller consideration.

Discussion continued:

- Those on the call preferred burying the pipeline within the WSA; because that wording was not in the original motion, this could not be included in the recommendation to be sent to BLM.
- Similarly, those on the call appreciated the strategy of having multiple water sources to assure reliability of water; because this wording was not in the original motion, it was not voted on.
- Rich Angstrom observed that the outcome to this discussion reveals an awkward process and that he would prefer not having things go this way in the future. He understands that sometimes issues come up very quickly, but this process was far from ideal. He appreciates that the SMAC is trying to develop advice that takes full advantage of various diverse perspectives.

However, this rushed process is not ideal. The entire SMAC would have benefitted from having more time to discuss this document and the recommendation could have been improved by the richer discussion.

- Joan Suther noted that the topic had been presented to the SMAC on two occasions before.
- Dave Bilyeu said that the rationale for the fencing being closer to the creek in the Proposed Action makes sense to him, but the entire SMAC did not have the opportunity to hear that explanation.
- Not providing the document in advance of the meeting and not having it on the agenda jeopardized the SMAC's ability to produce a unanimous recommendation.
- Joan Suther is interested in knowing more about Dave Bilyeu's suggestions for combining Alternatives C and D. She asked him to provide his own individual comments to clarify what he was thinking and why it would be preferable to him.
- Dan Haak asked Dave Bilyeu if he could write a letter of support from the SMAC for the proposed alternative given the fact that he abstained from the vote. Dave responded in the affirmative.
- Dave Bilyeu told his fellow SMAC members that he had been prepared to ask BLM to extend the comment period to allow further discussion by the entire SMAC at the August meeting. With 9 votes in favor, that option is moot.

It was agreed that Dave Bilyeu should draft and send a letter to BLM explaining the SMAC's consideration of this topic and final approved recommendation.

There was additional discussion about the minutes from the June 2011 meeting. Dan Haak asked Wendy Lowe to listen to the tape recording again and revise the wording about Matt Little's first public comments to the SMAC. He recalled Matt saying (about the settlement negotiations related to the North Steens Ecosystem Restoration involving BLM and ONDA) that the

This prompted a discussion about the minutes and how detailed they should be. Wendy clarified that the minutes have very few quotes – and in fact are more summary than a verbatim transcription. She asked all for feedback on the draft minutes from the June meeting as they took a considerable amount of time to produce. No one from BLM is available to take notes; she produced the minutes from listening to the tape recording of the meeting.

Joan agreed to send her comments to Wendy shortly.

It was agreed that the SMAC should be invited to consider the level of detail presented in the minutes and to discuss its needs more thoroughly at a future meeting.

New Action Items

The following action items were identified and agreed to:

1. Dave Bilyeu will draft and send a letter transmitting the SMAC's support for the proposed action
2. The notes from this call will be attached to the minutes from the June 9-10 meeting.

Meeting was adjourned at: 11:15 am