



# BLM MONTANA/DAKOTAS

## *Dakotas Resource Advisory Council*

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### **RAC Meeting Minutes:**

**April 28, 2016**

*Conducted via teleconference due to inclement weather.*

### **Attending:**

#### **BLM**

- Diane Friez, Eastern Montana/Dakotas District Manager
- Allen Ollila, acting North Dakota Field Manager
- Chip Kimball, South Dakota Field Manager
- Mark Albers, Central Montana District Manager
- Floyd Thompson, Montana State Office, Rangeland Mgmt. Specialist and Invasive Species Coordinator
- Irma Nansel, Eastern Montana/Dakotas District Planning and Environmental Coordinator
- Mark Jacobsen, Eastern Montana/Dakotas District RAC Coordinator

#### **Category 1**

- Bruce Bowman
- Drew Combs
- Vern Timmerman
- Brenda Rettinger

#### **Category 2**

- Kevin Forrester
- Ronald Waterland
- Branden Bestgen

#### **Category 3**

- Vernon Bleich
- Debra Brown
- Robert Johnson
- Ryan Brunner
- Jay Volk

#### **Observing Public**

- Field Rep. Jon Cameron: Sen. Hoeven (North Dakota)

The meeting opened with an orientation on the agenda and how the call would proceed

### **Election of chair positions for 2016:**

The group decided to postpone this action and conduct the election by email to ensure that every member was represented and included in the outcome.

### **American Prairie Reserve update (Mark Albers, Floyd Thompson):**

Mark provided the RAC with an overview of the request from the American Prairie Reserve to remove internal fencing on the Flat Creek allotment and graze bison year-round on the pasture. An Environmental Assessment was completed and published and has been protested.

The BLM received approximately 140 comments on the EA. Currently, the Malta Field Office is considering the comments received and could issue a final decision; a revised proposed decision; or a decision to complete a more robust NEPA analysis.

Other points brought forward:

- Grazing year-round will require a reduction in AUMs, accordingly.
- The APR is limited on the numbers of bison which can be grazed. They will have to deal with their herd number reductions accordingly. They cannot add more than what year-round grazing and range health will sustain.
- If approved the allotment would be monitored closely, as all allotments are monitored. The land-health standards will be maintained.
- BLM already has large allotments where the interior fencing has been removed for cattle grazing. Requests are reviewed and approved on a case-by-case basis.
- The BLM does not issue grazing permits for wildlife. BLM manages habitat. Wildlife is the responsibility of the State.
- Over half of the BLM-wide grazing permits issued for bison are within the Montana/Dakotas.
- The APR, like other entities, is eligible to purchase base property, which is a requirement under the Taylor Grazing Act of 1934 in order to be eligible for a grazing permit. There are no discussions currently ongoing related to any changes in the base property regulations/process.
- The APR bison are not wild bison. They are private livestock and are grazed under BLM permit as privately-owned livestock. All APR bison are regulated under the State of Montana regulations for livestock.
- Montana Fish, Wildlife & Parks is exploring the feasibility of a wild bison herd, somewhere in the state. This is not related to the APR bison enterprise.

Mark offered to have another phone conference to go over these points with RAC member Bruce Bowman, who was not on the call when this briefing took place.

### **Coal Program Update: (Irma Nansel):**

Irma provided an update on NDFO coal projects and the Secretarial Order 3338 regarding the Federal coal program. See attachment included at the end of these minutes.

-Jay Volk provided that an 18-24 month process has essentially turned in to a 10 year process, and indicated the North Dakota Delegation has made a request for information from the Washington Office, but has not received a response yet.

-Companies are also considering bypassing federal coal due to the lengthy leasing process which will impact funding to federal, state, and local entities.

**Public Comment Period:** No members of the public were present to give comments.

**Fort Meade Cavalry Trail work/SDFO weed-control efforts: (Kevin Forester, Chip Kimball):**

Kevin detailed the recent trail work activities and public work projects hosted by the Black Hills Trails organization. The trail work has been well-received by the local public and is the envy of the Black Hills region. Other RAC members voiced their thanks for Kevin's dedication and perseverance in keeping the trails enhancement effort alive and producing.

Chip spoke to noxious weed reduction efforts in the Fort Meade area and other BLM lands to retard the proliferation of Dalmatian Toadflax. The SDFO will be using a combination of bio-controls using beetles and chemical treatment to eradicate this and other noxious weeds. Some of the RAC mentioned the use of grazers like sheep or goats used in combination with bio and chemical methods as being effective.

The use of sheep at Fort Meade is not possible due to the wild Bighorn sheep transplanted to the Black Hills and the threat of disease transmission. Detailed documents on the bio control methods are attached.

-Regarding the upcoming Sturgis Motorcycle Rally, the decision has been made to leave the Fort Meade campground parking lot open during this time. This was received as excellent news from those familiar with the traffic and parking situation during the Rally.

**Wharf mine and BLM in-holdings: (Ron Waterland, SDFO staff):**

Ron Waterland spoke to the issue of isolated tracts of BLM land that are within the Wharf Mine boundaries as a result of survey discrepancies from the previous century. Some of these are a fraction of an acre and represent more work and administrative hassle for both the Company and the BLM.

Wharf Mine is pursuing an exchange out of these isolated tracts and offer the BLM acreage adjacent to larger BLM sections. SDFO staff also talked about land exchange processes: that land is exchanged value-for-value, and can take years to complete. BLM has exchanges toward the bottom of work priorities due to funding and staff shortfalls, but have agreed to discuss the exchanges and work toward a resolution.

**RAC Member Briefings:**

**Bruce Bowman:** Attended the Greater Sage Grouse meeting in Billings on April 21, 2016. The meeting was informative and provided a lot of information. Bruce also mentioned that he visited Malta, Montana to learn more about APR. He spent some time with the County Agent and talked with local folks about the impacts of the APR.

**Ryan Bruner:** Stated that he attended the Land Commissioner meeting with Neal Kornze, Director of BLM, in attendance. They talked about the wild horse and burro issues, Planning 2.0, etc. Had good information on coal and wild horses that keeps everyone informed.

**Vern Bleich:** Discussed the big horn sheep that were moved from Alberta, and indicated the state of North Dakota is considering a big horn sheep season this year. Vern also mentioned the WH&B program, and recognizes the lack of funding for the program.

**Deb Brown:** Stated that most of her questions related to APR were addressed in the earlier discussion, but said that in the Malta area the BLM is not treating everyone the equally regarding the bison proposal, in that bison are allowed to graze year around yet cattle are required to graze seasonally. This was discussed and explained during Mark's presentation. Lots of questions on the socio-economics issues in the coal process. Harding County decided not to renew assistance agreements with the BLM on weed control. Regarding Sage Grouse, the one size fits all approach is not effective; there is too much bio-diversity in all the different areas.

**Drew Combs:** Oil patch issues on drilling on U.S. Forest Service/BLM lands. The state has become a "dumping ground" for oil pads, because of the difficulty of surface occupancy of federal lands. Taking the easier route is the most common on paperwork, oil pads, etc... which is frustrating to the state; he would like to get the U.S. Forest Service and/or BLM involved. Diane agreed to schedule a meeting with Drew, BLM and the USFS.

**Jay Volk:** No progress made to date on the BNI coal applications. The company most likely will by-pass the federal coal tracts.

**Brenda Rettinger:** Report from the subcommittee on the Wild Horse and Burro situation, the committee has recommendations but emotions need to be taken out of the issues.

## **BLM Manager Briefings:**

### **Diane Friez:**

- Planning 2.0 information has been sent out to the RAC, and a presentation was given at our previous face-to-face meeting. The comment period recently closed. Discussed Travel Management Planning and the process being utilized by the South Dakota Field Office for conducting the work associated with this process.
- The Secretary of the Interior will be in Western Montana next week to kick off the recreation season.

### **Allen Ollila:**

- Have heard some talk about oil and gas royalty rates going up but nothing has been decided officially.
- Several new regulations are in the process of being issues:
  - Hydraulic Fracturing Rule is currently pending a lawsuit;
  - Methane Capture Rule – a public meeting was held in Dickinson and many comments were received and are currently being considered;
  - Onshore Orders 3, 4, and 5, which include requirements for site security, oil measurements, and gas measurements, have been issued in draft. .

### **Chip Kimball:**

- Triple U Ranch, close to Pierre hold a cattle grazing lease with BLM and puts Bison and BLM wild horses on the private land. Ted Turner purchased the Triple U this year and has requested that the horses be relocated to another ranch. Turner likely will request a change of grazing to bison, but no request has been received by SDFO.
- Senate Bill 2223 has passed subcommittee to transfer approximately 200 acres of BLM land to the Black Hills National Cemetery. Further legislative approvals must be received before the transfer takes place. Parallel legislation is under consideration in the House.
- The future of the Yellow Creek gun range is still uncertain. Mike Kain has discussed the possibilities of Lawrence County or the State of South Dakota taking ownership of the range, but no one has expressed definite interest.
- The Fort Meade muzzleloader range R&PP is being renewed. This range differs from the Yellow Creek range in that its permit never expired and is therefore still valid for renewal.
- The new office is being built, expecting to move in by the end of July. New address will be 309 Bonanza.
- Working on travel management for the Fort Meade and the Center of The Nation. The Fort Meade and half of the CON inventories are complete, with the second CON inventory taking place this year.
- Miles City FO and SDFO have both hired term positions to lead Sage Grouse monitoring efforts for Montana/Dakotas.

**The next meeting is scheduled for August 24 and 25, 2016**, and will include a tour of the Center Mine and an oil rig field trip. It is proposed to stay in either Bismarck/Mandan or Beulah/Hazen. More details to follow.