

# Steens Mountain Advisory Council

## **FINAL** February 21, 2014 Summary Minutes

The Steens Mountain Advisory Council (SMAC) met via conference call on February 21, 2014. In accordance with the provisions of Public Law 92-463, the meeting was open to the public. This document summarizes attendance, discussions that occurred and decisions made. For the record, it is noted that to avoid a conflict of interest, Council members absent themselves from the meeting when the Council discusses matters in which a conflict of interest may occur.

### *Council members participating:*

Daniel Haak (Chair, Mechanized or Consumptive Recreation),  
David Bilyeu (Vice Chair, State Environmental representative),  
Stacy Davies (Grazing Permittee),  
Pam Hardy (Dispersed Recreation),  
Fred Otley (Private Landowner),  
Richard Angstrom (No Financial Interest), and  
Leon Pielstick (Wild Horse Management representative).

### *Members not participating:*

Richard Jenkins (Recreational Permit Holder),  
Grazing Permittee (vacant),  
Private Landowner (vacant),  
Local Environmental representative (vacant),  
Burns Paiute Tribal Member (vacant), and  
State Liaison (vacant).

### *Other participants/observers/presenters:*

Designated Federal Official (DFO) Rhonda Karges (Andrews/Steens Resource Area Field Manager),  
DFO's Assistant Tara Martinak (Public Affairs Specialist, BLM),  
Travis Miller (Rangeland Management Specialist, BLM), and  
Dean Whitt (Supervisory Natural Resource Specialist for Recreation, BLM).

### **REVIEW/APPROVE NOVEMBER 2013 MEETING MINUTES**

Leon Pielstick made two suggestions for minor corrections to the list of participants for the meeting. Stacy Davies motioned to approve the minutes as corrected. Pielstick seconded. The minutes were then approved with no objections.

### **DESIGNATED FEDERAL OFFICIAL UPDATE**

Page Springs Weir – Getting closer to sending the document to the State Office for review. We are waiting to hear from the State Historic Preservation Office as well as the Malheur National Wildlife Refuge on how they plan to measure the water. The Refuge has been in contact with their water resources staff in Portland.

South Steens Allotment Management Plan (AMP) – Currently in the Solicitor's Office for review. The Solicitor's Office is being tasked with litigation in Idaho, so the AMP review was pushed back. As it stands right now, the review is to occur next week.

East Steens Recreation/Grazing Issue – No changes since the last meeting. However, the Alvord Allotment Evaluation was completed in February and utilization records were mailed to the permittee.

Steens Mountain Comprehensive Recreation Plan (CRP) – The CRP Environmental Assessment (EA) has been completed and a draft Finding of No Significant Impact is being prepared. Staff is also working on photo documentation of routes and NAIP imagery maps. With any luck the EA will be released in early March for a 45-day comment period. Tara Martinak will notify the SMAC when the document is available. Dan Haak stated March 10 there is a meeting regarding the Wolf Creek project and thought the BLM could have a joint-meeting to talk with the public about the CRP. Karges stated the BLM did not plan to have public information meetings regarding the CRP, but the idea could be discussed.

Personnel Update – Daryl Bingham, Natural Resource Specialist (Fisheries/Riparian) took a job in Ketchikan, AK with the Forest Service. We are currently recruiting for his replacement. John Bethea retired in December. Eric Haakenson will be the lead Outdoor Recreation Planner for Three Rivers, but will help in Andrews/Steens as needed.

Litigation Update –

- ONDA v. Cain – Oral arguments were held on December 18 in Portland.
- TMP – IBLA gave BLM permission to submit a briefing paper. BLM submitted additional Route Analysis Forms to IBLA last week.
- N. Steens Ecosystem Restoration Project – Nothing to report
- Stroemple appeal. BLM is currently gathering data in response to Appellants' First Set of Discovery Requests. The due date is March 7. A hearing/briefing schedule has been scheduled. BLM has also submitted a discovery request to Stroemple's attorney.
- North Steens Transmission Line – A 9<sup>th</sup> Circuit Court hearing is scheduled for February 28. ONDA and Audubon Society of Portland filed a petition last March asking the Secretary of the Interior to revoke the Record of Decision and Right-of-Way. The ROW is valid and rent is being paid.

North Steens Ecosystem Restoration Implementation –

- 1,100 acres will be cut and hand piled in the Tombstone Unit.
- Approximately 4,000 acres will be burned hopefully this fall in the Moon Hill Area. The burn was scheduled to occur last fall, but due to the furlough and then a change in weather, objectives could not be met.
- We are into our 3<sup>rd</sup> year on the Blitzen Stewardship Contract. Three units have been completed and in the process of starting the 4<sup>th</sup>.
  - Unit 1 was along south Steens Loop Road and 64 acres were cut and machine piled. Biomass logs will be removed this spring to a milling site and the piles burned in fall/winter 2014. Completion date was 7/13/13. Approximately 320 tons of biomass were utilized.
  - Unit 2 was along South Steens Loop Road and 84 acres were cut and machine piled. Due to the terrain and ground conditions, no biomass was utilized. Completion date was 10/18/13. Piles will be burned in fall/winter 2014.
  - Unit 3 was also along South Steens Loop Road and 100 acres were cut and machine piled. Due to the terrain and ground conditions, no biomass was utilized. Completion date was 11/12/13. Piles will be burned fall/winter 2014.
  - Unit 4 is along North Loop Road and 174 acres will be cut and machine piled. Work has been delayed due to weather.

2013 Recreation Statistics for the CMPA –

- 5,346 people used the developed campsites
- BLM collected \$19,487 from these campsites
- 1,479 people registered at the trailheads
- BLM issued 4 Special Recreation Permits and 9 winter recreation permits
- 1 permit was issued for access on Cold Springs Road

- 10 people participated in the Steens tour during the Bird Festival
- Our road counters are old and no longer accurate as they register more than just vehicles. Therefore, we don't have an accurate count for the number of visitors to the Steens. However, we feel the use is similar to past years based on observations and campground fees. We are in the process of obtaining additional road counters and installing them in strategic locations.
  - Pam Hardy asked how the 2013 statistics compared to previous years. Karges did not have the comparisons.
  - Fred Otley asked about a SMAC recommendation from years ago regarding the purchase and installation of updated road counters with better technology to determine types of use on the roads. Karges stated she did not recall that recommendation, but additional road counters have been purchased, as well as updated software to use in analyzing the counter data. The BLM is considering purchasing additional counters in 2014.
  - David Bilyeu and Pam Hardy also recalled the recommendation regarding upgraded road counters and reiterated the importance of having quality, accurate use data for Steens Mountain.
  - Dan Haak asked for a copy of the 2013 recreation statistics for the CMPA.

#### 2013 Law Enforcement Issues –

- We have continuous violations at Burnt Car. People are driving around the sign to a dispersed camping site. The area has been signed and resigned. As part of the Burnt Car Settlement Agreement amendment, BLM has issued a contract to relocate some boulders to help resolve this issue.
- Off-highway vehicle violated in Ankle Creek and Lauserica Roads as well as the Weston Mine area and Cold Springs Roads during deer season.
- There were instances of unattended campfires during deer season in South Steens Campground and other dispersed camp sites.

During the DFO update, two questions were asked that will have answers provided via email after the conference call:

- Stacy Davies asked for specific locations regarding off-highway vehicle intrusions into Steens Mountain Wilderness.
- Dan Haak asked if private citizens can *use* the cut juniper within the Cooperative Management and Protection Area rather than BLM burning the piles.

#### **ONDA's VIRTUAL TRAIL PROPOSAL**

Dean Whitt, Supervisory Natural Resource Specialist for recreation, spoke with the State Lead at the BLM Office regarding the ONDA trail proposal and the SO has received all of the data on the entire proposal. There are two trails that already exist – the High Desert Trail and the Oregon Trail, and the ONDA wants to connect these two trails by way through the Steens area. Pam Hardy added that the ONDA is trying to create another “well recognized, classic-type” trail, similar to “Pacific Crest” and “Appalachian” that would be specifically for the Oregon Desert. Over 60% of this trail isn't even on the Steens; the proposal does pass through the Steens, but only a small segment.

Leon Pielstick asked if there was any physical work to be done for this trail on the ground. Whitt stated he felt it was just a designation on a map and nothing labor intensive on the ground – perhaps some rock cairns, but no development. There was some confusion about the exact route of the trail proposal; Stacy expressed some concern about any impact to private property owners. Karges stated she didn't think there was any crossing on private property, but couldn't be sure. Again, there is a very small portion of the proposed trail in the CMPA that is different than the already existing “High Desert Trail” corridor. The BLM has analyzed in the Steens Mountain Comprehensive Recreation Plan the section of the Virtual Trail that is proposed in the CMPA. Karges stated the State Office is looking into the entire proposal since it includes multiple Districts.

Dean Whitt concluded this portion of the agenda with a brief introduction of himself to the Council since this was his first meeting with the group.

### **COOPERATIVE CONSERVATION AGREEMENTS**

Travis Miller, Rangeland Management Specialist for the Burns District BLM, opened the discussion on Cooperative Conservation Agreements (CCA) with a call for any questions or direction on the kind of information the SMAC is looking for. Pam Hardy stated the SMAC has already spent a fair amount of time talking about CCAs and Sage Grouse and impact to private landowners, so most of the group should already have a decent understanding of this topic, including the difference between a CCA and a Cooperative Conservation Agreement with Assurances (CCAA).

The BLM is currently in the process of developing a CCA with Stacy Davies/Home Ranch, LLC in the Smyth-Kiger allotment area near Diamond. The area has significant Sage Grouse habitat, is within the Five Creeks Rangeland Restoration Project area, and is also part in the CMPA. There is a template format for the CCA that gives an outline regarding the type of information necessary for the agreement – description of the allotment conditions, management actions, livestock numbers, utilization levels, pasture rotation, field monitoring data, major threats (to Sage Grouse), conservation measures (basically your plan for addressing major threats), etc. The CCA is basically a 10-year plan/agreement that focuses on those conservation measures.

Dan Haak asked if the BLM used the Habitat Assessment Framework (HAF) in the CCA. Miller stated there was conflict using the HAF (mostly in the fourth order) in CCAA's because it asks for specific measurements on indicators for meeting Sage Grouse habitat, and there was confusion about those indicators and how the information is used and interpreted. As such, the State chose to use the State and Transition Models instead to determine successes. The BLM used a merged model of the HAF and the State and Transition Model for the Home Ranch, LLC CCA. There was additional discussion with the SMAC regarding the HAF and the potential for litigation against the BLM's best efforts to meet indicators. Fred Otley complimented Miller on his knowledge and explanation of the CCA/CCAA process.

Leon Pielstick asked about site-specific issues in the Kiger wild horse Herd Management Area (HMA). Miller stated there are multiple threats in this area, but juniper encroachment/invasion of Sage Grouse habitat is the most prevalent. The BLM is working to treat specific areas and attempt to mitigate issues surrounding horse use and impacts in recovery areas. Rich Angstrom asked if the upshot of all of this is that we haven't noticed a Sage Grouse response to reducing juniper? Miller stated it hasn't really been long enough to make this type of determination. We have only been doing treatments for a few years, and there is only one lek in the particular pasture in the Kiger HMA that we have been working steadily in. Fred Otley spoke about this lek and asked about migration to the east and up to the other leks in the area – is there any data on that? Miller did not have any data.

Dan Haak stated wild horse overpopulation is becoming a bigger issue and could rapidly affect areas where we are trying to do recovery and horses move in. Pam Hardy stated even though there isn't an answer to this problem right now, Sage Grouse and habitat issues will very likely be included in the wild horse management policy in the future. There was some discussion about horse behavior and concentration in the Kiger HMA.

### **MEMBER ROUND TABLE**

Tara Martinak stated the current open nomination period for SMAC applicants closes Friday, February 21. Zero applications were received for the six advertised positions (No Financial Interest, Local Environmental Representative, Mechanized or Consumptive Recreation, Grazing Permittee (2), and State Liaison). The nomination period will be extended within the coming month. As far as the positions that

have been waiting for official appointment at the Washington Office (Burns Paiute Tribe, Fish and Recreational Fishing, State Environmental Representative, and Private Landowner), they are still in a holding pattern for reasons unknown. Martinak stated the BLM cannot directly contact Congressmen or Senators for their assistance in moving the appointment package forward, but the SMAC members could. SMAC members were also encouraged to reach out to their constituents to help recruit for nominees during the next open period.

Dan Haak stated he is still involved with the Harney County Open Roads Coalition. He also stated he plans to reapply to the SMAC.

Leon Pielstick stated the BLM is getting more open to permanent sterilization of horses. A request for information and submitted proposals has been released and a request for specific projects is expected soon. This is positive news and good progress to help with population management.

Rich Angstrom asked if the BLM is expecting additional requirements for juniper control with the new focus put on Sage Grouse and their potential listing under the Endangered Species Act. Karges stated she hadn't heard anything specific regarding that idea, however, she suspects we may receive additional funding for juniper work because of the concerns for Sage Grouse habitat. Travis Miller stated as far as juniper management goes, we know it needs to be done across the landscape on a very large scale and that it is essential to have a plan established in the Greater Sage Grouse Resource Plan Amendments (RMPA) that says the specifics on how we are going to address juniper, invasive annual grasses, etc. So far, it doesn't seem like that plan has really been articulated in the RMPA. In the "Oregon alternative" in the RMPA, there is a number for treating juniper within the next 10 years (percent per year), and if this alternative is selected, hopefully the direction for treating juniper will come with funding.

Angstrom stated the comment period on the BLM's RMP amendment for Sage Grouse is coming to a close. The State also has their own "Oregon Plan" in the works that is supposed to be rigid enough to prevent an Endangered Species Act listing for the bird. The draft has been very tightly controlled and is highly focused on development (grazing and mining are the top two landscape-size issues considered). Angstrom encouraged the SMAC to pay attention to both the BLM and State plans regarding Sage Grouse.

David Bilyeu stated the lack of response from the Washington Office regarding the SMAC appointments has been on his mind and he will pursue contacting his Congressman to stress the importance of the committee membership.

### **REVIEW FOLLOW UP ITEMS AND DEVELOP AGENDA FOR THE NEXT MEETING**

#### Follow-up:

- Stacy Davies asked for specific locations regarding off-highway vehicle intrusions into Steens Mountain Wilderness.
- Dan Haak asked if private citizens can *use* the cut juniper within the Cooperative Management and Protection Area rather than BLM burning the piles.
- Dean Whitt will have internal discussion about tagging on with the working group meeting on March 10.
- Rhonda Karges will follow up on SMAC vacancies and reach out for additional nominations
- Tara Martinak will make sure the SMAC is aware as soon as the Comprehensive Recreation Plan is available to the public

#### Future agenda items:

- Leon Pielstick encouraged a field trip, since the meeting will be based out of Frenchglen
- Dan Haak would like to get into the Kiger HMA, into the Home Ranch area (JULY meeting; possibly

stay in Fields?)

- Fred Otley suggested the Kiger HMA as well to see the progress and success of the juniper work there.

Leon Pielstick motioned to adjourn the meeting. Fred Otley seconded the motion. No opposition – motion passed.

A full digital recording of this meeting is available upon request at the Burns District office.

The Steens Mountain Advisory Council approved these minutes on June 13, 2014.

Signed by Dan Haak, SMAC Chair: */signature on file/*