

Bureau of Land Management
Northeast California Resource Advisory Council

Business Meeting
Wednesday, Dec.4, 2013
BLM Eagle Lake Field Office, Susanville, California

Summary Minutes

The meeting convened at 10 a.m.

Attending

Category One: John Erquiaga, Todd Swickard, Skip Willmore, Russ Hawkins. Absent: Ken McGarva.

Category two: Gale Dupree, Frank Bayham. Absent: Louise Jensen, Judy Oliver, Alan Cain.

Category three: Brad Hanson, Jim Chapman Carol Montgomery, Sean Curtis, Rich Duvarney.

There is no majority present in category two and therefore, no quorum of the RAC.

Guests: Gaylon Norwood, Matt May, Don Ashley, Pat Ashley, Bill Miller, Jo Marie Miller, Bill Phillips, Lee Bailey, Mary Nordstrom. By teleconference: Debbie Coffey, Laura Leigh, Sherry Oster, Mary Beth Devlin.

BLM Staff: District Manager Nancy Haug, Alturas-Surprise Field Manager Tim Burke, Eagle Lake Field Manager Ken Collum, Alturas Field Office Wildlife Biologist Arlene Kosic, District Public Affairs Officer Jeff Fontana.

Opening Business

The agenda for today's meeting and summary minutes from meetings held June 11 and 12, 2013, were approved with no changes.

Leadership reports

State Director:

On behalf of State Director Jim Kenna, District Manager Nancy Haug updated the council on significant events across the BLM in California, including the President's nomination of Neil Kornze to be the next BLM director, the status of renewable energy projects, budget challenges, the Discover the Coast initiative and recent briefings with members of Congress.

District Manager:

Nancy provided highlights of activities in the Northern California District:

- The fire program has been reorganized so that field office fire management officers now report to the district fire management officer instead of field managers. The move will result in no changes in public services or project work in the fire and fuels program.
- Development of land use plan amendments and a draft environmental impact statement for sage grouse conservation has been a major effort for the Alturas, Eagle Lake and Surprise Field Offices. The Redding and Arcata field offices have been focusing on special area management issues including the King Range National Conservation Area, coastal management initiatives and others.
- The Northwest California RAC held its last meeting in Point Arena in October, and this will be the last meeting of the Northeast California RAC prior to next year's consolidation into a new Northern California District Resource Advisory Council. She stressed the value of the advisory council, and the public service provided by members, will remain valuable and appreciated by the BLM regardless of the RAC structure.

Sage Grouse Conservation

Nancy summarized the current west-wide effort underway by the BLM and Forest Service to amend land use plans by incorporating regulatory measures to conserve greater sage-grouse and their habitat in northern California, the effort will amend Resource Management Plans in the Alturas, Eagle Lake and Surprise field offices. The public comment period on the Draft Environmental Impact Statement is now underway.

She explained the public comment period ends Jan. 29, 2014. There are opportunities for people to submit written comments online or by mail.

Nancy described the public meeting process and announced this evening's meeting at Jensen Hall, Lassen County Fairgrounds, and upcoming meetings in Nevada.

Sean Curtis noted that the BLM northeast CA resource management plans are fairly new and contain sage grouse habitat conservation measures.

There was discussion about geographic differences within the sub regions, including the RAC's sub region covering Nevada and northeast California.

Nancy noted that the BLM is required to identify a preferred alternative in the DEIS. It is a starting point. After the public comment period, the BLM planning team could use parts of various alternatives to craft a final preferred alternative.

Todd expressed disappointment that predators were not addressed. The BLM's position has been that predator control is the purview of state wildlife agencies. He commented that wildfire and invasive species, two of the most significant impacts on sage grouse habitat, are only lightly addressed in the DEIS.

Jim Chapman suggested that the need for wildfire mitigation is illustrated by the impacts caused by the Rush Fire. The impacts were widespread, affecting ranching, recreation and county land use and development.

Sean said he is not willing to abandon the predator issue. It should be addressed in this DEIS. He said the RAC should recommend that the state director discuss this issue with the state agencies.

There was continued discussion. Gale Dupree said there should be provisions to allow for shooting ravens that prey on sage grouse. There is nothing being done about that predator. He said maintaining good habitat is also important to the survival of sage grouse chicks because they can find better cover protection from predators including ravens.

Mary Nordstrom noted that alternative E of the DEIS contains recommendations on predator control, including dealing with predator attractions such as dumps and livestock carcasses. She suggested the RAC could consider recommending parts of Alternative E in its recommendation. Sean agreed we should be able to pull comments from the Nevada State Plan (Alternative E) and incorporate them into Alternative D. Gale agreed. He said the Fish and Wildlife Service should give the states more tools to address ravens.

Recommendations:

- *The RAC members agreed that the DEIS should contain language addressing predator control.*
- *Members agreed with Jim Chapman's recommendation to adopt Alternative TMA 9 to establish a framework for interagency cooperation on this issue.*
- *The RAC members present agreed that a consistent monitoring protocol should be developed with as much public involvement as possible. They recommended using adaptive management language from the Nevada State Alternative in the final preferred alternative.*

Subcommittee Recommendations:

The RAC's subcommittee on sage grouse (Todd Swickard, category one; Gale Dupree, category two; and Sean Curtis, category three) submitted the recommendations they developed after reviewing the draft EIS. The subcommittee focused primarily on Alternative D, the identified preferred alternative, and determined their priority natural resource issues were livestock grazing, wild horses and burros and habitat/vegetation management.

*RAC Recommendation: By consensus of the members present, the RAC accepted the following subcommittee recommendations. Language added by the RAC is indicated by **bold italics**. Language removed by the full RAC is indicated by ~~strikethrough~~.*

Bureau of Land Management
Northeast California Resource Advisory Council
Subcommittee on Sage Grouse Draft EIS

Tuesday, Nov. 12, 2013
Eagle Lake Field Office, Susanville California

Summary Minutes

Attending: Subcommittee members Todd Swickard, Gale Dupree, Sean Curtis. RAC member Carol Montgomery. BLM Staff: District Manager Nancy Haug, Eagle Lake Field Manager Ken Collum, Alturas Field Office Wildlife Biologist Arlene Kusic, Public Affairs Officer Jeff Fontana. Guest: Mary Nordstrom.

The subcommittee convened at 10 a.m. to review the draft Land Use Plan Amendment and Environmental Impact Statement for sage grouse conservation in Nevada and Northeast California. The subcommittee will develop recommendations for consideration by the full RAC when it meets Dec. 4 in Susanville.

Nancy summarized the history of the proposal to list greater sage grouse on the federal threatened and endangered species list, and the current status of the draft land use amendment and EIS that will amend the Alturas, Eagle Lake and Surprise resource management plans to include measures for conserving sage grouse and their habitat.

There are 6 alternatives in the DEIS, with Alternative D shown as preferred. Nancy stressed the final preferred alternative will likely be a combination of Alternative D with parts of other alternatives included to create the final.

She summarized the 90-day comment period now underway and the public workshops scheduled for the region. In California, sessions are Dec. 3 in Cedarville and Dec. 4 in Susanville. The comment period ends Jan. 29. The BLM will address comments and where appropriate use comments to develop the final EIS and record of decision, which is the document that will amend the land use plans.

Nancy provided a list of resource issues covered in Alternative D and suggested the subcommittee might want to identify their priority issues and then review and comment on how they are addressed in Alternative D, looking to other alternatives for language that would address their concerns.

By resource topic, the subcommittee agreed to focus review on Alternative D, and that Habitat /Vegetation Management, Wild Horses and Burros and Livestock Grazing should be the highest priority for RAC review.

Second priority topics were Fire Management, Special Status Species, Roads and Travel Management and Areas of Critical Environmental Concern.

Third priority topics were Recreation a Visitor Services, Lands and Realty, Leased Fluids, Fluid Minerals, Leasable Minerals, Saleable Minerals, Non-Energy Leasables and Split Estate.

Gale Dupree suggested that raven management should be addressed. Arlene noted that predator control was eliminated from consideration because it is outside of BLM's authority. Similarly, BLM staff noted that hunting was not addressed for the same reasons.

Sean questioned whether commenters would be able to determine a clear picture of the potential changes to individual RMPs, by just using this document and website. Arlene noted that those changes are clear in the resource by resource impact analysis.

Subcommittee Comments

Wild Horses and Burros

- The committee supports the additional emphasis on wild horse management, which helps with prioritizing allotments that have sage grouse, helping to prioritize the NEPA workload. The additional emphasis is important in the BLMs work to manage wild horse numbers. ***Sean clarified that priority WHB work should be where HMAs overlap sage-grouse habitat.***
- In addition to management of wild horses within herd management areas, members said the BLM should keep in mind the importance of removing horses that are impacting sage grouse habitat outside of HMAs.

Grazing

Action D LG 13: First bullet needs clarification about defining “hot season.” Additional language is needed about where to apply standards so that hot season use does not degrade the habitat. Members were concerned that recommended actions do not address managing grazing allotments that are too small to accommodate deferred rotation systems. Specifically, the BLM should:

- Consider a provision for allowing closely managed hot season grazing, recognizing that the use could encourage plant growth that would benefit sage grouse.
- Address a concern that permittees using single allotments might not be able to operate deferred rest systems. As written the smaller operators are at a disadvantage.
- Add language to indicate that if areas are not meeting habitat objectives or trending upward, and livestock grazing is responsible, then indicated management actions can be taken. The opening paragraph should be clarified to show that actions will be taken if livestock grazing is shown to be a factor in preventing habitat improvement.
- Address concerns that draft language does not allow for differences in site potential. There are areas of the public lands that are not capable of meeting these standards.
- Consider adding language allowing for using livestock grazing as a management tool to improve conditions for sage grouse where appropriate (language at DEIS Alternative E LG 27). Sean clarified that this action could be effective in controlling cheat grass and the fire regime that caused by cheat grass. ***The RAC recommended referencing work by James Clements of the Agriculture Research Service on cheat grass.***

Subcommittee members were concerned that Alternative D, action LG 2 holds livestock grazing responsible for all impacts. A more general statement is needed. Cattle should not be held responsible for all rangeland impacts; there are other users as well.

Comments on other proposed actions:

- **D, action LG 16:** Clarify “vegetation treatment” in first reference. Clarify what a treatment area is.

- **D LG 20:** Comment: This represents a change from the current quarter-mile standard.
- **D LG 21:** Add ~~“if through monitoring shows that bird strikes are occurring.”~~ Mark all fences within a mile of leks. **Replace this language in this action with this information from NRCS publication “Applying the Sage-Grouse Fence Collision Risk Tool to Reduce Bird Strikes” (November 2012):**

“...In its 2010 Conference Report on the SGI, the U. S. Fish and Wildlife Service (USFWS) recognized accidental mortality as a potentially adverse effect of fences (USFWS 2010b). Conservation measures to mitigate that adverse effect were developed that include:

 - **Avoiding placement of new fences near all leks;**
 - **Removing or relocating existing fences near all leks where feasible; and**
 - **At a minimum, marking all existing fences within ¼ mile from all leks and in areas where collisions are known to occur.”**
- **DLG 24:** Clarify the second part to indicate what we are monitoring for: To show we are monitoring to meet our objectives.
- **D LG 25:** Add: “site potential to meet habitat objectives.”
- **D LG 26:** ~~There are concerns that this could affect timely transfer of permits, and that this appears to put a bigger burden on the second permit holder—a higher standard than the original permit holder had. Rewrite this to read, “When grazing permit transfers are proposed, review to ensure GRSG habitat standards are being met. After considerable discussion, the RAC recommended striking the language at D LG 26, feeling that it restates current BLM policy.~~
- **D LG 28:** Locally developed drought policies should be referenced.
- **D LG 29:** Rewrite to: Define concentrated turnout areas; clarify whether the action designed to address sage grouse themselves, or the habitat; address concerns that a three-mile buffer seems excessive, especially on small allotments. It really represents a six-mile swath.
 - **There should be clarification such as “where feasible or where appropriate.”**
 - **Clarify the reference for the three-mile buffer.**

- **Rewrite: Strike “within approximately 3 miles of known livestock areas....”**
- **Consider adding: During the annual livestock grazing application, work with permittees to avoid concentrated turnout locations for livestock during the March 1 to May 15 period. Utilize land features and roads on maps provided to the permittee.**

Todd expressed concerns that overall, the section is onerous for livestock grazing.

- **D LG 30:** Need to define terms and conditions language. This is unclear as written. Clearly state the terms and conditions during lekking season.

Habitat restoration/vegetation management

- **D VEG 15:** There should be a provision for temporary roads, kept to a minimum, to allow for treatments such as juniper to improve habitat. This is compatible with sage steppe ecosystem management plan. Temporary roads will be decommissioned after use. **Language found at E VEG ISCE 9 could be used for the statement on temporary roads.**
- **D VEG 30:** Change to Pinyon or Juniper. This change should be made through the document, rather than referencing pinyon/juniper.
- **D VEG CC 2:** Rewrite loss to wildlife habitat and avoid cheat grass domination.

Members felt the socio-economic model was insufficient, under-estimating by more than half the value of livestock grazing to communities. As written, it focuses on the grazer, not the community. This should be adjusted to fit local conditions. Good models are the Sage Steppe Ecosystem Management Plan and the Modoc National Forest’s environmental analysis for Warner Mountain livestock grazing allotments.

The subcommittee agreed that comments and recommendations will be forwarded to the Northeast California RAC for further discussion at the Dec. 4 meeting.

Summary minutes (subcommittee) compiled by
Jeff Fontana, BLM Public Affairs Officer

Public Comments

Jo Marie Miller, chair of Lassen County Coordinating Council: Said ravens should be removed from the endangered species list so the numbers can be controlled.

Bill Phillips: Said that in Oregon studies have shown that sage grouse populations increase when predator control measures are used. Habitat improvement is a long process. He agreed that predators should be addressed in the Sage Grouse EIS. He said excess horse population can impact habitat because they travel further on the range than livestock.

Jack Hanson: Agreed with the RAC position on predators. He encouraged the RAC to ask for an extension on the comment period. He said there is insufficient time to review the document fully and make comments on time, saying the short timeframe is a disservice to people who live and work in the region. He said the current deadline will make it difficult for county government to get good comments developed on time. He said the situation is worse because the comment period spans the holiday period.

Mary Nordstrom: The U. S. Fish and Wildlife Service should push back its decision date on sage-grouse listing.

Gary Livingston: Notes that we are not humane with horses because can't slaughter excess horses in the United States. The horses are decimating the range but we can't get rid of them or even slaughter them in this country.

Guests on the teleconference:

Debbie Coffey, Wild Horse Freedom Federation: Is concerned with calls for increased management of wild horses and burros. She does not believe there is an excess population of these animals on the range. The BLM is supposed to manage for healthy horses and needs to consider genetic viability. She is troubled when members of the RAC indicate they have not read materials before meetings. The RAC seems to favor grazing interests. She is concerned that Bill Phillips (earlier public comment speaker) is pushing for horse slaughter.

Carla Bowers: Emphasized that even if some wild horse populations are over appropriate management levels, the majority of the herds have very low designated AMLs. This causes a concern with genetic diversity. The RAC should recommend that the BLM work to protect the remaining wild horses on the range. She asked the field managers to include in today's field office summaries information on any planned roundups, including bait trapping. She is concerned that people are not seeing horses when they visit the Twin Peaks Herd Management Area.

Laura Leigh, Wild Horse Education: Urged the RAC to be thorough and not look for easy answers or scapegoats. She referenced the National Academy of Sciences report on the wild horse and burro program that expressed concerns about a lack of data being used by the BLM when setting wild horse herd appropriate management levels. She said that protecting one species by putting another at risk is an absurdity. She said all impacts including grazing should be looked at.

Mary Beth Devlin: When horses and cattle graze together cattle have more weight gain. Compared to cattle, wild horses scatter more and do not graze as intensively. Holistic grazing management would enable maintaining livestock numbers while protecting the land. AMLs in place do not permit genetic viability levels in wild horse herds.

JoAnn Miller: Voiced concern with the BLM's treatment of wild horses. Removing cattle from the range would provide the food and range resources for horses that are protected by law. The BLM's responsibility is to protect wild horses as the law intended. See opposes helicopter gathers, grazing and fences. The BLM has mismanaged wild horses.

Deborah Heverly, San Antonio: Supported JoAnn Miller's comments. Roundups are morally and fiscally wrong. The lack of shelter at BLM holding corrals is abusive. She supports the SAFE Act. We need heart and compassion for our animals.

Update on RAC reorganization

Nancy updated the RAC on progress toward reorganizing the Northeast California and Northwest California RACs into a single Northern California District RAC. She said work is underway for issuing a new charter and calling for nominations in early 2014.

RAC Suggestions:

- The timeframe for creating the new council should be as short as possible.
- Meeting locations for the new RAC should be in a centrally located area to minimize the time required for travel.
- Field trips are important for RAC members' understanding of issues.
- There should be time spent working with the RAC members on effective ways for engaging their constituents.
- The BLM needs to more strongly engage the RAC in finding solutions to issues and not focus so heavily on providing reports.
- Individual members should be encouraged to call the BLM to suggest agenda topics.
- RAC agendas should be distributed early to provide enough time for members to gain input from their constituents prior to the meeting.
- People want to know that their tax dollars are being spent wisely, and that the RAC is considering public concerns and bringing them before the BLM.

Field Managers' Reports

Alturas/Surprise:

Field Manager Tim Burke updated the RAC on issues involving the Alturas and Surprise field offices, covering topics including proposed geothermal development at Medicine Lake, proposed donation of lands by Pacific Gas and Electric, status of a previous free use firewood policy in the Alturas Field Office and sage-steppe restoration projects. He updated the RAC on a new decision record on the Ruby Pipeline right of way.

In the Surprise Field Office, he reported that more than 15,400 comments have been received on the environmental assessment for livestock grazing and wild horse management in the Massacre Lakes Allotment and Herd Management Area. The comments are being considered as the field office develops a final record of decision for release early next year.

Tim reported there has been no bait trapping or other wild horse removals on lands managed by the Surprise Field Office.

Responding to Carol Montgomery, Tim noted that Bitner Ranch remains closed to public access because of Hanta virus risk in the old buildings. The plan is eventually to open the area to public access. Carol said she enjoyed the public lands day partnership and work day at the ranch.

Eagle Lake:

Field Manager Ken Collum updated the RAC on a Lassen Municipal Utility District proposal for a transmission line right of way, progress status on vegetation recovery projects in the Rush Fire burned area, a competitive gravel sale, development of a programmatic approach to project-related juniper reduction and project work on off-highway vehicle recreation areas.

He summarized a spring population census flight over the Twin Peaks Herd Management area, noting nearly 1,300 horses and burros were counted. The population is probably higher now because of spring foaling. The appropriate management level for the HMA is 448-758 wild horses and 72 to 116 wild burros. He also reported that the field office removed 13 nuisance burros that wandered into a private corral in the Buffalo Hills area.

Member Round Table Comments

- Gale Dupree suggested conference call numbers be included in meeting agendas.
- Frank Bayham thanked Skip for chairing the meetings.

Nancy asked members to share their comments about serving on this RAC and suggestions for success of the new Northern California District RAC:

- Jim Chapman: The RAC has been successful in helping the BLM develop and maintain partnerships, an area in which BLM excels.

- Frank Bayham: The RAC has provided a chance to learn and contribute to the public lands.
- John Erquiaga: Likes the old structure and does not want to see the change to a district RAC.
- Gale Dupree: Has appreciated the opportunity to serve.
- Todd Swickard: Has enjoyed the connection between the BLM and the public that the RAC helps provide. He has enjoyed learning the different perspectives that members bring to the table.
- Skip Willmore: There is a tremendous amount of knowledge and experience on the RAC, and the group has accomplished much as a result.
- Several members thanked Public Affairs Officer Jeff Fontana for his work supporting the council and its individual members.

BLM Staff Comments

- Tim Burke: The RACs assistance on important issues including development of land health standards and livestock grazing guidelines, the field office RMPs, the Sage Steppe Ecosystem Restoration Project and drought policies are just a sample of the important work done by this council.
- Ken Collum: Commended the members for reminding the BLM that the council needs to focus on developing recommendations and guidance for the BLM.
- Jeff Fontana: Work with the RAC has been one of the most rewarding aspects of his job, and thanks them for their service
- Nancy Haug: The public service shown by the RAC members is extremely important and she is honored to be working with the council. She thanked them for giving of their time and providing expertise in helping the agency in managing public lands and natural resources.

*Summary minutes compiled by
Jeff Fontana, public affairs officer*