

# Western Montana Resource Advisory Council Minutes

## May 13, 2014

### Butte Field Office

**BLM Western Zone Staff Present:** David Abrams; Rick Hotaling, District Manager; Corey Meier, Assistant Field Manager, Butte Field Office; Keith Johnson, Assistant Field Manager, Dillon Field Office; Tim LaMarr, Acting Missoula Field Manager; Rick Waldrup, Dillon Field Office Recreation Planner.

**RAC Members Present:** Ted Antonioli, Mike Connors, Dan Happel, Jim Hart, Koy Holland, David Krueger, Bob Martinka, Douglas Midgett, Mark Sweeney, Whitney Tilt, Bob Walker, and Jack King via speaker phone.

**RAC Members Absent:** David Kirsch, Paul Putz, and Alan Weltzien

David Abrams, RAC coordinator, opened the meeting at 9:00 a.m. with a welcome to new and former members and reviewed the agenda topics and timelines. He explained that the travel management system is new this year – Myra needs to re-enter all the pertinent information for RAC members. David also reviewed the ground rules with the group. Round-robin introductions were held for RAC members and BLM staff.

Rick apologized for the lengthy process to get new RAC members on board. He reviewed the steps of the RAC nomination process and scheduling challenges.

#### **Election of Officers**

Mark Sweeney nominated Bob Walker as Chairperson, a continuation of his present duties. It was seconded by David Krueger and the motion passed unanimously. Ted Antonioli nominated Mark Sweeney to serve as vice chair. It was seconded by Koy and it also passed unanimously.

#### **Update from RAC Sage-Grouse Planning Strategy Sub-group**

Rick was hoping the RAC could have met last fall or winter in order to meet the planning process schedule. BLM and Forest Service are working to amend their land use plans to incorporate the sage grouse issue. The US Fish and Wildlife Service would like to see regulatory mechanisms in place to prevent further fragmentation of grouse habitat and maintain grouse populations with the goal of preventing the grouse from being listed as an endangered species.

BLM Montana has two units for sage grouse plan amendments – one is most of Montana and the other one is southwest Montana and part of Idaho, called the Idaho Southwest Montana sub-regional area. Public comment is closed on the Draft Environmental Impact Statement but Rick said there is still time to incorporate RAC input into the Final EIS – RAC members need to think about what they would like to see included in the Record of Decision (ROD).

Koy felt that Alternative E in the EIS most closely mirrors his personal views since the RAC subgroup really didn't get an opportunity to function. He felt it gives ranchers and BLM the ability to carry on with their activities in Montana and felt that the Idaho BLM portion has the most need for revision. He is disappointed that BLM couldn't proceed with the process and felt that private landowners are being impacted by indecision and encouraged BLM to stimulate action "up the ladder."

Mark Sweeney stated that it was disappointing because the RAC couldn't comment as a full group because of the timing.

Ted moved to accept Alternative E; seconded by Dan Happel. Bob Martinka asked how Alternative E meshed with the Governor's Sage Grouse Committee. Koy's opinion was that it may not mesh very well between State and Federal actions. Koy asked who sets precedence – State or Federal? Whitney wanted to know how it meshes with the State plan with the ultimate goal being to improve conditions for sage grouse and keep it from being listed and not to make it more convenient for ranchers and land managers.

Ted mentioned that presentations to the RAC indicated that sage grouse populations in Southwest Montana have not been affected by management to date.

Rick summarized the alternatives in the Draft Sage Grouse EIS. BLM wants to make it consistent with the State of Montana strategy wherever it can. BLM also wants to make the stipulations consistent across the state. Rick thought BLM preferred most of Alternative D to reach that consistency. The two areas that are currently different are for oil & gas stipulations and right-of-way stipulations.

Koy favors Alt. E unless they can pick actions from other alternatives and are not locked into one alternative. Bob asked Rick and Koy to discuss possibilities over lunch so the RAC can take action this afternoon.

Mike Connors said that according to the summary chart, there is a difference between D & E on "labeling" of habitat area. Ted said the decision should be defensible from litigation to keep from losing the economic base in Montana related to grazing and mining.

Koy shared information from Jim Hagenbarth of Dillon, a landowner in Montana and Idaho, and his experience with the sage grouse issue for 20-plus years. Koy felt that the state needed to recognize that Southwest Montana was a different biome than eastern Montana and that had to be considered when an alternative was selected. Koy commended the Dillon Field Office for their work on the sage grouse issue over the last several years. Bob Martinka asked about sagebrush habitat on Forest Service lands and Koy said the BLM and Forest Service are working well together.

Mike Connors asked which alternative jives better with the State plan – Alt. D per Rick. Bob Martinka felt Montana is susceptible to what happens in Idaho – it could be a complication.

Jack King (via speakerphone) said the governor's recommendation process was flawed from the beginning. He felt BLM should lead the process and not necessarily follow the Governor's plan. Ted agreed and doesn't want to see reclamation and mine dump removals necessitate a comprehensive planning project.

Rick favors making conditions consistent to make it easier for land users. He encouraged the RAC to think about what the ROD should say and don't get hung up on choosing a specific alternative. If the proposed action has been analyzed in the EIS, it should be legally defensible.

Whitney thought the RAC should recognize the good job of management in Southwest Montana that resulted in stable sage grouse populations and that the RAC supports current management strategies.

Tim LaMarr asked if the US Fish & Wildlife Service had commented on the proposal. Whitney said they haven't become involved at that level.

Doug commented that a Western Watershed lawsuit will be a given no matter what the decision. Dan mentioned a study that showed grazing may be beneficial for sage grouse. Ravens are also being recognized as a problem for sage grouse reproduction. Bob M. cautioned about blanket statements and to remember that there are all types of habitats and grazing interactions.

Bob wrapped up the discussion by encouraging the subgroup to meet at lunch to come up with a proposal for the RAC to consider. David reminded the group there was a motion on the floor and the motion to favor Alt. E did not pass.

### **Standard Operating Procedure Revision**

Bob Walker introduced his proposal by explaining that it was frustrating to have an eight-month gap in RAC business due to various factors. His goal is to solve the issue of delay in RAC appointments with a change in the language in the RAC Standard Operating Procedure. Bob raised the issue at the meeting of the RAC chairs with the BLM Montana State Director and was encouraged to draft a resolution. The proposed language change in Section 1, Part b of Bylaws and Standard Operating Procedures is as follows: "Term Length: Council members will be appointed to serve 3-year terms, on a staggered term basis, with approximately one-third of the Council representatives subject to appointment or reappointment each year. The term of a RAC member will end after three years; however, if upon expiration of the member's term, a replacement member has not been appointed, the outgoing member's term will be extended until the Secretary has appointed a person to fill that position."

Bob noted that the Dakotas RAC has already passed the resolution and the other two RACs in Montana will address it when they meet.

Koy moved and Jim seconded that the RAC approve the recommended language change as presented. It passed unanimously. Doug wondered why it took so long to be notified for the Western Montana RAC when the Central Montana RAC was notified about two months earlier. Doug said his term expires in April 2017 which doesn't mesh with the nomination cycle. David Abrams will check on the difference in terms.

Rick clarified that according to the RAC Charter, the terms should expire at the end of September. The language of the SOP may need to be revised in the charter as well.

### **Dillon Field Office Recreation Fee Proposal**

Rick Waldrup and Keith Johnson of the Dillon Field Office presented information on the Dillon Field Office recreation fee change proposals. With the exception of the Henneberry Cabin that was recently approved by the RAC, the fees for the Dillon Field Office have not changed in 13 years. The recreation fee subgroup consisted of Koy, Whitney and Michael Gibson (whose term has expired). A replacement for Michael is needed.

Public involvement in the fee review process generated one comment. Rick W. provided copies of the proposal (business plan) and copies of the Federal Lands Recreation Enhancement Act (FLREA). Rick W.

said that Dillon Field Office's sites are "expanded amenity" sites but not all sites have potable water. There are nine standard amenities and most of Dillon's sites have seven of the nine amenities.

BLM camp sites are currently \$8/night and BLM proposes raising the fee to \$12 with \$5 for an extra vehicle. It is proposed to raise the Axolotl cabin rental from \$50 to \$75/night. Rick W. said recreation operation and maintenance money has been drastically reduced in the last few years and agencies need to find ways of generating maintenance dollars.

Rick W. said both cabins may be added to the internet reservation system on recreation.gov which will increase visibility of both units. Koy gave a personal recommendation for the Henneberry Cabin and fee structure – "it is a gem."

Whitney summarized categories of recreation sites and fee structures for BLM and Forest Service managed sites. The public needs to know where the money goes – it helps defray the costs of sites with limited agency budgets. He recommended public outreach with signs at the sites to explain the fees, how the money is used and what to expect in 2015.

Rick W. said the campgrounds on the Madison River originally built in the 1960s have all been rebuilt since 2000. The cabins had significant investment before they became rental units.

Doug asked about free campsites and dispersed areas. Rick W. summarized some of the no-charge sites in the Dillon Field Office. On fee sites, do the fees come back to the local office? Yes, per Rick W.

Ted moved and Bob M. seconded to support the fee proposal from the Dillon Field Office; it passed unanimously.

**Dan Happel** volunteered to serve on the Recreation Fee Subgroup from Category 2.

#### **Continuation of Sage Grouse Discussion**

Koy passed around his personal input to the Sage Grouse Planning Strategy EIS. Mark also submitted personal comments which were similar to Koy's but didn't address mining or oil and gas issues.

Rick H. explained that BLM identifies a specific Alternative just to let the public know which direction BLM is heading. In the final analyses, BLM can use bits and pieces of various alternatives as long as they have been analyzed in the planning document. BLM can't choose new actions that haven't been analyzed.

The RAC will review the information and try to make a recommendation after lunch.

#### **Public Comment Period Opened at 11:30**

Two members of the public were at the RAC meeting and introduced themselves – Dan Stusek representing Congressman Steve Daines. Dan is from the Missoula Office. Patrick Johnson from Helena said he has followed RAC activities for the last few years. He has submitted a nomination for RAC membership this year. He commended the RAC for the work on the sage grouse and recreation fee issues.

#### **Field Office Items of Interest**

**Butte Field Office – Corey Meier**

**Decisions out:**

-Jefferson County Southeast watershed scale project. Grazing decisions were protested and the staff is preparing responses. The project included decisions on grazing, and travel planning.

**Decisions to be out soon:**

-Golden Asset Mine Right-of-Way. This is a request to use an existing, open BLM road in the Elkhorn Mountains to access adjacent private land for the purpose of hauling ore. The ore originates at a mine on private land, administered by the Montana DEQ through a Small Miner Exclusion Statement, and would be hauled across BLM and private land to a staging area on private land. Ore would then be hauled to Whitehall or Phillipsburg for processing. We are currently responding to several comments on the draft EA. The final EA and decision should be out in the next few weeks.

-Iron Mask Watershed Project. This watershed scale project is located at the base of the east side of the Elkhorn Mountains, west of Townsend. The draft EA should be out for comment in June. The proposed action includes grazing decisions, habitat and fuels treatments, and travel planning.

-Marysville Watershed Project. This project, located west of the town of Marysville, is in the initial stages. It should be in the public scoping stage this summer.

**Recreation fee increase update:**

-New fees for BLM fee sites, including those on Holter and Hauser Lakes, and Divide Campground on the Big Hole River and approved by the RAC, went into effect in 2013. Corey said, "We received approximately \$96,000 in additional revenue, which we did not expect. We were expecting some resistance from the public, or discontent; however, it turned out that the public was largely supportive and little negative feedback was received." Corey summarized survey results provided by PPL for the lake sites: overall use on both lakes went up 19% compared to the use in 2012. "The additional revenue does much to help offset the costs of operating our fee sites." When considered in the context of funds also contributed by PPL as part of their FERC license condition, these funds help place the sites closer to an objective of self-sufficiency, that is less dependent on variable annual BLM recreation dollars to operate.

On Hauser Lake: Devil's Elbow visitor numbers went up 5%; Clark's Bay went up 26%, and White Sandy went down 16%. Interestingly, the adjacent Black Sandy site, operated by Montana Fish, Wildlife & Parks, saw an increase of 22%. Campground managers at White Sandy and Black Sandy noted that some visitors to White Sandy parked at Black Sandy and walked to White Sandy to avoid paying a day use fee. Both campground managers are discussing means to direct parking to the appropriate site where use is occurring.

On Holter Lake: Log Gulch Campground saw an increase in use of 45% over that found in 2012. Holter Lake saw a decrease of 18%. "We are not sure what is responsible for the shift. We also saw that use at Log Gulch was more family-friendly, experiencing less need for law enforcement, and that White Sandy had an increase in rowdy visitors."

-This year, in addition to monitoring provided by PPL, we will be conducting visitor surveys, per the Government Performance Results and Accountability Act (GPRA) at White Sandy.

-The boat ramp at Clark's Bay, which is degrading, is on schedule to be replaced this coming fall, thanks to a grant from the River Fund.

-Chris McGrath, outdoor recreation planner from the Dillon Field Office, based in Ennis, is temporarily on detail to the Butte Office to fill the Supervisory Outdoor Recreation Planner position until a permanent replacement can be found, hopefully later this summer or early fall.

Concerning the recreation fee schedule, Bob M. suggested looking at a broader geographic scale rather than by each Field Office. Rick H. responded that all offices will be asked to review fees each year to see if any proposed changes can be looked at all at once. BLM needs to do public outreach first and then

the recreation fee subgroup needs to review. The recreation fee subgroup is a permanent standing committee to simplify the process.

Dan H. stated that Madison County is reviewing old mining roads in the Pony area that used to be county roads but the county has not maintained them in many years. They are drafting an ordinance that would allow mine contractors to do the necessary repairs but would relieve both parties from liability and assures BLM that work being done is up to standard.

David Krueger asked about timber sales and Corey said there is one planned for next year in the Wise River area. Cruising is being completed this year. There is also a fuels reduction project in the Clancy area.

Bob read an excerpt from a BLM publication regarding work that was completed on Western Zone recreation sites, evidence that the recreation fees were being used to improve area sites.

Ted complemented Rick H. and Scott H. for their work on the Limestone Hills withdrawal. Their efforts helped keep the Graymont Mine active.

### **Missoula Field Office**

The following are Acting Field Manager Tim LaMarr's notes from his field office update:

Discovery Right-of-Way – The Environmental Assessment has gone through the appeal period with no appeals received. We are moving forward with implementation.

Chamberlain EA – The main decisions for precommercial thinning (approximately 600 acres) and prescribed burning (approximately 2,500 acres) were published last week. We'll publish decisions later for timber sales as they are prepared and advertised. If decisions become final through protest/appeal processes, then this project will "set the table" for the field office for implementing meaningful vegetation management projects for years to come. We are counting on the Chamberlain project to be our main project plan for vegetation management for several years to allow us to focus our planning efforts on our upcoming RMP revision.

Gallagher Prescribed Burn – We plan to aerielly ignite a broadcast burn on about 200 acres later this week in the Gallagher Creek area of the North Hoodoos.

Wild Horse Ecosanctuary – Our top office priority right now is planning/EA writing for the wild horse ecosanctuary near Drummond. The ecosanctuary's proposed location is on private lands, onto which wild horses from the BLM's wild horse program would be placed to live out their lives in a natural, wild setting. There is an ecotourism component to the ecosanctuary through which any revenues generated would be reinvested in management of the ecosanctuary to help defray costs to the BLM. The instrument to implement the ecosanctuary is an assistance agreement.

RMP Revision – We plan to start our Resource Management Plan revision this Fall so we currently have numerous seasonal employees helping us gather data to support that effort. The Missoula FO has been preparing for the RMP revision for several years so we anticipate being in good shape to move forward once the process starts. The RAC will have ample opportunity to participate in and contribute to the RMP revision planning process.

Bob W. asked about BLM's wild horse and burro program and BLM will provide an informational briefing at a later meeting. Rick added that the BLM and Montana State Prison are considering a program where the inmates train wild horses that are then sold at auction.

At noon David Abrams closed the public comment period and the RAC took a lunch break until 1:00 p.m.

## **Dillon Field Office**

The following are Assistant Field Manager Keith Johnson's notes from his field office update:

### **Forestry**

Yanks Swamp – 500 acres, about 5 MMBF of salvage, hope to have it out for bid in next few weeks.  
South Tobacco Roots – Ongoing sale covering about 800 acres in multiple units, all salvage.

### **Recreation**

Kobayashi Beach Expansion – Will start in the next few weeks. Parking lot expansion.  
Ruby Creek Road Paving – Federal Highway Administration, \$1.6 million to pave road and improve the boat ramp at Ruby Creek.

### **Access**

Medicine Lodge Easements – Working with Fish, Wildlife and Parks and the Rocky Mountain Elk Foundation to purchase easements to access public lands cut off when a local rancher stopped block management. 33,000 total with 14 from FWP, 14 from REMF and Skyline Sportsman's Association, and 5 from Beaverhead Outdoor Assoc.  
Cow Creek Road improvement – 5 new culverts, road surface, new gates.

### **Watersheds**

Upper Horse Prairie Appeal – Western Watershed asked to pull the appeal.  
Middle Ruby and Southwest Highlands will be out in the next 4-6 weeks.  
Starting Centennial this year  
Gathering Data for Sage Creek and Big Sheep Creek this year as well.

### **Misc.**

Graying – decision on listing has been made, but no announcement till September.  
Fire Learning Network Trip in Centennials will be August 28<sup>th</sup>. All are welcome.  
Beartrap Spray Day is May 21. Will have MCC in there all week as well.  
Co-op work with Phil Barbarick from Idaho Abandoned Mine Lands team. 3 mine sites, Helena with 3 adits, Union 6 adits, and Emma with 1. Helena, Norris Area, Union Mine is east of Sheridan and Emma is in Rochester.  
Lots of project work implementing past watershed decisions.  
Oil & Gas EA for lease in Oct., 9 parcels, most deferred for sage grouse, EA out for public comment next week.

Jim said Madison County would coordinate with BLM to straighten out a narrow corner just beyond Kobayashi. They would like to coordinate with the contractor to haul some of the rock away. Keith said they would need to see how the bids come back.

A question was asked about the Medicine Lodge easements and Keith clarified that they were in the Ayers Canyon and Kay Creek area.

### **RAC Feedback to BLM**

Whitney reported that Yellowstone Outdoors developed phone apps for northwest flora and fauna. They are now beta testing a free app for outdoor recreation information and it includes campgrounds, trails, overlooks, and service providers such as Chambers of Commerce, sporting goods, etc. The app was soft-launched this week and Whitney wants feedback from the RAC and other members of the public for accuracy. They want to have it available to the public by Memorial Day.

No one pays to have their information included on the app; they are included if they paid into sport fishing restoration dollars such as a fly shop or you put people into the outdoors.

The information for State and Federal sites is taken from agency websites. The goal is to encourage free outdoor recreation across agency boundaries and to promote responsible tourism.

Jim mentioned two individuals from the Ennis area who are trying to promote businesses and activities along Highway 287, an alternate route from West Yellowstone to Glacier. Jim will give them Whitney's contact information.

David asked RAC members to review the contact list for accuracy and let him know of any changes.

Bob Walker shared copies of two handouts related to the Farm Bill. One was a press release from Governor Bullock designating 5.1 million acres for restoration and the other is a review by the Montana Wildlife Federation written by Nick Gevock. Gevock's article outlines what the MWF considers positive points of the Farm Bill. Bob thinks it may help agencies remove dead and dying timber with less time devoted to litigation.

Bob also shared information on the RAC chair meeting with the BLM State Director. The first meeting was too short and there was no discussion of issues. The next meeting is a half-day meeting scheduled for July and they will talk about issues common to the Montana/Dakotas RACs. David K. advocates getting some positive action to help the timber industry – it's no problem selling boards; the problem is getting enough wood to the mills. Most of the holdup is with the Forest Service.

Ted said the mining industry watches the timber industry closely because many of the issues are the same. Some mines in northwest Montana have been in the permitting process for close to 30 years. Litigation and a court injunction is the root of the problem and is usually based on the Endangered Species Act. Ted feels the large industries such as Stone Containers will not be able to return.

Rick H. said BLM is waiting for guidance on how to implement the Farm Bill. There have been a few pilot projects such as Stewardship Contracting. A general discussion followed on forest health (mostly related to the Forest Service) and a variety of opinions were expressed.

Dan said most agency personnel and citizens want a clean, healthy environment but Montana needs to use its natural resources –he encouraged working together and faulted radical environmental groups.



The Environmental Quality Council (EQC), a State interim legislative council will be looking at SJ-15 concerning management of federal lands and the State assuming management of the lands or privatizing. Bob raised the issue of what is going on in other western states and also raised the Cliven Bundy issue in Nevada.

Ted's opinion is that sales of federal land on a large scale are a non-starter. He feels the frustration grows out of the Forest Service inability to sell timber. He also gave a positive example of how a confrontation was avoided with a miner in the Missoula Field Office. He cited 1993 as a critical year for land management when commodity users on federal lands faced many challenges.

Dan attended the American Lands Council meeting in Salt Lake City on public land issues and invited interested individuals to attend a meeting in Virginia City on May 22. A variety of questions were asked and opinions expressed.

Rick H. asked the group to focus their attention back on Western Montana issues and advice for the District Manager. He said BLM always tries to use the "good neighbor policy" and works positively with a variety of groups and individuals.

Koy suggested trying to wrap up the sage grouse discussion. The group viewed a summary of alternatives and Koy said he didn't comment on all the issues but focused his comments on grazing issues. Rick recommended following the rest of Montana for oil and gas stipulations since they do more O&G activity than Western Montana. Once fluid minerals are leased it becomes a contract with value. Unleased fluid minerals are where comments should be addressed.

Rick encouraged the RAC to give advice to the State Director for the Record of Decision since the public comment period has already closed. The ROD will be written in late summer or early fall. In priority habitat areas, BLM favors a "no surface occupancy" stipulation – the minerals could be leased but no structures or disturbance would be allowed in the priority area. Technology allows for horizontal drilling up to two miles so the oil or gas can still be obtained. Pipelines could be allowed—not under the lease stipulations but may be allowed under the right-of-way permit process.

Koy moved to "ask BLM to consider the intent of alternatives identified in his personal letter and to incorporate portions of other alternatives, especially as it relates to oil and gas stipulations. For question marks in his letter, use Alternative D." The motion was seconded by Dan H. In Koy's letter start with "Source, origination. . . "as recommended by the RAC. The letter will circulate to the entire RAC before the Chairperson signs.

Bob M. suggested making it clear in the letter about what is recommended for grazing and what parts of other alternatives the RAC wants to incorporate.

The motion passed with Jack King abstaining until he reads the entire letter.

Koy asked about the status of the grizzly bear. The Northern Continental Divide Conservation Strategy is working toward delisting. The Missoula RMP will address BLM's portion of the Conservation Strategy. The Forest Service will also need to revise their plans. The Butte Field Office and the Lewistown Field Office will be marginally affected. In the Yellowstone area, the US Fish and Wildlife Service is working on the Federal Register Notice to delist the grizzly. The Dillon RMP already covers grizzly bear management and requires no amendment.

**Next Meeting:**

Date: September 17, 2014

Location: Dillon Field Office – Henneberry Cabin mentioned as a possible location

**Topics:**

- BLM's wild horse and burro program
- Grizzly bear update
- Sage Grouse Strategy update

Chairperson Bob Walker adjourned the meeting at 3:00 p.m.

Minutes approved by:

\_\_\_\_\_  
Bob Walker, Chairperson

Date: \_\_\_\_\_