

Steens Mountain Advisory Council

DRAFT September 30, 2013 Summary Minutes

The Steens Mountain Advisory Council (SMAC) met September 30 at the Bureau of Land Management (BLM) Burns District Office in Burns, Oregon. 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 in attendance included:

Daniel Haak (Chair, Mechanized or Consumptive Recreation),
David Bilyeu (Vice Chair, State Environmental representative),
Stacy Davies (Grazing Permittee),
Fred Otley (Private Landowner),
Leon Pielstick (Wild Horse Management representative), and
Richard Jenkins (Recreational Permit Holder).

Members not present included:

William Renwick (Local Environmental representative),
Richard Angstrom (No Financial Interest),
Pam Hardy (Dispersed Recreation),
Private Landowner (vacant),
Burns Paiute Tribal Member (vacant), and
State Liaison (vacant).

Other participants/observers/presenters included:

Designated Federal Official (DFO) Rhonda Karges (Andrews/Steens Resource Area Field Manager),
DFO's Assistant Tara Martinak (Public Affairs Specialist, BLM),
Autumn Toelle (Rangeland Management Specialist, BLM),
Tom Wilcox (Outdoor Recreation Planner – Wilderness, BLM),
Rob Sharp (Wild Horse and Burro Program Specialist, BLM),
Dan Morse (Oregon Natural Desert Association),
Paul Davis (private citizen; Alvord Ranches),
Ed Davis (private citizen, Alvord Ranches),
Jim Buchanan (private citizen; Alvord Ranches representative), and
Scott Campbell (private citizen).

MONDAY, SEPTEMBER 30, 2013

Council Coordinator Tara Martinak served as Facilitator for the September 30 meeting. Martinak opened the meeting by letting the SMAC know of the potential for government shutdown due to lack of appropriations prior to the close of the fiscal year. Dan Haak suggested moving the discussion regarding the east Steens recreation issues to the day's agenda in case the office is closed on October 1. The group then reviewed the day's agenda (which was modified slightly throughout the day to incorporate items from the following days' session), discussed the handouts presented to the council, and covered basic housekeeping-type logistics. Martinak shared that the nomination package for recommended applicants to the SMAC was finally moved forward from the Governor's office to the Washington office. Final membership appointments are now pending a vetting process and the Secretary's signature. Council members and others in attendance introduced themselves before proceeding with the meeting schedule.

Approve the May 9-10, 2013 meeting minutes:

Fred Otley wanted to clarify a couple of statements he made during the previous meeting (not necessarily a change to the minutes, but a verbal explanation of what was intended). Overall, Otley wanted to emphasize the importance of the BLM working closely with local landowners, especially when issues arise that deal with private property rights, road status, and access. Otley also expressed the importance of the BLM using the 17 specific criteria developed by the SMAC when analyzing the permanent change in status of a road.

Dan Haak motioned to approve the minutes as presented. Leon Pielstick seconded the motion. With no objections, the motion passed unanimously.

Designated Federal Official update

- Page Springs Weir – The EA is almost ready for review before sending out for public comment.
- North Steens Ecosystem Restoration Implementation –
 - a. The District planned to burn the Moon Hill unit beginning September 23; however, the temperatures were too cool and the area received precipitation.
 - b. Work on the Blitzen Stewardship contract began in June and 64 acres were treated.
 - c. Hand piling in the Tombstone unit is ongoing.
 - d. The fourth cutting in the Riddle Brother Ranch Historic District up Cold Springs Road was completed last week. Plans are to burn piles this fall from last year's cutting (weather permitting).
- Loop Road/Rooster Comb Maintenance – a portion of the Loop Road in the Rooster Comb area is sloughing off into Indian Gorge. As such, a portion of the Loop Road is currently closed. Work is expected to last until mid-October.
- CRP – The document is still in the State Office for review. Currently working on photo documentation of routes and NAIP imagery maps.
- Inholder Access – Mr. Campbell has requested cross-county access across the NLGA wilderness for grazing administration purposes on his western parcel. An EA and MRDG will be prepared. An on-the-ground site visit is currently scheduled for Friday, weather permitting.
- Burnt Car Road – On June 14, Judge Papak approved an agreement ONDA, Roaring Springs Ranch, and BLM developed regarding issues in the Burnt Car area and Tombstone Pasture. The BLM agreed to conduct further rehabilitation by further narrowing the roadways with rocks, adding a few drainage dips, reseeding any areas disturbed, etc. A contract was awarded and work will begin when on-the-ground conditions are right. RSR was allowed to graze Tombstone this past summery. ONDA has agreed to help scatter rocks along the roads and will be available to meet BLM on site prior to work beginning.
- Wildland Fire –Fires within the CMPA included the House Creek Fire, the largest at approximately 2,700 acres; Stonehouse approximately 200 acres; and less than an acre north of the South Loop Road near the river. The Frenchglen Rangeland Fire Protection Association responded to a fire on Hammonds private.
- Litigation Update
 - a. ONDA v. Cain – In the briefing process with oral arguments scheduled for November 19 in Portland.
 - b. TMP – IBLA gave BLM permission to submit a briefing paper. The brief is due mid-October.
 - c. N. Steens Ecosystem Restoration Project – Nothing to report
 - d. Mr. Stroemple appealed BLM's decision to allow trailing across Steens Mountain Wilderness because of the stipulation it is his responsibility to ensure livestock remain on private lands. Mr. Stroemple has now requested an alternative route for trailing.
 - e. N. Steens ROW – BLM prevailed on all counts. ONDA raised seven main reasons for which the agency's decision should be overturned:

- i. BLM failed to consider the impact of the project on fragmentation and connectivity of sage-grouse habitat.
- ii. BLM failed to follow its own policies relating to sage-grouse and golden eagles.
- iii. The FEIS contained inadequate information about the impacts of the project on sage-grouse and golden eagles.
- iv. BLM failed to consider and respond to other agencies' critical comments.
- v. BLM failed to specify required mitigation measures and relied on the assumption that Harney County would require mitigation for the impacts to private land.
- vi. BLM failed to analyze the effectiveness of the proposed mitigation measures.
- vii. BLM failed to allow public comment on the wholesale changes it made between the Draft and Final EIS.

David Bilyeu stated at the May meeting the SMAC worked very hard on providing a recommendation to the BLM regarding access for Dr. Scott Campbell to his private property on Steens Mountain. Bilyeu stated he would like to clearly see what route is being analyzed by the BLM. Karges stated she would review the proposal with anyone interested during a break in the meeting.

Wild Horse and Burro Program update – Leon Pielstick, SMAC/Rob Sharp, BLM

On/around Steens Mountain, there are the South Steens, Kiger and Riddle Mountain wild horse herds. The Kiger and Riddle Mountain herds are popular in the private sector, so their numbers remain stable and out of the “holding facility” market. However, the South Steens herd is way over population, though there seems to be plenty of feed. Water is always the biggest challenge for horses on the range. All horses gathered in Oregon come into Oregon’s Wild Horse and Burro Facility for adoption preparation. Pielstick discussed how the gather process works and stated there is a current controversy over how the BLM estimates populations on the ground. Nationally, there are over 40,000 horses on the range and 49,000 horses in holding facilities (long term and short term combined). An example of current adoption rates: over 8,000 horses were removed from the range in 2012 but only 2,500 were adopted. The adoption market is very slow right now and the economic downturn has not helped this problem. The loss of slaughter facilities in the U.S. has also contributed to the sheer number of horses available in the nation, as has the high populations of wild horses on Indian reservations. Costs are astronomical to the taxpayer to fund the care and maintenance of wild horses in captivity.

Population control is obviously the only way to look at successfully managing wild horse herds. Aside from natural control measures (predation, forage, water, etc.), human intervention is the only option. On some occasions, the BLM has released gelded mustangs back into the wild after capture. Unfortunately, this is not an effective means of population control – gelded mustangs will likely form bachelor bands and in-tact stallions will go about breeding the larger number of mares available to them. There is also a birth control vaccine for mares called PZP that is administered to some mares; however, it is only effective for 2 years. This creates problems such as more behavior conflicts between stallions because mares are fertile at various times of the year, as opposed to their normal ‘Mother Nature’ cycle. Consistent effective PZP results have not been proven. Pielstick supports permanent sterilization of some mares returned to the range. Dick Jenkins shared the opinion that the bloodline of the original “Kiger” horse has been thinned to an extreme where a lot of the original characteristics are not visible anymore.

Rob Sharp stated costs to maintain horses at Oregon’s Wild Horse Corral Facility (short term holding) are approximately \$5 per horse, per day. This cost covers feed, veterinary expenses, labor expenses to provide care and maintenance, etc. Nationally, in long term holding pastures, costs range from \$1.35-\$1.48 per horse, per day. Total costs for the care of horses off the range reach approximately \$48 million per year – which consumes well over half of the overall budget for the Wild Horse and Burro which is \$75 million. The minimal funding available for program management (gathers canceled, no funding for private contracts to add holding facilities, etc.), coupled with the fact that almost all holding facilities

across the U.S. are filled to capacity (there is only room for just over 1,000 horses additional horses), has put the program in a very serious situation. Gather priorities for FY14 for Oregon are the South Steens herd in the Burns District and the Beatys Butte herd in the Lakeview District. It does not look promising for these gathers to happen, however, because they are rated for priority on a national scale with the 9 other western states that are home

The National Academy of Sciences released a 2-year report in June of 2013 that showed:

- Despite what the critics say, the BLM typically *undercounts* horses that exist on the range (due to site ability bias, etc.). The agency is working with USGS to come up with some more “statistically sound” methods of counting animals on the ground.
- Population growth rate on the range is 15-20% per year. In Oregon, some of the herds have had mares treated with PZP – populations continue to grow at the average rate despite the fertility majors.
- Permanent sterilization should be considered for some mares to help control populations.

Oregon averages about 200 horses adopted annually, which is only 20-25% of what is removed from the range. Three of the six Herd Management Areas (HMA) in Oregon are currently over Appropriate Management Level (AML). In 2014, there will likely be over 900 horses in the Beatys Butte HMA. Dan Haak asked about impacts to the South Steens Allotment, and what the change in impact would be if the herd was able to use the *entire* HMA instead of just part of it (part of the South Steens HMA is in the Steens Mountain Wilderness No Livestock Grazing Area). Sharp stated we would anticipate reduced concentration of horses in the areas where they currently exist, but only when the herd is at or below AML. In the current situation, where the population is way over AML, additional acres of HMA would be good but over-utilization and heavy concentrations near water sources would likely still occur. The only down side to utilizing the entire HMA is trying to manage animals in the No Livestock Grazing Area – the restrictions in that area limit our abilities and means during a gather operation.

Stacy Davies asked if there are any proposed changes to the gather process. Sharp stated the program is working on the “comprehensive animal welfare plan” for gathers – this is specific to helicopter-driven trap gathers. Critics may say otherwise, but in Sharp’s opinion, the BLM and the contractors used in these operations have perfected the process of capturing these wild animals. Helicopters will almost certainly be continued to be used in the future. There is a national contract for bait and water trapping, which is effective only in some areas, particularly where there is a lot of vegetation cover and topographical challenges. Leon Pielstick added he is familiar with low-stress animal handling techniques and he fully supports the helicopter efforts and the skill among the contractors. Stacy Davies cautioned against using the word “perfected” when describing the gather process, but agreed with and defends the way things are currently done.

Regarding the Resource Plan Amendments for Sage Grouse, Davies asked how wild horse use and impacts are being considered. Sharp stated in Oregon, it was emphasized that there are HMA’s above AML. There is some analysis on sagebrush impacts, though it isn’t specifically tied to Sage Grouse habitat. How this will play out when the amendments are finalized and what that means to wild horse populations and management is still unknown. Sage Grouse habitat is becoming a huge issue on the range and could very well affect the wild horse and burro program. Davies asked if there was a possibility of reducing AML levels. Sharp stated there are alternatives in the RMP amendments that show a 20-25% reduction. Davies asked if we aren’t able to gather horses from the range, what is the solution? Sharp stated there is no good solution at this point...we typically do not feed horses on the range; we have hauled water before and may be able to do that in the future; however, the big concern is resource damage and animal welfare. There is a national team working on solutions for the direction of the program. Davies stated he has been told to expect a massive reduction in AUM’s in an allotment on Beatys Butte where the horse populations are way over AML (horses replace livestock on the range). Wildlife numbers

and rangeland conditions are also heavily impacted from horse overpopulation.

Dan Haak motioned for the BLM to strongly explore utilizing the entire South Steens HMA rather than limiting the horse population to portions of the HMA outside of the Steens Mountain Wilderness No Livestock Grazing Area. Fred Otley seconded the motion.

Discussion: Sharp said there is a concern about the availability of year-round habitat in the No Livestock Grazing Area and adequate travel corridors. Dan Haak asked what the HMA looked like on a map. Tara Martinak brought a map in to review during the break. Fred Otley stated he could support moving horses out of the South Steens Allotment and into the No Livestock Grazing Area every year, especially if litigant groups are challenging landowner rights to maintain historical practices and access. Dick Jenkins stated it is vitally important to find a way for disposal of excess or un-adopted horses.

David Bilyeu stated it would be wise to focus on real solutions to the situations. Expanding the use of the HMA into the No Livestock Grazing Area isn't really addressing the underlying population issues. Dan Haak stated that removing the slaughter opportunity for unwanted horses in the U.S. is like removing fire from a juniper forest – a detrimental move.

The discussion was tabled until another time.

Public comment/response to public comments:

Paul Davis from Alvord Ranches stated that he likely wouldn't be prepared for the east Steens recreation discussion until very late in the day. (With the pending government shutdown, this agenda item would not be covered unless it was moved into the agenda for Monday, September 30.) The SMAC agreed to put this discussion at the very end of the Monday's session.

Davis elaborated on the seriousness of the wild horse population problems and the impacts on permittees. Davis stated opening additional ground for horses to use is only a short-term solution and will only add to the overpopulation problem in the long run. Davis supports eliminating the horses, especially since the range never receives a rest period from the horses (as it does from livestock). Dan Haak asked Davis about the utilization about the Alvord Hot Springs over the summer. Davis stated it was very intriguing and around 40% of the users are first-timers. There has been some opposition to the area becoming a fee-sit, but it is very minimal. The guest book is full of visitor records!

South Steens Allotment Management Plan (AMP):

Autumn Toelle, BLM Rangeland Management Specialist, handed out an alternative comparison table and a comment summary table and displayed wall maps that show range improvements proposed in the South Steens AMP. A handful of public comments were received during the comment period on the document. Autumn summarized the comments throughout the entire South Steens AMP discussion. Copies of the full comment letters are available at the Burns District office.

- The Cloud Foundation fully supports an adaptive management approach and overall comprehensive management strategy; water developments are needed to support the horses and habitat in that area.
- The Burns Paiute Tribe did not have concerns over the proposed developments but emphasized the importance of following BLM policies and laws regarding cultural resources and to include the Tribe should any issues arise.
- Oregon Department of Fish and Wildlife was fairly indifferent in their comments. They did ask that well use be limited to only when livestock are there and in extreme draught situations. They also prefer open water sources as opposed troughs.
- ONDA, Western Watersheds and a private citizen all commented separately, but in a similar mindset, suggesting that an Environmental Impact Statement should be completed instead of an EA due to the complexities with Sage Grouse and Wilderness/Wilderness Study Areas. Also, all three

- parties support Alternative G (complete removal of livestock).
- Fred Otley and Stacy Davies, private landowners and permittees in the area, also commented separately but in a similar mindset – we need the water developments for proper management and adaptive management is essential; the BLM has an obligation to follow through with wild horse and juniper management to properly management the entire allotment – better plans need to be made and executed.

Within the comments, there were proposals for additional alternatives, or additions to alternatives, such as removing all open water sources to help prevent the spread of West Nile virus, and removing all anthropogenic impacts for Sage Grouse population protection. Autumn suggested the SMAC review the alternatives and either choose one they can support or pick bits and pieces of all the alternatives and formulate a different alternative. See the Summary of Alternatives table below:

Range Improvement	Alt. A	Alt. B	Alt. C	Alt. D	Alt. E	Alt. F	Alt. G
Active Grazing Preference AUMs	9,577	9,577	9,577	9,577	9,577	7,875	0
Suspended Use AUMs	0	0	0	0	0	1,702	9,577
Reservoir Maintenance (Outside WSAs)	0	4	3	2	3	0	0
Reservoir Maintenance (Within WSAs)	0	9	13	5	0	0	0
Reservoir Abandonment (Within WSAs)	0	9	7	2	0	0	0
New Reservoirs (Within WSAs)	0	9	17	1	0	0	0
Spring Development (Within WSAs)	0	2	4	2	1	0	0
Spring Protection (Within WSAs)	0	2	0	2	3	0	0
Riparian Exclosure (Within WSAs)	0	1; 0.3 Miles	0	0	0	0	0
Wells (Outside WSAs)	0	3	6	6	9	0	0
Wells (Within WSAs)	0	0	4	4	0	0	0
Pipelines (Outside WSAs)	0	2; 0.6 Miles	3.4; 5 Miles	4.4; 7.2 Miles	5; 6.3 Miles	0	0
Pipelines (Within WSAs)	0	0	6.6; 9.6 Miles	8.6; 10.3 Miles	1; 0.6 Miles	0	0
Troughs (Outside WSAs)	0	3	10	10	13	0	0
Troughs (Within WSAs)	0	2	14	12	0	0	0
Fence Removal (Within WSA)	0	0; 0 Miles	0; 0 Miles	1; 2.1 Miles	1; 4.6 Miles	0	0
Fence Construction (Outside WSA)	0	0	0	0	0.5; 2.6 Miles	0	0
Fence Construction (Within WSA/Wilderness)	0	0; 0 Miles	0; 0 Miles	1; 3.0 Miles	3.5; 4.0-4.1 Miles	0	0

The full South Steens Allotment AMP is available online here:
www.blm.gov/or/districts/burns/plans/files/SouthSteensAMP_CommentPeriod_July2013.pdf

As stated in previous recommendations, among other things, the SMAC supports...rather than actually fully removing any reservoir, just abandon the reservoir and let it naturalize itself.

Alternative B is the BLM's proposed action. David Bilyeu appreciates the amount of hard work that has gone into the South Steens AMP and has some ideas for an approach on how to tackle developing a SMAC recommendation for the BLM. Bilyeu looked closely at the management objectives and had in mind: what would be the most conservative approach that would still achieve the objectives? Alternative E seems like a beginning point with the least amount of development – what parts of Alternatives B and D would be necessary to add to Alternative E to make Alternative E at least 80% successful toward management objectives? The SMAC agreed to project maps on the wall and discuss some of the specifics in the alternatives as they correlate to actual places on the ground.

Juniper treatment is not a major component of the South Steens AMP, nor is wild horse management. Those these issues are related, they are only cumulative effects...not leading factors in the plan. Fred Otley emphasized the importance of ecological integrity, water sustainability, healthy uplands, etc. Otley would like to see formal language that includes how juniper and wild horses severely impact the ecosystem on wide-scale, long-term basis. Rhonda Karges stated she understood these issues but wanted the SMAC to keep focus on the purpose and need of the South Steens AMP, which is to provide live, reliable water for horses, livestock and wildlife, and to renew the 10-year grazing permit for the permittee.

Autumn explained the process for the EA, stating she would like to begin putting the Decision Record for the EA together following the meeting. Once the Decision Record is signed and released, implementation can begin (barring no appeals, litigation, etc.).

After a lunch break, the SMAC reconvened and spent some time remembering Hoyt Wilson, SMAC member who passed away unexpectedly in early September. Despite being a man of few words, Hoyt was always well-heard and highly respected by all those who knew and worked with him. He will be sorely missed. We will remember fondly his quiet ability to make a significant point, and his commitment to doing what's right by the people and the land. **David Bilyeu agreed to write a condolences letter to Hoyt's family on behalf of the SMAC.**

The South Steens AMP discussion continued with presentations from a few people/organizations who commented on the document:

- Stacy Davies, Roaring Springs Ranch: Davies reflected on the SMAC's main role...as stated in the Steens Mountain Cooperative Management and Protection Act – “The advisory committee shall...formulate recommendations for the Secretary regarding new and unique approaches to the management of lands within the CMPA, and cooperative programs and incentives for seamless landscape management that meets human needs and maintains and improves the ecological and economic integrity of the CMPA.” Davies brought a box full of t-shirts with the message “think outside of the box” to encourage creative thinking. The SMAC's job is to THINK OUTSIDE OF THE BOX. We need to find solutions we can live with and pressure people to come along with the ideas.

Socio economic analysis is under analyzed in the majority of BLM's NEPA documents. Davies went through a mathematical series to illustrate the point and encourage the BLM to use numbers such as these in their analyses.

Wild horses – Davies has always asked and maintained that Roaring Springs Ranch can support having horses in the South Steens HMA and allotment as long as they were kept at AML. Any number above that is unacceptable. Davies doesn't think it should be legal for the populations to be outside of AML; recommend reducing AML or increasing usable HMA space for wild horses.

Sustainable grazing has 3 components – social, ecological and economical. All three of these factors need to be applied when considering sustainability.

Davies is nervous about using “actual use” from the past 10 years as any sort of precedent for the future. There were many factors considered that led to non-use of several thousand AUM’s in the allotment, however, this shouldn’t dictate the circumstances in the future. This sort of theory really just tells permittees to use the maximum amount of AUM’s every year or they may get taken away in at some point. This is a very poor message to send.

Roaring Springs Ranch supports adding language to the AMP regarding juniper removal.

Davies asked:

- 1) What were the criteria used to determine Priority Preferred Habitat and Priority General Habitat for Sage Grouse, and what factors were included in developing this criteria? Is there any potential to change this?
- 2) Does the math for the socio-economic analysis that Stacy displayed make sense?

- Dan Morse, ONDA: Morse provided a handout with additional comments from ONDA regarding the South Steens AMP. Morse agreed that thinking outside of the box is a good idea...however, it is important to remember that everyone’s view or box is different. It is tough to find points of agreement between all the parties on the South Steens AMP. There is a lot of history with the SMAC on the project and it probably isn’t surprising to the members that ONDA’s concerns have to do with Sage Grouse, wilderness characteristics outside of wilderness, wilderness values, WSA’s – these concerns do not disregard economic and social values.

There is a common assumption that ONDA is in it for the conflict – this is entirely not true. ONDA is serious about finding ways for non-confrontational solutions and decision making without compromising their values and mission. Everyone has a right to full public participation in public land management decisions.

Morse reviewed the letter he handed out at the meeting. A copy of this letter is available at the BLM office. ONDA feels the proposed action in the current South Steens AMP is very similar to the thwarted/unviable effort from 2008. There is no wisdom in recommending something that isn’t viable – even if it is thinking outside of the box, it DOES have to be considered by BLM within the parameters they are bound. ONDA isn’t entirely sure the purpose and need of the document is entirely accurate – for one, it doesn’t include any statement about WSA management, while the actions in the document *do* discuss this topic. This document could very well set precedent regarding WSA management and ONDA would have a very hard time supporting a single action in one WSA but not in another (a water development, for example).

Regarding Sage Grouse, one of the issues that ONDA is bringing up increasingly is the idea of connectivity – a comprehensive look at how Sage Grouse move across the landscape.

Tension between the Steens Act and wilderness management – there *are* trade-offs on naturalness... facilities, fences, spring exclosures, degraded range conditions, etc... you have to choose in wilderness management what you want on the landscape and defend that as the most natural and best solution. It comes down to current policy for ONDA – the policy is that development in WSA has to meet an exception in non-impairment criteria (specifically, enhance wilderness characteristic), or not impair the WSA at all. The policy prohibits any activity that would require new surface disturbance – in this case, it would be new motorized access...yes, it is difficult to build a water development without motorized access. Unfortunately, policy is policy and it is fairly concrete.

Are there some desired outcomes that we can agree on, YES – protecting springs is a good example, as long as it is primarily beneficial to wilderness values because it is within WSA. Again, it seems like there are some real policy and consistency issues in the interpretation of the “rules” and how they apply on the ground.

Morse asked what actions help the landscape without impacting lands inside the WSA and while maintaining some level of grazing.

Stacy Davies asked what would an EIS level of analysis gain over an EA. Morse stated the EIS would allow for more in-depth analysis of significant impacts and that the Decision would be based on more accurate and thoughtful review. Davies also asked if there were any alternatives that ONDA could support. Alternative A? Morse said the ONDA could potentially support Alternative A. The elements of Alternative E that are in the WSA run into policy issues, so “E” is questionable even though the on-the-ground impacts are less. The ONDA is not opposed to the idea of trying to utilize as much of the allotment as possible without getting cross-wise with policy.

Leon Pielstick asked where the ONDA got their information regarding the concentration and transmission of West Nile virus from open water sources. Morse stated he would find the answer and get back with Pielstick.

Dick Jenkins was concerned with Morse’s statement that all WSA’s should be considered the same when all WSA’s are actually NOT the same...different water, topography, weather, etc...they cannot all be managed the same. Morse stated the policy for WSA management should be applied in equal fashion to all WSAs and those differentiating factors should be considered.

- Fred Otley, private landowner: In terms of the integrity of management on the land, it cannot be done with rigid policy. Adaptive management is the reasonable, effective way to manage a complete landscape.

Sage Grouse – we must deal with the landscape issues together. Connectivity is a real issue, but the things that the ONDA is concerned about will be lost the fastest if juniper continues to move forward at the expansion pace it is currently moving. We will lose the opportunity entirely to facilitate Sage Grouse habitat if we ignore juniper. The diversity of plants that many species require will also be lost. This level of ecological damage cannot be reversed without management practices that will mimic or resolve the intense issues that are associated with juniper. Threats to the South Steens area has nothing to do with livestock grazing...threats are juniper, catastrophic wildfire, noxious weeds and uncontrolled wild horse use.

In the South Steens AMP, the actions are ultimately trying to replace water that was lost due to earlier court decisions and the Steens Act.

Roads and access – in terms of roads, we had historical conditions and uses on roads. Those historical uses, especially if they access private land, do not go away (even if you can’t see the road on the ground). The historical access allows maintenance to the level it was when the Steens Act passed. There has to be enough access to stop a wildfire, implement a prescribed fire, carry out management actions (exclosures, spring box protections), etc.

Stacy Davies suggested the SMAC and others present (audience members) discuss the alternatives in the AMP and see if there are any opportunities for common ground. Autumn Toelle displayed the Sage Grouse connectivity map that ONDA submitted in their public comments.

Dan Haak asked Rhonda Karges if there was a question in her mind that the SMAC could discuss. Area where additional input would be important? Karges stated there aren't any specific questions and that the SMAC just really needs to sort through what they like in the alternatives. Fred Otley spent a lot of time trying to provide input to BLM regarding ways to design and build reservoirs and troughs and pipelines so there is least visual impact – is there any room for the ONDA to consider this as acceptable? Is there any bearing on WSA impact? Morse stated that ecological integrity and facility design matters. The problem is that motorized vehicle access to create these developments (whether they end of being visible or not) will create surface disturbance. Otley emphasized that routes used for the developments would be historical routes, so it wouldn't technically be *new* disturbance. Or 9 new routes may be developed for new water sources, but 9 other routes could be abandoned – is this an acceptable trade-off? Morse agreed it would be worse to mechanically decommission a reservoir than to abandon it, but that couldn't be a trade-off to allowing new motorized surface disturbance.

Karges stated that under the exception criteria in the WSA policy, you *can* have surface disturbance as long as:

- it is substantially unnoticeable
- it truly enhances wilderness values, and
- it is not maintained with motorized equipment if the area becomes designated wilderness.

Also, the WSA handbook allows for administrative off-road vehicle travel. Morse stated the ONDA would likely have a different interpretation of the handbook and the exception criteria for allowing surface disturbances.

Autumn Toelle focused the group on one of the purposes and needs of the AMP, which is to address the areas where the allotment is not meeting rangeland standards and guidelines. For one, we are not meeting standards in riparian areas due to wild horses, livestock and juniper – spring protection is proposed to address this standard. Karges asked if there was any agreement within the group about spring protection/exclosures (“spring protection” means different things for different areas of concern). Morse stated that if the BLM had written an EA specifically for spring protection, the ONDA would fully support it. However, in this case, the spring protection measures are lumped into an EA with a multitude of other issues, concerns, proposals, etc. Toelle stated that the BLM *can* issue multiple *specific* Decision Records for the AMP – not all proposals have to be included in a single decision.

Tara Martinak (Facilitator) asked Dan Morse if there were any issues within the proposed alternative that the ONDA could support. Morse stated the ONDA's comments focused on the inside-the-WSA issues. Off the cuff, there are potentially some actions outside of the WSA were of less concern. Davies asked if there was opposition to using current existing, accessed ways to implement some of the proposed activities. Morse said he would need more specifics on the types of activities and each one would need to be examined on a case by case basis.

Toelle suggested breaking up the elements in the AMP to help find some consensus.

- Does everyone agree that springs need some level of protection? There was a bit of discussion about the necessity of spring protection and water replacement if any water sources are lost. Toelle stated it appeared everyone agreed there was a need for some level of spring protection since she didn't hear and straightforward opposition.
- Regarding the 10-year permit renewal, is there agreement on this action within the AMP (renewing the 10-year permit at the current AUMs)? Dan Morse stated the ONDA would like more examination of the consequences of keeping the current allotted 9,577 AUMs. What are the full impacts if all of these AUMs are used (since they haven't been used in the past, even though that was allowed)? In this case, the “no action” alternative is actually different on paper vs. in reality – that makes it complicated. There is no strong opposition for the 10-year permit renewal, but there are

some questions.

Dan Haak stated formal recommendations previously made by the SMAC really depict the SMAC's true opinions on 4 years of discussions and tours regarding the AMP. David Bilyeu asked about what Dan Morse referred to earlier regarding activities outside of the WSA and maintenance required. Autumn Toelle pointed out some reservoirs in the Tombstone pasture outside of the WSA and showed that they are all along existing routes/ways. The council began to discuss Alternative E and the possibility of the ONDA coming to agreement with the SMAC in this area. It was decided to form a subcommittee to discuss these issues prior to the November 14, 2013 SMAC meeting.

Stacy Davies, Fred Otley and Dan Haak will be on the South Steens AMP subcommittee and will meet with Rhonda Karges, Autumn Toelle and the ONDA on October 16, 2013. Dan Haak stated he would send an email to the absent council members to see about their interest in participating

Dan Haak motioned to formally develop the South Steens AMP subcommittee to work on recommendation proposal to be brought forward at the November 14 SMAC meeting.

East Steens recreation issues discussion:

Paul Davis, Alvord Ranches, asked what the purpose of this agenda item is supposed to be. Tara Martinak, Facilitator, stated the intention of the agenda item was to hear from the east Steens recreation issues subcommittee on their progress in working with Alvord Ranches and the BLM to sort through some of the problems between the parties. Davis stated that Leon Pielstick came out to the Alvord Ranch for a visit and field tour during the summer but that nothing else has been done as far as he knows.

Pielstick stated there wasn't an actual subcommittee meeting and that he was under the impression that Bill Renwick was leading the charge. Pielstick stated he felt Alvord Ranches needed some resolution on their allotment AUMs (issue 1- historic temporary non-renewable use should be a permanent part of the Alvord Ranch grazing permit) and wild horse use on their winter allotment (issue 2 - well use for horses. Stacy Davies asked Davis what other issues exist between Alvord Ranches and the BLM and if there were things the ranch is willing to give the BLM in trade for resolution of these issues? Is it a negotiation situation? Is there difficulty with cooperation? Davis stated that Alvord Ranches is willing to communicate and cooperate with the BLM.

Jim Buchanan, representative for Alvord Ranches and retired from the BLM as a Rangeland Management Specialist, elaborated on the situation between the ranch and the BLM. Buchanan stated an allotment evaluation should've been completed over 2 years ago on the allotment in question which would've helped determine if all the suspended AUMs could be temporarily or permanently renewed. Rhonda Karges stated the evaluation/decision is all but complete and that Alvord Ranches would certainly receive a copy of it when it was completed. There is a difference of opinion and interpretation on some of the policies, decisions and actions associated with Alvord Ranches, the evaluation in question, the issues with wild horse use in the winter allotment, and communication/cooperation with the BLM. **Leon Pielstick will assume leadership of the east Steens subcommittee and get more in-depth with both the BLM and Alvord Ranches to continue working through the issues. Stacy Davies will participate on this subcommittee in replacement of Hoyt Wilson. At least one subcommittee meeting or conference call will be held prior to the November 14, 2013 SMAC meeting.**

Review tabled or unfinished business items/develop agenda for the next meeting

Agenda items for the November 14,-15, 2013 meeting include:

- South Steens AMP subcommittee update and discussion
- East Steens recreation subcommittee update and discussion

Leon Pielstick motioned to adjourn the meeting. Pam Hardy 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: November 14, 2013

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