

Central Montana Resource Advisory Council
January 9, 2007
Lewistown, MT

Members present: Tony Bynum, Bob Valach, Francis Jacobs, Barb Cole, Terry Selph, Charlie Floyd, Dan Clark, Bill Cunningham, Pat Gunderson, Troy Blunt, Ron Moody, and Mike Bryant. Absent: Larry Epstein, Lisa Huestis, Bob Schoonover

BLM Staff present: June Bailey, Mark Albers, Craig Flentie, Gary Slagel, and Kaylene Patten.

The meeting began at 10:00 a.m. on January 9th with the public comment period. Two members of the public provided comments, attached.

Welcome/Chairperson Synopsis/Meeting Notes:

Kaylene welcomed everyone to the meeting and Tony gave a brief overview of what we were doing at the meeting today and tomorrow. The meeting notes were approved with a change to comments #4 & #6 to be stated by Tony Bynum not Terry Selph. Tony agreed those were his comments. Kaylene will make the change and finalize the notes.

Introduction of Staff and RAC members:

The RAC members went around the table and introduced themselves and told a little bit about themselves, where they were from, who they represented etc. Kaylene then introduced all the BLM staff that were in the room and that when others came in they would be introduced as well.

Charter Review:

Kaylene went over the charter in detail and walked the RAC members through it. Some of the high points brought to their attention where:

- official to whom the council reports
- duties of the council
- the composition of the council (Categories)
- terms of the council members
- missed meeting policy
- serve as volunteers and only receive per diem and travel expenses
- council officers for the RAC
- quorum and voting procedures

Lunch 11:30 – 12:30

Consensus/Administrative Duties/Logistics/Agenda/Exchange of information:

Kaylene went over the books that are provided to the new members and referenced the material behind the Local/State tab as material that is pertinent to our RAC and our area. A map of the Malta and Lewistown Field Office boundaries and ownership was handed out.

Kaylene discussed the consensus techniques and how the RAC functions based on consensus. Consensus is a process for group decision-making. It is a method by which an entire group of people can come to an agreement. The input and ideas of all participants are gathered and synthesized to arrive at a final decision acceptable to all. Through consensus, we are not only working to achieve better solutions, but also to promote the growth of community and trust.

Many other items were covered under the consensus discussion and examples given of how consensus takes time, commitment and respect for all.

She covered the travel procedures ie. Travel authorizations, vouchers, per diem, mileage etc.

She proceeded to discuss the meeting format and how the RAC talks and deliberates with each other at the table and we have the public comment period at the beginning of each meeting for the public to comment on the agenda items. Also how we follow relaxed Roberts's rules of order and use the thumbs to see how we feel about a decision to get consensus.

Consensus meter: A thumb up means I agree and I will support the decision outside the room, a thumb sideways means I can live with the decision and will support the decision outside the room, a thumb down means I have questions about the decision, I'm not comfortable with it, we need more time, information etc.

Kaylene also presented the DO's which the original RAC created in 1995 and has been using ever since. No changes were made to the Do's and the RAC felt they were still adequate and acceptable.

She covered how all the administrative duties fall to the Lewistown Field Office and that if the RAC has any requests/concerns to contact her or June/Mark. The agendas, travel, meeting notes, logistics, phone cards, information etc come from her.

Kaylene covered the information which is shared with the public and handed out the forms for the new members to sign as to what they want given to the public when they the public asked for information on them and how to contact them.

RAC Video:

June played a short 10 minute video that addresses what BLM does within the MT/DAK's organization.

Roles and Responsibilities/Expectations/Guidelines:

Mark Albers gave a brief overview of the dynamics of the RAC from his perspective as a private individual, non profit organization and now as a field manager.

It takes a lot of time and effort for the RAC to make the decisions and the discussions are very important to the RAC and the consensus decisions are very important to the BLM.

Mark feels his role of Field Manager is to work with you and pick the right issues for the RAC to work on and if we pick the wrong ones we (BLM) will bury you and you won't be able to make recommendations on something that is so big. We don't want to throw you into a project that will not work we want you to work on a project that the RAC can provide information and recommendations on and how to move forward with. The BLM gets the feedback from the RAC and then analyzes it to see if that is the way we want to proceed. Need to work with the RAC and get the projects that the RAC can tackle and the BLM can listen to the recommendations.

June Bailey commented that this is a huge commitment of all the RAC members and wants the RAC to know how valuable your input is and how important it is to have the RAC. It's important to have the public's input as well. We (BLM) need the RAC members to get input from the public and hopefully we can get your support and help with a subgroup. The RAC can help us by going to the public and getting their issues and concerns and then bringing them to the BLM, then go back to the public and let them know what the issues are and what the BLM is working on. Try to switch the miss information and share the information with the public.

Some of the tasks she wants to see from the RAC are:

- 1) Switch the miss information and share information with the public.
- 2) Recommendations are important but the discussions are extremely important
- 3) Take the information back to the public and share with them

Some of the benefits June feels that have come from the RAC meetings are:

- discussions that came out of the meetings with the RAC members at the meetings
- the RAC members attending and participating in the RMP meetings
- hearing all sides of an issue and listening to the public and then coming up with recommendations from the RAC

General Questions and Answer Session:

The question was raised to if continuity on the RAC was real important?

Mark Albers>Continuity isn't always as important as it was with the Monument, which wasn't the norm. Most projects you take on won't be to that duration and will be able to be handled in a few meetings and not carried over years.

Ron Moody asked the question about all the stuff going on within the Malta and Lewistown Field Office and for the person outside the agency to keep a 30,000 degree view of what's going on within the offices is very difficult. Could the BLM identify the projects, staging process, short blurb on what the project entails to put on the website so everyone could get to it?

June replied that the RAC could use the NEPA log on the webpage and utilize the briefing paper as well. (Need to get the webpage for the RAC so they can see it.)

Tony wanted to see the briefing papers and what was coming in the future of the BLM and what is coming down the pipes. Mark responded by saying this isn't a group to give

them all the future stuff that BLM might be doing. Mark talked about the oversight of the RAC not being able to always see everything.

Tony was concerned about his role of what the BLM wants the RAC to know. Tony felt his role was to stay in contact with a few people and build a trust and relationship with his constituents. Wants to know what's out there 2-3 years out.

Ron Moody just wanted a quick oversight of what was going on and if there is something that he thinks should be brought to our attention he will ask at a RAC meeting.

June said you don't have to wait for the RAC meetings to talk about things, give us a call, and come in a talk to our specialist at the offices. Then you can go back and talk with your interest groups and let them know what is being worked on and what is coming up.

Tony asked, How the BLM sells the RAC? What interaction does the BLM have with the public and talking about the RAC and what they are doing? Does BLM promote the RAC to the public and let the public know to contact the RAC members to discuss information with?

Mark responded as the role of the RAC wouldn't be a liaison between the BLM and the RAC but a balance. I think about the RAC as not acting as a filter or sounding board but I wouldn't want to put the RAC between the public the BLM, we get comments and interaction from the RAC and the public.

June talked about the subgroups and how the RAC could talk about the issues through a subgroup and could be a benefit to the BLM. The RAC would be talking with the subgroups and the people and bringing issues back to the RAC and assist BLM with the issues that the public and subgroup were talking about.

Francis Jacobs feels the role of the RAC is that if BLM feels there is a problem or wanting some help with a subject then the BLM would bring it to the RAC and ask for the help that is needed, but some projects don't need a lot of help. The hard ones the BLM needs help are usually the tough issues.

Dan Clark asked about the flow, that the issues the BLM brings to the RAC they feel need attention and help with is brought to the RAC, but is there room for the issues to come from the public to the RAC and ask the BLM for assistance on? Is there opportunity for the RAC and public to bring issues and topics to the RAC to discuss? How does that happen? Flow top down or bottom up?

June said that we come up with an agenda as a group, the BLM and the RAC brings up issues.

Bill Cunningham asked if it a collaborative decision of what to work on or is it a decision that is made by the BLM of what we are going to work on? What is the selection process of what is worked on by the RAC or is it decided on by BLM?

Mark stated it should be identified by the RAC and BLM and come up with what would be most beneficial to all of us.

Mark referenced the charter and what can be worked on by the RAC and what the RAC can't work on according to the rules and regulations.

Pat Gunderson asked that looking into hindsight would you have used the RAC differently on the Monument RMP? Gary Slagel said that instead of biting off the entire RMP maybe BLM could have picked some of the more controversial issues and had the RAC focus on those issues. But the input and discussions we got was invaluable.

Barb Cole felt that overall we need to have the BLM ask for our assistance on issues because we don't have the everyday knowledge and events of what are going on? Then the BLM would ask the RAC for their ideas and input on issues that they need help with.

Ron Moody wants to maintain our own continuity with the RAC members as things change and topics fall off the RAC agendas to keep them on a list to go back and cover the topics that are brought up.

Tony Bynum would like to have more of a dialogue with the RAC members and be able to keep track of what's going on and who's doing what with regard to issues and topics of what the RAC is working on. Tony feels part of the role of the RAC is communicating with each other outside of the meetings and keep the lines of communication open and make time for issues that the RAC is dealing with.

Bill recommended an executive board of 3-4 people to have conference calls and to keep up with issues once a month and keep the continuity going and the RAC up to date with what's going on.

June recommended a subgroup could fill this void of keeping in the loop and staying in touch.

Dan brought up an idea of an Annual work plan that outlines the year in advance, with meeting dates and such. Also brought up the idea of trying to set meeting dates for a year in advance.

Ron wants to try and set up subgroups to work on the issues for instance the local economy maybe there is some people on the RAC who would like to have some discussion on this, those people identify themselves and go to the public and keep some memory going so we don't start and loose topics for discussion.

Mark clarified that once the DFO and the RAC has agreed on an issue and then a subgroup would be responsible for keeping it going and working on the issue and then reporting back to the RAC.

Tony asked about conference calls once a month and talk to each other about any issues that are coming up. Francis mentioned that the phone calls and discussion would be difficult to make decisions. Tony meant that that it would be more of an informational and sharing than decision making.

Dan mentioned that the subgroups could be issue based groups and deal with certain issues and then report to the RAC as a whole.

June said that we will have an annual work plan within the next week or two and then the RAC can develop subgroups dealing with these topics and also add their input into what the subgroups are working on.

Field Managers Updates:

Malta Field Office – Mark Albers
Mark gave a power-point of the Valley County Wind Farm

Mark gave an example of what the RAC could tackle would be to take on the issue of the access on and into the Sweet Grass Hills and come up with answers under this issue, or the mineral withdraw in the Sweet Grass Hills.

As the scoping report goes out we will come to the RAC and then collectively come to the RAC with what we want you to work on as a RAC member.

BLM come up with more specific/focused issues to work on for the RAC and then the RAC have some input into what the RAC can work on. Mark wants only the issues that the BLM needs assistance with and that the RAC can actually make progress on as an issue. Don't give the RAC topics/issue that we already know the answer to or have made any other decisions on.

Mark should have something in about a month for the RAC to work on and what issues the RAC could work on.

Lewistown Field Office – June Bailey
June spoke of the BLM director Kathleen Clarke announced in November a Managing for Excellence and a possibility of this would be going to 3 tier again. Also looking at a national service center in Denver and centralized. They are currently pulling together a team to see how we want to implement it or if we will implement it over the next two years.

-Kathleen Clark has resigned effective end of January.

-Continuing resolution for a full year and will operate under FY06 funding.

-Judith Moccasin Travel plan just in the beginning, a team pulled together to look at motorized and non-motorized travel in the area. We did have a subgroup and wanted to have the public input in the controversial area. Terry Selph has a group of people who want to be involved and will get the list to June. Scoping meeting is scheduled for January 31st in Lewistown.

-Petrolia Watershed Plan, preliminary plan is done and going out to the public this month. The final plan will be sent out in March sometime.

-New state director is Gene Terland and he wants to attend the next RAC meeting.

Chairperson Expectations:

Tony's Expectations:

Tony wants to develop a system to follow-up between meetings, subgroups and how to keep communicating. Tony felt he had provided his expectations and insight when we went around the room and introduced ourselves this morning; so he didn't have much more to add.

Election of Officer's:

Tony wants to revisit the election of officers and if we want to get back onto the schedule as outlined in the charter he is comfortable with that.

Motion: was made by Charlie and seconded by Ron to have an election of officer's at the meeting to get back on track of having election of officer's at the first meeting of every calendar year. Motion passed with consensus.

Motion: was made by Dan and seconded by Bill to reelect Tony Bynum as chairperson and Lisa Huestis as Vice Chairperson. Discussion was held as to opening up nominations for officers and no one had another nomination. Nominations closed and question was called. Motion was passed with consensus. Tony and Lisa will serve from January 2007- January 2008.

Roundtable discussions:

The RAC members held a general discussion on getting to know each other and who they represent and how to get in contact with your constituents. Also discussion of why you wanted to apply to be on the RAC.

Some examples of how to get out to your constituents and make contact with them are listed below:

- get on a meeting agenda for a group
- send a briefing paper to the groups in a newsletter
- have a listening ear of what may or may not want to be done
- provide some data and facts to your constituents
- get to any groups even if you aren't a part of it and ask them what they think
- ranching populations through cattle shipping and cattle operations
- social settings and neighbors can talk about their concerns and just visit
- talk to folks over a cup of coffee at coffee shops
- just talk with people and then slip something in and see how they feel about it

A RAC member stated, What was said throughout the meeting this morning all narrows down to "Accountability" There has to be accountability to have a good working RAC and maybe we need to meet more often and have more accountability to the process and to each other.

A RAC members comment was to get away from preaching to the chore, get out and get with a group of people who have diverse ideas and try and reach some kind of consensus

on an issue and keep the respect and trust between all members and be able to discuss the issues.

The meeting adjourned at 5:45 p.m.

Central Montana Resource Advisory Council Meeting
January 10, 2007
Lewistown, MT

Members present: Tony Bynum, Bob Valach, Francis Jacobs, Barb Cole, Terry Selph, Charlie Floyd, Dan Clark, Bill Cunningham, Pat Gunderson, Troy Blunt, Ron Moody, Mike Bryant, and Lisa Huestis. Absent: Larry Epstein and Bob Schoonover

BLM staff: June Bailey, Mark Albers, Craig Flentie, Wade Brown, Gary Slagel, Sandra Padilla, Cindy Staszack, Mary Apple, Don Judice and Kaylene Patten

The meeting began at 8:00 a.m. with public comment period. No public comment.

Monument RMP update:

Jerry Majerus gave an overview with a power point on the Monument RMP.

Recreation Resource Advisory Committee:

Cindy Staszack and Mary Apple from our Montana State Office, BLM gave an overview of the recreation RAC's and what the duties and membership could consist of. The highlights of the power-point presentation were:

- to provide an overview of the BLM and Forest Service recreation programs
- discuss the RAC's role as outlined in REA
- to facilitate a decision on how the RAC wishes to deal with fee proposals
- the forest service has 201 units (155 National forests, 20 National grasslands, 20 National Recreation Areas and 6 National Monuments)
- the BLM has 237 districts/field offices in 12 western states and manages the NLCS which includes (13 National Conservation Areas, 15 National Monuments, 175 Wilderness Areas, 10 National Historic Trails, 38 Wild & Scenic Rivers)

The Central Zone which our RAC would be dealing with currently includes...

BLM:

2 Field Offices/2 Field Stations

1 standard amenity site (UMRBNM Interpretive Center)

3 expanded amenity sites

1 National Monument

Forest Service:

1 National Forest (Lewis and Clark)

18 expanded amenity campgrounds

Rental cabins and lookouts

1 standard amenity site

Recreation permit sites

The Recreation Enhancement Act (REA) discusses amenity fees, what amenities are activities, etc. Cindy presented the pros and cons in having a subgroup to handle the fee proposals or to just have the current RAC take on the duties and provide recommendations. The decision the RAC needs to make is whether to create a subgroup

to make recommendations on the fee proposals for BLM and the Forest Service and tackle it themselves as a whole.

Forest Service Recreation Fee Program on National Forests:

Joni Packard, Regional RAC Coordinator, Northern Region, USFS gave a presentation on the National Forest (Lewis and Clark) which falls under this RAC's direction. She talked about the workings of the forest service and how they would be providing information to the RAC, if they took on the task.

Joni anticipated that there will be 7 fee proposals presented to the RAC; 2 new cabin fee sites, 3 new campground fee sites, 1 existing campground or cabin fee proposal, and 1 day use site fee proposal.

Undaunted Stewardship Program:

Cindy Staszack from the Montana State Office gave an overview of the Undaunted Stewardship program with a video from the Undaunted Stewardship's on what they do, how they are funded and who they provide services to. The video also showed some success stories and interviews with the individuals who have utilized the Stewardship program.

She also handed out a flier on the program and an article that was in Montana Magazine about the Stewardship program. She then answered questions from the RAC in regard to the program.

Ron Moody specifically asked about the budget and if there was a way to get a handout or information on how the money changes hands and what their budget is. He would like to know how and where the money is spent on the land, how many visitor days on the land, what is being done for the taxpayer etc. Cindy will follow-up on that request. She said maybe an advisory board could come and give a detailed report of where money goes, she suggested Jim Peterson-MSU contact or Jeff Mosley.

Francis Jacobs asked if they could come and provide the RAC with a presentation and possible have the gentleman from Malta who has received an award for his Stewardship efforts present at one of the RAC meetings.

RS-2477 Update:

Cindy Staszak gave a power-point on the RS-2477. The general it is summed up in 26 words, 140 years of interpretation. "And be it further enacted, That the right of way for the construction of highways over public lands, not reserved for public uses, is hereby granted."

Cindy provided some history, some final answers, some origins and intent and some interpretation of the RS-2477. She briefed the RAC on the Babbitt Policy, Norton Policy and then the BLM Guidance. In the IM2006-159; Non-Binding Determinations of RS-2477 Right-of-Way claims:

- BLM must make a NBD before completing consultation with a state or county on proposed improvements to a claimed RS-2477 row.
- A NBD may be completed before taking action to close or restrict the use of a claimed RS-2477 ROW.

The final answer is that BLM lacks the authority to adjudicate the validity of RS-2477 claims. BLM may make non-binding determinations for its own internal land use planning purposes or if in BLM's interest. Before any improvements beyond routine maintenance can be made to a valid RS-2577 row a claimant must consult with BLM. Failure to consult with BLM before making improvements beyond routine maintenance is considered trespass. Federal law governs, but if "borrows" from state law in determining what is required for acceptance of ROW to the extent that state law does not violate congressional intent. The "burden of proof" lies on those asserting rights against BLM.

Lunch 11:45 – 12:15 Subway sandwiches were brought in for the RAC members

Fee Proposal Decision:

Prior to the Kipp Business Plan presentation the RAC discussed the decision of taking on fee proposals as an entire RAC or creating a subgroup to handle RAC fees.

The decision the RAC needs to make is:

- 1) Deal with fee proposals as an entire RAC
- 2) Create a subgroup to deal with fee proposals.

Discussion:

- deal with committee and fees as a whole RAC with the BLM and FS doing the homework and providing RAC with proposal
- fees across MT could be different depending on what amenities are available
- public involvement will be many different avenues
 - open houses, tour, website, paper
 - stakeholders, commissioners, news releases, mailings etc.
- all public comment would come to the RAC as a summary from BLM and FS
- ad hoc for homework on specific topics/issues
- statewide meeting to address consistency within MT with an ad hoc group who dealt with fees
- give RAC some data, RAC provide input, take it back and come up with a plan to take back to the RAC and then RAC make a recommendation
 - don't want to be at the end of the proposal
 - be at the front of the proposal
- need to add value and advise to the fees-get in at the beginning
- who else do we have to have on the RAC to have the representation needed to deal with as a RAC

Motion: Bill Cunningham made a motion and seconded by Barb Cole to have the fee proposals dealt with as a whole RAC. Motion passed with full consensus.

Mary Apple read the list of who needed represented on the RAC to have a full membership to deal with recreation fee proposals:

Winter motorized – don't have a rep on the RAC

Non-Motorized winter – Yes

Summer Motorized – Yes

Non-Motorized Summer – Yes

Motor outfitter and guide – Yes

Non-Motorized outfitter and guide – Yes
Local environmental group – Yes
State tourism/County – Yes
Indian tribes – Yes
Local government – Yes
Hunting and fishing – Yes

Tony made the statement that we would still need to consult with individual tribes in regard to fees and with the local Indian tribes.

Kipp Business Plan:

Sandra Padilla, Park Ranger for the Upper Missouri River Breaks National Monument gave a power-point presentation on Kipp Recreation Area and what amenities are present, what was there in the past and what the fees are used for currently.

The day use fee will help with the cost of the trash pickup as that is the largest expense at Kipp.

Visitor's statistics for May 1 – Sept:

1,247 picnicking
5,474 camping
12,162 day use/rest area

The suggestion was made by the RAC to develop an MOU with the State Transportation (DOT) to pursue a partnership and assist with the costs of Kipp associated with the rest area.

Discussion included:

- RAC writes a letter to Governor to assist with money to pay for expenses at Kipp and/or go through the local channels DOT, SD etc.
- show the RAC a table of costs, what you need to run Kipp, what is needed, and what it would take
- campers need to pay fair equitable value
- have Sandra check into DOT maintenance which is close to Kipp and see about sharing some of the costs associated with garbage pickup for example

Motion: Terry Selph made a motion and Bill Cunningham seconded that the fee at Kipp could be up to \$12.00 dollars for camping and leave the rest on page 10 of the Kipp Business plan as is; also leave the dump fee the same as currently is. The BLM would need to make the final decision on what the exact amount was needed but not over \$12.00. Motion passed with full consensus.

Motion: Ron Moody made a motion and Terry Selph seconded that the BLM write a letter to the DOT and appropriate agencies to seek cost sharing for the rest stop services at Kipp. This letter could go to DOT and Federal, State highway (MDT) and/or the Billings Office maintenance office for MDT. Motion passed with full consensus.

Oil and Gas Update by Don Judice:

The Scoping Notice for the Bowdoin Oil and Gas EA went out and has been distributed to the public and the RAC in May of 2006. The contractor who is preparing the document is moving towards having a draft for internal review late February; draft to the public may come out in early spring. The amount of roads and pipelines are within the analysis area and are within existing disturbance, with some new upgrades on compressors. BLM is utilizing the 1989 , Bowdoin EA, along with the mitigating measures of the JVP RMP and as the umbrella document for the EA's and NEPA documents that BLM writes for each action.

The new parcels of land within the Frenchman creek area will be analyzed in the Malta RMP and deferred to that RMP.

The project that has come to our attention is the BearPaw South Development Area. The eastern boundary coincides with the boundary of the UMRBNM near the area known as the "gun barrel". Devon Energy and Klabuzaba are looking into increased exploration and development in existing fields discovered in the early 60's and 70's. As an example, geophysical testing has shown about 20 fault blocks within the Eagle Formation back in 1988. Last years information showed well over 60 fault blocks, which is far more than they thought. All wells drilled last year resulted in successful producers.

In order authorize geophysical testing Devon Energy has approached the Malta Field office and the Monument Manager to do some geophysical testing.

BLM has gotten to a point that we need to look at cumulative impacts. The area outlined on the map is what Devon and Klabuzaba have said what they are looking at. We are at the initial starting point of looking into this, and BLM has not decided what to do or what type of document to write.

These development level documents are analyzed separately on their own and must be married up with the Malta RMP and the Monument RMP. The plan is to keep the RAC informed and provided copies as the Great Falls Field Office go through the planning process of this field.

Rocky Mountain Front withdrawal

Legislation has been approved by the President that was introduced by Senator Baucus, on a permanent withdrawal for entry and leaseable minerals on Forest Service land and on BLM land along the Rocky Mountain Front. We don't have any existing mining claims but some existing oil and gas leases in the Blackleaf area. Federal minerals will be retired and not leased again. This will be dealt with in the Lewistown RMP in 2009. Minerals on private property are not affected by the legislation.

Next Meeting/Agenda/Travel Vouchers:

The RAC members tried to pick dates for the rest of the year but couldn't do it, they will try again at the next meeting to set consecutive dates for the next meetings.

Meeting Date: April 12 & 13, 2007

Where: Lewistown Field Office Conference room, Lewistown, MT

Times: 10:00 – 5:00 on April 12th; 8:00 – 3:00 April 13th.

Public Comment Period: 10:00 – 10:30 April 12th; 8:00 – 8:30 April 13th.

Agenda Topics:

Malta RMP update

Monument RMP update

Wildlife Management related to BLM

Undaunted Stewardship Program Presentation

Recreation Fee Proposals

Interpretive Fee Proposal from Fort Benton

Grazing regulations

Annual Work Plan 2007

Judith Moccasin Travel Plan update

Public Access to Public Lands

Cottonwoods on the river

Bowdoin Draft

Weed Management

(These may not all be covered at next meeting but should be kept on the list until scheduled at a RAC meeting)

The travel vouchers were completed and turned into Kaylene for processing. Tony thanked everyone for attending and their hard work. Reminded everyone to try and keep in touch and respond to e-mail messages and try and talk between the meetings.

Meeting adjourned at 3:00 p.m.

**Resource Advisory Council Meeting
Lewistown Field Office Conference Room
Thursday, April 12, 2007
Lewistown, MT**

Attendees – Dan Clark, Francis Jacobs, Ron Moody, Charlie Floyd, Bob Valach, Larry Epstein, Barb Cole, Pat Gunderson, Terry Selph, Robert Schoonover, Mike Bryant, Bill Cunningham, Troy Blunt. Absent: Tony Bynum and Lisa Cowan-Huestis

BLM Staff: Mark Albers, June Bailey, Jerry Majerus, Billy McIlvain, Don Judice, Chad Krause, John Simon, Willy Frank, Kaylene Patten (Facilitator), Maggie Triska (Notes)

The meeting began at 10:00 a.m.

Public Comment Period

Mary Jones – Friends of Upper Missouri River Breaks National Monument

Fees

There should be serious thought put into the number and amount of fees. The public tax dollars should pay for these fees and not the public to access public lands.

Gas drilling expansion

There have been estimates that between 460-1100 wells may be drilled in near future. If this occurs it may impact the Monument. She then proceeded to give 5 examples of how gas development can negatively affect wildlife.

1. Wyoming has fewer deer that can be attributed to energy development
2. National Theodore Roosevelt –??
3. EE daily – warns of increase energy development
4. Great Falls Tribune – FWP expressed frustration with BLM process –
5. April - Forest Service – reckless oil and gas in national forest

Overall, she is concerned because of the implications that gas drilling impacts wildlife and that this will eventually affect the monument lands.

Ron – Winifred – Missouri river stewards

Transportation plan for monument

There were road changes made in RMP and some were good, but too many roads being closed specifically during hunting. This affects hunter's ability to retrieve animals. The BLM has taken an attitude of preservation of wildlife. There have been few studies in the breaks on cars and wildlife, but yet the BLM focuses on protecting game animals and not transportation means. This reasoning may come from the fact that people (professors from Seattle and Denver) have said that roads affect wildlife and that there are too many roads in the monument area. His main concerns with this are:

1. The Monument is not a wilderness area and does not have designation
2. The Professors whom the information is coming from did no field work in the breaks
3. If there's a problem, why haven't the roads been closed before? There have been no previous problems in the Monument area.
4. They want increased hunting and stream access, but BLM is closing roads and access – there are major problems with the way the transportation is written
5. How do you enforce closed two-track roads – or should their closure be enforced?

Basically, the plan needs to be simplified – develop a plan from those who use the roads and simplify the transportation plan.

Will Patrick – Wilderness Society

- Will reserve main comments until tomorrow –

The Valley County Wind Energy Project is not on the agenda and he's concerned that things have been going on out of the public eye. He's unclear on the changes that were made within the plan. He is also concerned that there's only one alternative & that the project will be next to the Bitter Creek ACEC. He wants to make sure that effects on the land are minimal.

Welcome/Chairperson synopsis/Meeting notes

Synopsis done by Kaylene and group because no chairperson or vice-chair were present
 The meeting minutes were okayed by group and given to June to sign
 They will be posted on the website for public review

Agenda

What's going on today?

1. Public Comment Period – done
2. Welcome/Synopsis/Meeting Notes – done
3. Monument RMP update
4. Bowdoin Draft EA
5. Grazing Regulations
6. Riparian/Cottonwood Projects
7. Weed Management & Russian Olive Eradication Project
8. Watershed Plans for LFO
9. Field Managers Update
 - Malta RMP
 - Valley County Wind Farm Project

Public comment closed @ 10:30

What's going on tomorrow? (Start at **8:00**)

1. Public comment Period

2. RAC Annual Work Plan 2007
3. Fort Benton Fee Proposal
4. Introduction of Forest Service Fee Proposal
5. Decisions on Fee Proposals
6. JMLA Forest Management
7. Judith Moccasin Travel Plan update
8. Judith Moccasin subgroup
9. Next Meeting Agenda/Travel Vouchers

10:35- break until 10:50

Resume 10:50

Monument RMP Update (Jerry Majerus)

Quick update on RMP and stage – may not contain a lot of new information from last time

Preliminary Review

- Internal review
- Work from last 18 months
- Should be done in September
 - Lengthy due to lots of internal reviewing
 - Will meet with cooperating agencies before the release

What will it look like?

- 3 volumes and approximately 1500 pages
 - Including additional maps and differences in the alternatives
- Larger than the draft
- Due to size it will take about 8 weeks for printing

Questions?

Bill – How does the internal review process work?

Jerry – The proposed RMP and final EIS have a 30 day protest period and the BLM cannot issue a final until these protests are resolved. This process is followed by a 60 day governors review – which does not always take the full 60 days.

Pat – What if there is a protest? What's the process?

Jerry – Protests go to the director in Washington who will then take a close look at the issues.

Bill - Is there another avenue to protest? Can a citizen protest and then if denied go on to the IBLA after that?

Jerry - The next avenue after protest is lawsuit

Bill – Is this true of all BLM decisions?

Gene – No, on land use planning yes, but not on all issues. The record of decision is signed off by state director, but protests go to Washington

11:05

Natural Resource Information system (NRIS) (Ron Moody)

NRIS

- Provides good reliable information
- Open for anyone to use
 - website – nris.mt.gov
- Current lack in public knowledge of this system
- Remember – Quality information leads to quality decisions!

Maps

- Can display a variety of things – BLM land, Ecological Zones, etc.
 - The database provides layers so you can create your own maps of what interests you
 - The data is layered – whatever you're interested in should be the top layer
 - Ex. If you're interested in reservoirs – they should be your top layer
- The data used to be macro, but is now micro – it's very specific
- Contains photo imagery of areas – which is a feature unique to Montana
- Maps are large and may need to be printed at a professional office

Problems?

- Contact the Montana State Library → Natural Heritage

11:15-12:15

Lunch

12:20

Bowdoin Draft EA (Don Judice)

News on Rocky Mountain Front

- The Legislation had been approved for permanent withdrawal of locatables and mineral leases, which would affect BLM minerals on the east side of the forest boundary. On March 21st BLM accepted the termination of The Blackleaf Unit and the relinquishment of all federal leases-Startech Energy, the unit operator requested to terminate and relinquish leases back to the Federal Government. There are 10 leases involved in this unit and they will not be leased again.
- In addition – 3 other leases held by Questar are eligible for extension,. They haven't done anything to relinquish those leases.
- With the relinquishment, the operator is required to plug all their wells. BLM is currently preparing a NEPA document to determine what it will take to plug the Federal # 1 -8, which is the only federal well. BLM is in the process of creating a draft and sending out the NEPA document to the Lewistown Field Office. The NEPA document is basically looking at timing issues (concerns). The surface is owned by FWP and they need to determine what they want the surface to look like.
 - July – early August – time frame for plugging and abandoning.

- Of the other two wells one is fee minerals (surface managed by FWP) and the other one is TNC
 - All will be plugged at the same time because of the large equipment needed.
 - Timing – speculating –late summer ~ July – August (small window). It will be paid for by Startech – they are held liable for all plugging – reclamation.

Bowdoin EA

- Bowdoin area is located in NE Phillips County
 - Discovered 80 years ago and there has been a lot of activity
 - In 1989 there was an EA prepared by BLM of activity and future activity
 - NEPA needs to be refreshed
- Current EA
 - Addresses new issues with a new analysis
 - Went through a 3rd party contractor funded by the operators
 - April 6, BLM received draft for internal review only
 - April 27 is a “due” date for comments. These will go to the contractor and then there will be an internal meeting to make sure everyone is in agreement before the document is released to the public
 - Release to the public ~ the end of May for a 30 day review
 - Contains an analysis of about 1200 wells and approximately half are federal. BLM land accounts for 30% of the surface area
 - There are other agencies working with us, but not as cooperators – BOR and FWP

Questions/comments

Ron – The map (displayed at the RAC meeting) needs clarification, especially concerning areas around the refuge.

Mike – Is this EA an expansion of the 1989 plan and if so by what percent?

Don - ~ 10%, involving numerous drilling companies (Fidelity, Noble, Omimex, and Decker). The new EA will analyze their proposal. They’re re-drilling wells, which involves moving a few 100 feet away. This is done to alleviate problems with the existing well due to mechanical problems. The operators hope to find better gas producing wells. Now they’re analysis is in our hands to look at.

Troy – Aren’t they changing their permits so that they can go in different zones? They’re currently only allowed to go in a zone at a specific level and are looking to expand this.

Don – There’s an approval process – their lease entitles them to that, levels higher and deeper are of interest which prompted this. Overall, this new EA is a refresh of an old NEPA (1989) to address new ideas/concerns.

Bill – Are there going to be 1200 brand new wells – not just re-drilling?

Don – The process will include plugging wells, moving, and drilling. There are 635 BLM wells and approximately half of those are new wells – some are still under speculation. They’ve added acreage in areas that don’t have activity. The operators hope to discover gas.

Gas Potential adjacent to Monument (West of Gunbarrel)

- Moving along to a new EIS
 - Bear Paw South EIS
- The main operator, Devon Energy, is willing to fund this project by hiring a 3rd party contractor. The NOI should be out this summer
 - Provide more information at the next meeting
 - 1200-1600 wells over 20 years

Questions/comments

Ron - How much we want to invest in oil and gas? It's a big thing occurring on BLM land and we can't ignore it. Would like more than a 15 minute update.

- Possible field trip to see the area

Overview of Area (Don)

- BLM owns 18% of the area, but manages 57% of minerals
 - It's a split estate issue
- Bear Paw is managed out of Havre field office – north of the river and west of Monument
- It will have nothing to do with the Monument, but will have to work with the Monument decisions. Ex. road management must be coordinated
- Offered to give Oil and Gas 101 to the RAC at another meeting

1:05

Grazing Regulations (Billy McIlvain)

2006 grazing regulations

- Grazing regulations were last changed in 1995
 - Similar legal challenges as there are now
- They were finalized published in July of 2006
 - The same day they were challenged in court
 - Regulations became affected on August 11
 - Judge Windmill will hear the amendments in April
- We are currently operating under 2006 definitions except for 3 areas (highlighted).
- The mission was to improve relationships, address legal issues, and address new concerns
- Significant changes
 - Mostly rearranging parts - wording as a result of the 1995 challenge
 - Ex. Livestock is substituted for rangelands, 4100 grazing administration - big changes permitted use in 95 was dropped entirely and grazing preference definition was expanded new definition
- **Interested public** – pending court decision –proposed change to require involvement from initial planning phase through current decision
- Changes in Grazing Preference

- BLM can make changes in grazing preferences
- Grazing preference – must consider relevant social, economic, and cultural affects of the proposed action
- Transfer of the preference is – person to person, base property to base property, ownership variation...
- Qualifications and preference this involves increasing and decreasing active use and must be monitored
 - Increasing active use – additional forage temporarily available
- **Cooperative range agreement**
 - Regulations from '95 consisted of shared ownership
 - Court hearing will determine this
- Service charge
 - Fees have increased
 - Ex. Permits up from \$10 → \$75
 - AUM fees have not increased
 - Due to paperwork for EA
- **Fundamentals of rangeland health**
 - Action to address management needs to maintain appropriate health must be taken as soon as practical, but no later than the next grazing year – 24 months change over
 - Pending outcome of hearing
- Changes have been made and depending on Judge Windmills decisions they may be updated again

Questions/comments

Bill – Explain standards and guidelines.

Billy – There are 4 fundamentals; riparian, upland, wildlife habitat and air and water. These indicators helped to develop the rangeland standards and guidelines. Standards were developed to look at erosion and health of land to determine if it meets standards or not.

Break @ 1:30

1:45

Weed Management (John Simon)

National Vegetation EIS

- Completed draft November '05
- Comment period ended February '06
 - ~ 900 comments received – approximately 2500 spams comments in 12 letters
- The EIS is on invasive species
 - Means of control biological, mechanical, chemical
 - Works to establish a process to add new chemicals when they come out

- It takes approximately 2 years to get a new chemical added. Risk assessments are done, which are more extensive than the EPA's.
- Will re-evaluate chemicals on the list and add more
 - One of the new chemicals added was Plateau – which has been used for cheat grass control to turn the fire cycle around
- The EIS team catalogued and responded to the comments. Which included many from uninformed public against herbicides, but overall the comments were very supportive of the process.
- The final EIS will be published May 2007 and the decision record will be signed later this summer
- All offices will have the winter to incorporate this new document.

National Weed Database

*Includes mapping, inventory and treatment (biological, chemical, grazing, mechanical)

- Goals
 - Improved access to weed information
 - Provide tools for mandatory reporting
 - Provide weed data to our internal and external customers
 - Facilitate data collaboration
- Scope
 - Tracks occurrence data
 - Standardized data – GIS to maintain maps and know where they area
 - Track actions taken
 - Track areas surveyed
 - Tracks size of weed infestations
 - Provide internet access for internal and external customers
- Timeline
 - Training material
 - Integration with partners
 - Transition to total web based application for internal and external customers
 - Field Bata testing 2007 CO, MT, UT, NV
 - Implement throughout BLM '08 field season

Question

Bob V. – What is the field Bata testing?

John – This is not the final version and we want to make sure the “bugs” are out of the system. It's a complex data system and to make sure the system works there will be field testing of this version.

- Cooperative agreements
 - With most counties for spraying weeds. It's cheaper than hiring BLM's own crews, because they're already covering the land and only have to extend their cover on to BLM land

- Some counties praise the process some do not
 - They are adding that counties will take payments though this system – they can take draw downs when they want all at once or over time
 - Budget
 - Flat – which provides effectively 5% decline
 - At current rate in ~ 4 years the money left to go on the ground will be used up
 - Looking for more money or more efficient methods
 - Project funds base \$295,000
 - What happened in 2006?
 - Chemical application 2,366 acres
 - Manual control 35 acres
 - Biological control, grazing – 2,189
 - Bio control bugs 9,835 (ex. flea beetles for leafy spurge)
 - Biological Agent collection 2018 (most in Lewistown)
 - Biological agent releases 497
 - Inventory 253,651
 - Monitoring 67,182
 - Education and awareness contracts over 1000
 - Plans for 2007
 - Inventory 62,131
 - Control 2,939
 - Monitoring 3,246

Learning – handed out weed book

- What is a weed?
 - Any plant that **interferes with management** objectives - native, non-native, noxious, non-noxious
- What is an invasive species?
 - A plant that **aggressively spreads** into and **takes over** a site (ex. Leafy spurge, cheat grass)
- What is a noxious weed?
 - Plants **designated by LAW** as undesirable and requiring control
 - Currently recognize 20 noxious weeds and more may be added
 - They are typically non-native and highly invasive or poisonous
 - A lot are from Europe and Asia. The plants come, but not the biological controls needed to contain them.
- Why are we concerned about weeds?
 - Ecological impacts
 - Disrupt ecological processes (lose wildlife habitat), displace native species, cause polluted gene pools through hybridization, can introduce exotic diseases, etc.
 - Economic impacts
 - Cost of eradication or control, reduced land values and crop yields, reduced wildlife and livestock numbers, competition of forest

products, aesthetic values reduced liabilities for allowing spread of weeds, etc.

What is the BLM responsible for?

- Prevent the introduction of invasive species
- Detect, responds and control populations
- Monitor populations
- Restore of native species
- Conduct research on invasive species
- Develop new technologies to prevent the introduction and control the weeds
- Public education

What can YOU do?

- Wash vehicles, clean shoes and socks, remove seeds from animals, purchase and use weed-free materials, inform,/educate public land users, report it – know local and state weed coordinators
- Potential clues for invasive plants
 - Never seen it before
 - Plant more dense or more wide spread than before
 - Growing on a recently disturbed site
 - Adjacent to a trail, road, stream or campsite
 - Appears to be a dominant species
 - Infestations form solid circular patches

Weed Categories

- **Category 3**
 - Not a lot, but they are nearby
 - Ex. Yellowflag Iris, Rush Skeletonweed, Yellowstar Thistle
- **Category 2**
 - In state
 - Ex. Saltcedar, Purple loosestrife, Perennial pepperweed
- **Category 1**
 - Most common in the state
 - Ex. Common tansy, Sulfer cinquefoil
- These categories are site specific – Remember that even though a plant may be Category 1 (in state), it may not be in your area – it may need to be treated like Category 3

Questions?

Francis – Wants to know more about Plateau (which is used on cheat grass)

John – Currently it's not allowed on BLM lands in Montana, but they've been using it in Idaho and Utah. Most perennial grasses would recover from treatment with it and it's recommended as a rangeland chemical. If thinking about using these chemicals you need to work with your county agent and your weed coordinator.

What about Russian olive?

John - Russian olive are not a noxious weed. The state nursery sells them and they can make a good windbreak. They are okay in upland areas, but not in riparian. They don't have anything to replace it with in the shelter belts and it provides wildlife habitat and feed.

Ron- There is a concern about BLM eradicating Russian olive because sharp-tailed grouse use it as food source.

Questions/comments

Mike – Where is Salt cedar located in the state?

Fort Peck Lake has a large population

John – Lewistown has a cost effective way to eliminate noxious weeds, they provide chemical to livestock operators and they apply it.

Dan – What can we do to help with the declining budget?

Gene – the '08 budget has been submitted so the most important thing you can do is to inform congressional delegates that you support funding of eradication of weeds – recommend to do it as individuals versus the RAC

Bill – what's the relationship between chemical and biological control – hit hard with chemicals?

John – Biological control works in areas with large area of weeds (dense) the bugs work on that patch and the chemical will be applied to the edges or satellite colonies. Animal biological controls such as sheep and goats eat leafy spurge. They eat it in about half of their diet; however, cows can't eat leafy spurge due to its high alkaloid content, which gives them indigestion.

Russian Olive (Chad Krouse)

Overview

- Russian Olive eradication where possible or at least control where it's too thick
- It's a well established tree, but the problem is in riparian areas
 - Russian olive is able to come in and establish stands that will exclude other species from becoming established. This is because they can self replace and they do not have to revert back to the early sterile phase.
 - Yellowstone River is out of hand, but the Missouri River, through the wild and scenic stretch still can work
 - From FT Benton to Coal Banks Russian olive is established and not treatable, from Coal Banks to Judith Landing there is a node of infestation and the last 60 miles from Kipp Recreation Area Russian olive free –we could keep it out of that area and keep it's integrity
- Keep it out of areas where it is not and control it in the dense areas
- A window has been identified on the upper Missouri River
 - They have a partner with the dam (Pennsylvania power) BLM matched funds – and they will be setting up

- The “window” includes the last stretch from Judith Landing to Kipp Recreation Area
- It’s critical to have involvement from a lot of parties (BLM, private, state), because the trees don’t stop at the fence line
 - BLM \$ can’t be spent on private lands
 - However, private landowners are involved in the effort

How to treat

- Late August- September (best time)
- Cut trees below lowest live branches – visually sensitive – make them locked and faster so they rot faster – and have 100% coverage on the stumps with herbicide
- USGS – is interested in looking at tracking the populations and spread – every 10th tree cut and GPS
 - It would be better to have initial data on population, but more economic to do two things at once.
- Trees are in early to mid stage

Questions/comments

Ron – The trees are a problem in the riparian area, but their population keeps going to the uplands – Is it effective to treat riparian areas and not upland?

Chad – That’s a concern that a lot of people have because the seed source will always be there. However, there’s a window where we can maintain the integrity of this area. The hunter’s perspective is that the Russian olives provide seeds for pheasants and therefore shouldn’t be removed. It’s a balancing act between a non-native invasive tree and a non-native game species. We need to manage the trees, while balancing these actions with other uses.

How are others handling this?

- Russian olives are as much of a problem on the mainstream
- Bowdoin – Refuge outside of Malta – are controlling Russian olives not allowing anymore, and cutting back existing trees

Questions:

Barb – Currently working with BOR to eliminate Russian olive and trying to figure out what to replant – What do you suggest?

Chad- It’s very site specific and Russian olive grows all over. It’s an understory species such as green ash or box elder.

Barb- Interested in something that the birds can use, i.e. chokecherry was a consideration.

Chad – It’s site dependant, but Sumac, Buffalo berry or Chokecherry may work.

What to do with the trees after they are chopped down?

Chad – The area will look different after treatment because of the reduction in density of trees

Barb – Could you use the trees for mulch? Or creating fish habitat?

Chad – The Miles City Field Office did work on the Yellowstone and they used a mechanical mulcher to grind them up and used it for other stuff. However, the area on the Missouri River is extremely remote and will be mostly hand work and it would be too difficult to mulch them.

Mark – Unfortunately the trees take a long time to decay, because they are a hard wood
2:45

2:55

Riparian/Cottonwood Projects (Chad Krause) (Partnership w/USGS)

Riparian/Cottonwood Projects

- History of the Project
 - Working with the USGS since before '96
 - Currently in a transition state to a monitoring project
 - Working to identify factors that contribute to the success of Cottonwoods and riparian areas
 - This was done by looking at the old trees on the river to determine at what elevation the trees established
 - Trees were cored for age in the '90's
- Findings
 - Special and temporal patterns were controlled by floods
 - They were established at flow rate of +/- 50
 - Other factors – geographical location and timing
 - The last 11 years have been dry to normal years
 - Cottonwood is naturally sparse
 - Cottonwood mortality increases with floods and ice
 - Livestock decreases amount of saplings, etc.
 - Flow modification negatively affected
 - Russian olive likely to become increasingly dominant
- What conditions do Cottonwoods need?
 - Bare moist soil
 - Ability to be safe from disturbance
 - River systems with lateral movement
 - The channel moves away from where they were established, which reduces flood mortality
 - Channels are narrowing due to natural climatic changes and dams
 - Problem with narrowing is that it creates a one-time response to Cottonwoods
- Project area
 - Does not have lots of movement, but you do see this at tributaries because the water moves back and forth and this creates areas of fresh deposition in which cottonwoods will establish
 - However, they are at such a low elevation that they might not survive during ice drives.
 - Must become large enough to avoid fatality
- How is the information guiding management?

- They have made changes in grazing management
 - May –November grazing switched to spring (mid May – June) grazing in 2001
 - Since 2001 there has been an increase in Cottonwood growth
 - Allows for grazing and healthy riparian communities
 - Switched to spring, fall and short-duration summertime grazing
 - Key is to find a balance grazing and space/land

Questions/comments

Ron – How are the permittees dealing with limited grazing?

Chad – They are agreeable to it because they know that their future depends on the health of the range. Also, all these changes have gone on without losing AUM's.

Mark – Once the trees are established can you bring the summer season back?

Chad – Possibly, but more than likely hot season grazing would be able to occur once every so many years.

Ron – Beavers kill large amounts of trees are they a concern?

Chad – They are an issue because they're taking down large stands, but they're a natural cause. The problem's not that they're cutting down old trees, but there are no new ones to take their place.

Terry - Have you looked at artificially planting trees?

Chad – Plantings are more for specific areas such as campsite, but not for a whole river (planting).

Other management options – fencing

- Currently have 14 enclosures
- Success is very site specific
 - Some areas suggest decreased grazing increases the age of Cottonwoods, while other grazed areas show more Cottonwood grown than enclosed areas

3:30

Watershed Plans for LFO (Willy Frank)

Previous Plans/Guidance

- Judith-Valley-Phillip laid groundwork
- Further guidance in 1995 – draft MT/Dakotas management plan
 - ecosystem management is more system based than piece by piece
- Standards finalized in 1997

Watershed Plans

- 5 standards
 - Upland
 - Riparian and wetland areas
 - Ecological – surface water, groundwater, air quality
 - Habitat biodiversity

- Range
- 14 guidelines
 - They are the best management practices and help to get sustainable lands
- Watershed planning starts with data collection
 - Send out letters to permittees and landowners
 - Collect data on each allotment
 - To determine if standards and guidelines are being met
 - To determine if other JVP RMP decisions and objectives are being met
 - Interdisciplinary
 - Good science – use technical guides and riparian guides(soil ecological sites)
- Rangeland health determinations
 - One field season
 - Consolidate and analyze field data and decide if standards are being met and if not why?
 - Work closely with the permittee to develop allotment management plans
 - Ex. Changing grazing dates –the problems rarely involve number of animals
- Develop benchmarks to achieve desired future conditions
 - Ex. Increase desired species(green needle grass or blue bunch wheat grass) composition for an upland area
- Bottom-line
 - Rangelands must meet or be making significant progress toward meeting standards
 - Grazing management actions must be developed and implemented that accomplish this
 - Follow-up monitoring is done to verify our progress towards meeting standards and benchmarks
- Grazing permit renewal
 - 10 year permits
 - Based on watershed plan analysis
 - Incorporate management actions resulting from determinations
- Watershed Plan Procedure
 - Public participation
 - NEPA process
 - Documents rangeland health on allotments
 - Identifies management actions to be implemented
 - Identifies resource objectives or benchmarks
 - Monitoring schedule
- Map – Where are we with the schedule?
 - Judith Moccasin Mountains 2006
 - Watershed plans to be done by 2009
 - Crooked Creek, Antelope Creek, Sand Creek, Blood Creek, Sage Creek, Dog Creek, Taffy Creek, Wolf Creek, Upper Arrow and Judith River

- 2007-2008 data collection
- There are still more areas in which to collect data and start plans on

Questions/comments

Dan – Do you tie in with BOR, in grazing management analysis or do they do their own thing?

Mark – The irrigation districts handle them themselves.

Ron – Are the watershed plans specific to grazing?

Willy- Not necessarily, we look at ecological, upland, riparian, wildlife habitat and range improvement. However, grazing is typically a key factor.

Gene – We use information from watershed plans to look at allotments. If standards are not met the question is asked “is grazing contributing” and if so we use that information to make adjustments. However, you may get information showing that it’s not grazing, but one of the other factors.

Willy – A lot of things can impact watersheds and it’s not always livestock.

Ron – There are good things about the watershed management process, but its correct label would be livestock management. The only place where grazing is directed is through watershed management and grazing is a main component of the BLM. Also, the public needs to be more involved with the process.

Willy- The BLM puts out public announcements – i. e. radio and paper – it’s an open process and when people interested are identified they are notified

4:30

Field Managers Update (Bailey, Albers)

June Bailey, Lewistown Field Office Manager

Lewistown

- Staff did lots of updates and they’ll be continuing to make updates
- We’re struggling on how to get the public involved and we want to get the public involved up front
 - We have brought in the public and they’ll be working with the RAC to determine which roads we want open or closed
 - There is also a collaborative effort that forestry and fuels will be doing involving prescribed burns. The public will be involved in deciding which project to do first. We’re looking at it from a lands view – public, private, state.
 - We sent out 300 letters and had 50 turn out at first meeting and at the second at 30. We will hear more about this tomorrow and if any of you have any questions you call the staff in Lewistown

Mark Albers, Malta Field Office Manager

Valley County Wind Energy Project

- Changes
 - Proposed 500 megawatts → Reduced to 170 megawatts
 - Proposed 20,000 acres → Reduced to 6,600 acres
 - Proposed 340 wind turbines → Reduced to 114 wind turbines

- The wind turbines that were to be located on the WSA boundary will be removed.
- Last time there had been no decision, since then the decision has been made to supplement the EA and put a draft finding together. Letters were sent to everyone that commented the 1st time around and put notices and they are available on the DNR website for 30 day comment period, which ends May 4. After that time comments will be compared to supplement to see if we missed anything and if we can move forward. So far there hasn't been much response.

What caused the reduction?

- Size changes were based on the transmission out of that area
- They realized the reality of what was possible was much less than greater predicted
 - Factors contributing to this were - finding a market, updating power lines, there were problems with the grid, the proximity to the WSA, affected species
 - Overall, they feel that the new size is viable and the power will be able to out of there

Questions and Comments

Bill –

1. There are concerns about where the site should be located. Only one site is being considered, and members of the public haven't been able to look at other locations. There is no discrepancy that the wind farm should be built, but more than one location should be considered (needs more alternatives).
2. No EIS was needed for this project and an EIS is more thorough than an EA
3. The transmission line (69 kV) will be 34 miles – of new transmission line – that will cross undeveloped plains country, which has no existing corridor. This is a concern because we're cutting through this land (public lands) in a remote location
4. Bitter Creek WSA – If the situation was reversed and the wind was already here would the BLM put a WSA nest to it? The area may not have been designated or the boundary would have been pulled back.

Mark – (Regarding comment #1) The alternative was looked at to have no action, but not to move the wind farm.- this is not up to the BLM. Alternatives are not explored that have no chance of occurring. The company decides where they want to put it and the BLM can either say yes you can put it there or no you can't. It's not their responsibility to provide them with an alternate location.

Bill- The tribe reversed their decision – so couldn't it go on the reservation?

Mark – The tribe said they would like a chance to reconsider, but the investors didn't want to do that because they had spent millions of dollars looking at that area and were turned away. They found a new area with similar conditions (current location), it's unfortunate, but it's out of our control.

Mark – (Regarding comment #2) EIS vs. EA – For this situation they decided that an EA was sufficient and it doesn't mean that an only an EA will be required for future wind farms.

Bill – of the 34 miles of transmission how much public land

Mark – (Regarding comment #3) transmission line – The first half of the power line is on state land and most of the land after that is federal (along the milk river). The power line is still in a state of flux, but there is a proposal for this route. We started with 5 routes, narrowed that to 3 and this current one is what the BLM and applicant agree on.

Mark – (Regarding comment #4) WSA concern - Rules are specific on what we can do on WSA's and they're not proposing to do anything with the WSA. So the question is can we take those rules outside of the WSA? We are very careful on how we manage these and to try to create a buffer to protect the area, but the rules don't apply to areas outside the WSA. If the situation were reversed (plant before WSA) the area still would be eligible. The reduction of the project has resulted in the turbines on BLM land closest to the WSA being removed; the turbines closest to the WSA now are on private land.

Gene – In similar situations, other WSA's boundaries weren't moved and development occurred right next to them. In a reversed situation the boundary wouldn't have changed, but the individuals who were making the designation may have approached it differently

For more information - DNR website – DNRC.MT.GOV/trust/wind/valley_county.asp

Malta RMP, Where are we?

- Scoping last fall
 - The scoping report is in an internal review
- The AMS is telling us what we have on the ground right now and we compile that into a baseline
- The next step will be to look at these areas and we find areas where there are opportunities and problems from this alternatives will emerge
 - We hope to start putting alternatives together by July
 - RAC will be (hopefully) briefed on alternatives at the next meeting

Time Frame

- Draft – Summer/Fall 2008
 - Next time for public comment
- Until then looking at alternatives

Gene Terland, BLM Montana State Director

Updates

- Draft supplement and EIA on coal bed gas is out for public comment, Powder River Basin Draft
- A number of planning efforts
 - Butte RMP – draft out within a month – internal review
 - Miles City RMP beginning
 - RMP's beginning in the Dakotas

- Starting the Billing's RMP next year
- Annually we hold 6 oil and gas lease sales – we had protests on our last one
 - Explanation – The industry comes in and nominates areas they would like to see leased and there were a number of nominations in the Dillon area that had been held off until the RMP was over. This sale involved going back to those nominations after meeting with FWP. There were 40 some parcels out of 50 some that were up for the lease sale and 40 of those were in the Dillon area. Only 7 of these received bids. Since they are under protest they'll be held until the protest is handled; if it's denied the leases will be released and if they are not the money will be returned
- The next lease sale is in May and we've been working with FWP to make sure they have the information – to take into account their concerns – and if there's something brought up that we can't handle/address they won't be sold
- Permit renewal and watershed planning – are under a time frame to have them completed by 2009
- RMP's and land use plans – have time frames agreed to for those and in the past we haven't been meeting those time frames
 - Regarding requests to increase comment period – we will not be very responsive because we need to meet our deadlines for funding from congress and it costs more to extend

Questions?

Ron – Coal bed methane leasing in SE Montana

Gene – Leasing is pretty much done – the old RMP allowed for leasing and exploration - most is already leased and draft supplemental EIS is the moving to production step. There's activity going on private and state surface, but on federal it's suspended

Bill – How many wells are being discussed?

Gene – Would have to look that up in the document.

Ron – This could be an upcoming concern for NC Montana.

Bill – BLM's getting an ever increasing tasks – how's the budget?

Gene – Budgets have basically been flat for the last 5-6 years and if you look at a comparison with costs we're losing ~5%, reducing positions just to keep labor costs down and have money to go out in the field. There some increases, but generally declining.

Gene thanked the RAC members and stated that he appreciates the time the RAC members contribute to dealing with public lands

Meeting Adjourned 5:05

**Resource Advisory Council
Lewistown Field Office Conference Room
Friday, April 13, 2007
Lewistown, MT**

Attendees – Dan Clark, Francis Jacobs, Ron Moody, Charlie Floyd, Bob Valach, Larry Epstein, Barb Cole, Terry Selph, Robert Schoonover, Mike Bryant, Bill Cunningham, Troy Blunt. Absent: Tony Bynum, Pat Gunderson and Lisa Cowan-Huestis.

BLM Staff: Mark Albers, June Bailey, Connie Jacobs, Jack Lepley(River and Plains Society), Ron Yates and Spike Thompson (Forest Service), Jane Webber (Lewis and Clark Interpretive Center), Bruce Reid, Rod Sanders, Kaylene Patton (Facilitator), Maggie Triska (Notes)

The meeting began at 8:10 a.m.

Public Comment Period

Will Patrick– Wilderness Society

Air strips in national monuments

The comment has been made that airstrips are not uncommon in national monuments. Looking at the system of 15 monuments managed by the BLM, there's only one air strip. It's located outside of Boulder, CO and half of it is inside the monument and half of it's outside of the monument. This information is for public airstrips only and other monuments do contain emergency landing strips. Currently, public backcountry airstrips are not part of the picture for monuments, but will be if the plan for this monument goes through. BLM needs to consider this thoroughly.

Rancher's Stewardship Alliance

Website – www.ranchersstewardshipalliance.org

The Rancher's Stewardship Alliance is group of people in South Phillips County that formed due to absentee land owners – TNC, Nature Prairie conservatory and private – who try to control hunting. They're concerned with how to keep the family farm and are trying to figure out if they can work with these people/groups.

Ron said that he knows hunters who feel the same way about family farms leaving, but collaboration between groups is not a speedy or easy process. Montana is a large area and people can be isolated from each other. There's an urban/rural conflict because they don't have much interaction and don't get to know each other. It's slow, but progress is being made. A unique feature of BLM RAC is it gets people from rural and urban areas to interact.

The group may want to invite Dale Veseth (organizer/chair of Rancher Stewardship Alliance) to give a talk about the Rancher's Stewardship Alliance.

8:30 *End Public Comment Period*

RAC Annual Work Plan 2007 (June Bailey)

Priority work loads for '07 continuing into '08

Work loads

- Recreation fees
 - Fees for interpretive center
 - Several for the forest service
 - Any other fees?
 - Not at this time if they arise the RAC will receive information on them
 - In the future it would be ideal to handle fees like the forest service – provide information and then give the RAC time to think about before making a decision
 - The fees for the Interpretive Center will not start until 2008
- Travel management
 - It was proposed that the RAC set up RAC subgroup
 - Terry is the lead of this group
 - The recommendation for preferred alternatives is in October 2007.
- RMP
 - The Monument
 - ongoing and should be completed by September 2007.
 - This will be followed by 30 day comment period and up to 60 day governor's review
 - If there's a protest it could go into 2008
 - Malta RMP
 - Next phase will be alternatives
 - May address issues that the RAC will want to be involved with
 - They'll find issues and bring them to the RAC to make sure that there's collaboration
 - Ron –The RMP's create a challenge for the RAC because they want to give useful advice, but the RMP's are so large that they could consume all of their time/energy.
 - Dan – Work plans help to create agenda and priorities – even though other things may arise.
 - South Blaine Oil & Gas
 - A member of the public mentioned things that may be of interest – scoping and EIS – then we'll come to the RAC and let them know what we're seeing and see what they want to get involved with – it's being done by a contractor and it has an aggressive schedule
 - Watershed Planning

- Lewistown FO – Inventory work will be done this summer. Will be sending letters to all RAC members.
 - Watershed plans for Malta and Glasgow are complete, but Havre’s still needs to be worked on.
 - Judith Moccasin Landscape Project
 - Terry, Ron, and Bob V. have attended meetings and can describe how the public’s been involved. It’s a great partnership opportunity and the public’s been involved from the start. It’s a true collaborative effort!
 - Ron – The problem of access was discussed substantially more than is present in the draft *maybe add to this*
 - Possible field trip destination
 - Add Bowdoin EA and Valley County Wind Farm to work plan
- Informational items
 - Continue field manager updates
 - Add noxious weed update
 - Add information on the Zortman/Landusky mine reclamation
 - Schedule – 3-4 meetings a year
 - To increase effectiveness members should try to meet between meetings
 - Bill – suggests informational category on the monitoring of WSA’s
 - Are they being protected, issues with off-road vehicles
 - To help RAC assist in monitoring – provide yearly WSA monitoring updates, additionally only if something arises.

9:00-9:15

Break

9:15

Fort Benton Fee Proposal (Connie Jacobs, Jack Lepley, Chris Miller, & Mary Apple) Upper Missouri River Breaks National Monument Interpretive Center

Interpretive Center

- All about the monument – lots of cultural and natural history
 - Contains wild and scenic river
 - Nez Perce Historic Trail
 - Lewis and Clark
- Replaces the contact station in Fort Benton
 - The old structure is not meeting the needs
 - 1986 ~ 2000visitors – now 2003-2006 ~4000-5000 visitors to the contact station
 - Location of Interpretive Center – 701 7th Street Fort Benton
- Inside of the center
 - Interpretive hall
 - Classroom
- Partners

- City
 - Contributions – irrigation, snow removal, lawn mowing, mosquito spraying
- River and Plains Society
 - Contributions – front desk assistant in summer months, operate a gift sale area, partner for school programming, public events, grant writing, etc.
- Why the fee?
 - To enhance educational and interpretive programming
 - **All** fees collected stay at the site
 - Provides funding to buy supplies for educational opportunities
 - Programs require materials, hand-outs and activities producing additional costs for the center
 - Programs provided by the center
 - A variety of programs offered
 - Skulls anatomy and form and function
 - To dam or not to dam
 - Journaling and art – engaging the senses
 - Where’s your lunch – mapping skills
 - Steam boating and freighting, the Missouri River to all points west
 - Geology
 - There are also plans to bring in presenters and people offering programs – which have added fees
- Proposed fee
 - \$2.00 for Adults
 - 16 and under free
 - Hope to tie in with other venues (River and Plains Society) to create a multi (2 day) pass for a total of five venues
 - Cost of this pass would be \$10
 - What’s included in the fee?
 - Free = registering for a trip, picnic areas, bathrooms
 - Fee = programs, maps, films & everything else

Questions/comments

Fee proposal

- Concerns on not wanting to raise the price every year
- Is \$2.00 enough or should it be higher
 - It reflects what people in the area can afford
 - The RAC would like to see the guidelines – state guidelines will be available next meeting
 - Fee should not increase substantially or every year
 - RAC will not have to evaluate nominal increases
- Is the fee to offset budget \$196,000 or to something above and beyond

- There's a lot of operational expenses that would be there even if it wasn't an interpretive center – heat, lights, staff
- It will fuel the outreach programs for education
- Potential is tremendous for grants, the only problem is time constraints

Bill made a motion to accept the fee proposal

Larry seconded it to approve the fee proposal for Fort Benton as written

-any discussion-call for question-Troy how does the group feel – Motion passed with **full consensus**

“Dealing” with fees

- What does “Deal with” mean?
 - Take action
 - Full consideration and interaction
 - May or may not agree with
 - Questions and discussion (give input)
 - Involvement up front
 - Receive information on proposal and use collective judgment to decide
- Who should see the proposal first the RAC or the public?
 - RAC will receive information before meeting
 - They will then talk to their constituents
 - Discussion will occur at the meeting
 - Decision will be made at meeting or if need be more time will be allotted
- What are other RAC's doing?
 - Other RAC's are dealing with the same issues
 - Hold a joint RAC meeting to discuss common issues
 - Concerns that this will take away from their normal meetings and time on local issues
 - Two day meeting – one day with all RAC's together and 1 day separate with local issues

10:25 Break

10:30

Introduction of Forest Service Fee Proposal (Ron Yates, Spike Thompson, Jane Weber)

Introduction (Spike)

- Process → Before asking the RAC about fees they'll incorporate the public and their concerns and comments
 - All information will be provided to RAC members before meetings

Fee Update (Ron Yates)

- Proposal for new fees and/or fee increases
 - 7 sites will be proposed this year
 - After public involvement and RAC concerns they'll make a formal presentation this summer

- Want to get the RAC involved early on in the process.
- The process used to develop fee proposals is **RSFMP** → **Recreation Site Facility Master Planning** →
 - Identifies most important recreation sites and how to use limited funds to operate and maintain those sites.
 - Budgets are declining for recreation areas. Decreased by 10% this year.
 - Found cost per site information - how much money received how much spent
 - Forest Niche described as un-crowded, open landscapes, with remnants of the true west
 - This statement will be approved or disproved, within the next month
- New fees or fee increases?
 - 2 out of 7 have fee increase proposals - Dry Wolf Campground and Lewis and Clark National Historic Trail Interpretive Center
 - 5 are presently non-fee
 - 3 campsites
 - 2 cabins
 - There are 91 developed sites total (developed = site with a toilet, as a minimum)
- What's the purpose of the fee/increase?
 - Fees do not pay for the cost to run sites
 - Want to increase fees as a result of RSFMP
 - Fees will increase our ability to meet the sites standards of health, safety, etc.
 - Need funding to keep up with deferred maintenance
- Basis for ranking of developed sites according to importance included
 - # of visitors
 - Length of season
 - Ranked based on how they met forest niche
 - Operating cost
 - Amount of deferred maintenance

Lewis and Clark Interpretive Center (Jane)

- Pride themselves on excellent programming
 - Have 2 feature films, activities along river, river camp, large exhibits that change
 - Provide interactive tours
- Fees
 - Get 22% revenue from fees
 - Would like to increase the admission to \$8.00
 - Need for increase
 - The summertime programming expanding
 - Have 6-8 free days a year
 - People who can't afford fees can attend
 - Include added activities on these days

- Volunteers help - ~120 volunteers put in about 50 hours per week

Fees Proposals

- Information forest service will provide:
 - Summary of public involvement and feedback
 - Issue mitigation
 - How fees are determined
 - How they compare with comparable sites
 - Benefits to public
 - Feasibility of fee collection
 - Visitor trends
 - Revenue projections
 - Non-agency partners
 - How fees fit with the master plan recommendation
 - Volunteer/partnership base
 - Visitor trends
- RAC suggestions
 - Photos of site
 - Study data
 - Market Penetration, Cost of Ops, Competition
 - History
 - Cost comparison
- When will the RAC get this information?
 - This summer or at the latest this fall
 - Questions? Call Spike Thompson 406-791-7756 or Ron Yates 406-791-7750

Questions/concerns

- Making sure fees are fair
- Increased costs may defer campers
 - Fee creates a sense of ownership and better care will be taken of the facility
 - Forest Service has less vandalism at fee areas
 - Run down sites may be more apt to violence
 - Recent increase in vandalism across the forest, including fee sites
- Anticipate more fee sites in the future
 - However, the Forest Service does not want to overload the RAC

11:20 Lunch

12:25

JMLA Forest Management (Bruce Reid)

Forest Health

- EA completed last June – signed July 06 – gone through protests and ready for implementation
- Collaboration Effort
 - Then the idea of collaboration came about – it’s beyond what has been done in the past
 - Re-established contact with people who had been at public meetings and broaden that list
 - all this was done before implementation (cutting trees)
 - They’ve had 2 meetings
 - There’s no end in site
 - Found that communication is key to collaboration → productive collaboration
 - They asked public – how they want to be involved
 - This helped to establish logical priorities – where to start
 - They shared ideas and concerns – examples: diversity in canopy, free of insects, place to hike, hunting, biodiversity, etc.
 - At the end of meeting they, the public, felt that all these things could be accomplished by doing a project
 - Public interested in doing fieldwork
 - Want to be involved with work that’s being done on the ground
 - BLM has been providing information at these meetings about forest health and what it is – explaining acronyms and what they are and how they apply to treatments
 - Had speakers from different organizations, DNRC, county (weeds topics)
- Next meeting
 - May 3rd 6:00 pm - ?
 - 1st public meeting 45 people showed up
 - 2nd meeting 25 people attended – landowners that didn’t live in concerned areas, but want to be involved when their land is included
 - Included FWP staff and retirees, forest products industry, farming and ranching, DNRC, conservation district...etc...
 - www.blm.gov/mt/st/en/fo/lewistown_field_office/judith_m_occasin
 - Website is a work in progress
 - Contains
 - Information from previous meetings
 - Reference material
 - Other information as it comes up
 - NEPA document, letters, agendas, minutes
 - Hope to add maps, prescription boundaries...
 - It’s a place people can go for information if they can’t attend the meetings
- Results of meetings

- Exploring partnerships with rocky mountain elk foundation – early meetings
- Private landowner who's working with the BLM to provide temporary access
- Finding out about new areas where there are weeds, insects and disease
- We've been sharing information about cost/share dollars that they didn't know about
- Helped the BLM create a better mailing and contact list
- It's an ongoing process and it's early, but so far it's received positive feedback

1:00

Judith Moccasin Travel Plan updates (Rod Sanders)

Discussion on travel plan and what's been going on

- Formed subgroup – will have 6 meetings
 - Met March 15 and formed objectives and vision
- Started with what was in the RMP
- There are regulations that must be followed
- CFR's
- How the inventory was developed
 - recreation opportunities
 - scoping meeting last January – generated comments – internal objectives – identified areas to focus in on
- Management plans
 - JVP RMP
 - Whole planning area is a limited area – will not change
 - Will pursue access using existing lands – without access through private lands – they may be closed
- OHV EIS
 - Mandates balancing motorized and non-motorized uses
 - Open, limited, or closed
 - No cross country motorized travel is allowed
 - Motorized access on certain closed roads or trails may be permitted for disabled access
- Code of federal regulations
 - Minimize damage, wildlife disturbance
 - Make clear to public – designation
- Current analysis
 - Baseline inventory of road and trails
 - Recognize special area designations
- Recognize special area designations
 - Collar creek
- Potential recreation opportunities
 - help to determine new areas

- Scoping
 - Identify plan objectives
 - Most issues from public scoping
- Plans
 - Balance
 - Open/close
 - Partnerships
 - Provide maintain private land access
 - Prevent new unauthorized routes
- Identified issues
 - Recreation
 - Motorized– improper use and trespass
 - Non-motorized – trail construction costs
 - Hydrology
 - Slopes are steep and the terrain is very rugged
 - Maintaining access
 - No more road closures
 - Protecting private landowner rights
 - Administrative access for vegetative treatments and timber sales - maintain forest health
 - Forestry
 - Maintain visual quality
 - Cultural and historic
 - Private and public
 - Wildlife
 - Winter elk and deer habitat

Subgroup

- Develop a mutually agreeable travel management alternative
- Where are we?
 - Scoping has been completed
 - Identified the need for 6 meetings and field trips –
 - Currently looking to gather information to on resolutions
- Where next?
 - Draft alternative → NEPA → EA → Public Comment → Final Travel Plan (Fall '07)
- Ground rules
 - Decision rule- consensus
 - Seek agreement
 - Facilitated by professional contractor
 - Meet every third Thursday of the month 6-8 pm
 - Facilitator will speak to media
- Recommendations will be given to RAC
- **Next meeting April 19th**

Consensus vs. Compromise

- Compromise with the subgroup means you must be open to other options

- Ex. You can't say that specific trail will be used for hiking and not be willing to budge to look at other options – biking, horseback, motorized
- Consensus in RAC does not involve compromise
 - Define compromise as win/lose and consensus is a win/win
 - Not everyone's going to win, so they're (travel management) looking for a consensus recommendation
- A lot of discussion goes on that doesn't come to a consensus that is useful
- The subgroup may only receive consensus on a few issues, but this is not the final decision – it can be tweaked by BLM and the public

1:17

Subgroup (Terry)

Handout

- Part 1 is notes and information from the first meeting
- Part #2 is information that will occur in the next meeting
- Members are listed by category
 - RAC needs to approve or disapprove members of the subgroup
 - Also, we need to get all people involved on the list
 - Involves adding Bob V. and Clive Rooney
 - Fish Wildlife and Parks are not involved with this travel plan yet, but should be.
 -

Motion made by Charlie and seconded by Francis to approve the group members with the addition of Bob Valach, Clive Rooney and have an open partnership with Fish, Wildlife and Parks – Consensus

- What's going on?
 - As a starting point they will have labeled maps with what they would like the area to look like
 - These maps display the digitized information and contain some areas that will have to be ground truth to determine if they're roads, trails, or nothing at all
 - The idea is to have different user groups and create their vision of what it should look like to find common and opposing points
 - All meetings are in Lewistown BLM conference room
 - Participation is key
 - If you can't be at a meeting you need to find someone to take your place
 - Information from meetings needs to be taken to constituents

Questions/comments

- How is the RAC involved?
 - The recommendations of the subgroup will be presented to the RAC
- Timeline
 - Consensus by October 1st
- Routes involving private land
 - Re-route if possible
 - Close roads
 - Not sure what to do
 - Talk with private landowners
 - Private landowners may not want these trails on maps

1:40 Break

1:50

Next Meeting Agenda/Travel Vouchers

Where: Lewistown

When: July 18 & 19

Time: 10:00-6:00 (leave @ 10:30 for field trip) & 8:00-3:00

Public Comment: 10:00-10:30 & 8:00-8:30

Agenda Topics

Bear Paw South EIS – Don Judice

Field Trip to Fort Benton Interpretive Center – Upper Missouri first day GF 2nd FB – two places for public comment – maybe do during off season (Jan-Feb)

Oil and Gas 101 Session – Don Judice

Outline on RAC procedure for fee proposals

Forest service fee proposals

Field trip to Judith Moccasin w/RAC subgroup

Following meeting:

Where: TBA

When: September 26 & 27

Time: TBA

Public Comment: TBA

State-wide topics

Fee service for BLM/Forest Service

Road classifications – what is a road

Oil and gas issues

Coal bed methane

Watershed planning

Do they have subgroups – if yes, compare experiences
Efficient ways of conducting business

Meeting adjourned at 2:25 p.m.

**Central Montana Resource Advisory Council
Lewistown, Montana
July 18-19, 2007**

The meeting convened at 10:00 a.m. on July 18, 2007 in the BLM Lewistown Field Office conference room. RAC members in attendance were Tony Bynum, Terry Selph, Barb Cole, Charlie Floyd, Bill Cunningham, Bob Valach, Bob Schoonover, Ron Moody, Dan Clark, and Mike Bryant. Absent were Larry Epstein, Francis Jacobs, Troy Blunt, Lisa Huestis and Pat Gunderson.

Attending for the BLM were Mark Albers, Scott Haight, Willy Frank, Craig Flentie, Rod Sanders, Zane Fulbright, Kaylene Patten and Kay Haight.

Public Comment Period

Two people offered comments, which are attached to these minutes.

Field Trip to the Judith and Moccasin Mountains

A BLM travel plan for the Judith/Moccasin Mountains is under way with assistance from a RAC Subgroup. The purpose of today's trip, guided by Rod Sanders, Mark Albers and Willy Frank, was an on-site view of the planning area to show RAC members the opportunities and issues involved. It included a stop in the North Moccasins and at Judith Peak. The group then traveled to Limekiln Canyon to view the recently completed trail.

Post-Trip Discussion Points

- Something for everyone, but not in the same place. Identified conflict areas between horsemen and hikers. Overall, a manageable situation.
- Conflicts with utility vehicles – newer ways of recreation.
- Anticipate future conflicts for enforcement (i.e. types of use) and address them clearly in the travel plan.
- Width of tires (ATV vs. Jeep, etc.). Look at 50" width, etc.
- The plan area is small enough for everyone to work together.
- This plan could be a model of how to deal with travel planning.
- Local landowners have provided easements for Limekiln Trail.
- Public reaction to Limekiln Trail has been positive.
- Acquiring more public access points, particularly in the South Moccasins, would be helpful.
- Timeline: October 2007 - Recommendation from RAC to BLM (based on the current Subgroup timeline). The RAC as a whole would need to look at the issue during the September meeting.

The meeting adjourned for the day at 5:05 p.m.

The meeting reconvened at 8:00 a.m. on July 19. RAC members in attendance were Tony Bynum, Terry Selph, Larry Epstein, Barb Cole, Charlie Floyd, Bill Cunningham, Bob Schoonover, Ron Moody, Francis Jacobs and Mike Bryant. Absent were Bob Valach, Dan Clark, Troy Blunt, Lisa Huestis and Pat Gunderson.

BLM members in attendance were Dave Albers, Scott Haight, Craig Flentie, Willie Frank, Don Judice, Kaylene Patten and Kay Haight.

Public Comment Period

Four people offered comments, which are attached to these minutes.

Welcome/Chairperson Synopsis/Meeting Notes

Kaylene reviewed the meeting agenda. The notes from the April RAC meeting were signed as approved.

Tony spoke about the Judith/Moccasins travel plan, and how helpful it was for the RAC to view the area personally. He looks forward to the RAC opportunity to provide input.

Field Managers Updates

Lewistown Field Office – Scott Haight

Monument RMP

The Proposed Final RMP/EIS is in the Washington Office for comments. Editing and final preparation is moving forward. Final printing is dependent upon Washington Office approval. A 30-day protest period and 60-day Governor's consistency review will take place after the Final is issued. Once protests are resolved (by the Washington Office), a Record of Decision is issued and the Final RMP is signed.

Weed Program

This office receives about \$17,000 per year, which is used to provide chemicals to permittees who partner with BLM in controlling weeds. Other weed control projects include a leafy spurge project on the N Bar Ranch, the Dearborn River and Swift Dam Spray Days, and leafy spurge biocontrol (bugs) collection. Such a collection is taking place today west of Grass Range.

Forestry Program

A good mix of landowners and BLM are working on forest health in the Judith Mountains. The process will start with mechanical thinning.

Judith/Moccasin Travel Plan

The plan is in progress.

Fire Conditions

Every Tuesday morning a coordinating call takes place with State and County officials, local fire districts, and the National Weather Service. We are on the edge of restrictions being implemented because this is an extreme fire year. Several fires have started in this area to date, but all have been small and extinguished.

Summer Seasonal Workers

This summer BLM has eight seasonals working on monitoring and inventory for upland and riparian health, and inventory of cultural resources.

Malta Field Office – Mark Albers

Malta RMP

The latest newsletter and scoping report for the Malta RMP were distributed to RAC members. The RMP schedule is shown on the back page of the newsletter. The interdisciplinary team is currently building alternatives. RAC members are welcome to submit comments at any time. The RMP will include a Reasonable Foreseeable Development Scenario report which will project future oil and gas activity in the area.

Tony: How will travel management be handled with oil and gas development, particularly roads open to the public and those for administrative use only? Mark: The first step was to create a base layer of all roads in the planning area. Areas of high use/potential conflicts will be specifically addressed in the RMP. The signing program and closing of roads are among issues yet to be addressed.

Tony: If an oil and gas field is developing with new roads being put in, will people be able to hunt/drive there? Mark: If a road is not signed closed, it is open to everybody. Closures would be related to winter habitat, sage grouse restrictions.

Bill: Perhaps RAC member could help facilitate the workshops scheduled for this winter.

Tony: Is the energy corridor from Canada to Montana addressed in this document?

Mark: That project does not appear to involve public lands.

Wind Farm

The project is on hold at the moment. The BLM was ready to sign a decision in May, but the company is not ready to move forward due to marketing concerns. They have a right-of-way

through December 2008 to gather data. If they do not move forward by that time, the NEPA analysis may have to be revisited.

Oil and Gas

Lease parcel reviews are performed with Montana Fish, Wildlife & Parks. The areas of interest are mostly outside the Bowdoin Field. Out of 120,000 acres proposed for leasing, only 1,300 acres were recently offered, mainly due to wildlife concerns. The rest were held pending completion of the Malta RMP. The BLM has not been pressured in any way by the Washington Office to move forward with leasing.

Ron: Surface landowners and sportsmen are concerned with the scale and speed of oil and gas development in Montana.

Mark: Coal bed methane development is entirely different from shallow gas field development north of the Missouri River and they should not be compared as similar types of development.

Water Rights

More ranchers are filing for water rights on public lands along the HiLine. They are publishing notices in the newspapers and feel it gives them standing. BLM is unsure at this time how to proceed on this issue.

Francis: Ranchers have no security that they can keep their grazing permits. There is a terrific amount of people who want all livestock off federal land, which makes it a power struggle. People are trying to secure water rights in order to provide security for their grazing operations.

Biocontrol

The use of biocontrol agents has been successful in certain areas. Whenever possible, the bugs are relocated and moved to new areas once the weeds have been eradicated.

Bison

If a grazing permit is changed from cattle to bison, the fee per AUM would remain the same. All the controls would be the same as for cattle. Three-wire electric fence would be allowed. Issues include border fences (possible replacement with the 3-wire electric and maintenance).

WSA Monitoring

Bill: Would like to follow up with monitoring and concern with user-created roads in the WSAs. Is there any effort to handle this situation? What should BLM's response be and what is being done?

Mark and Willy: BLM does have a monitoring program. The particular issues raised by Tim Faber in the public comment section will be reviewed.

Oil and Gas

Monument Wells

Don Judice from the Great Falls Oil and Gas Field Station provided an update on leasing in the Monument. Macum Energy has notified BLM that they intend to do some work on existing wells. Well #12-1 would receive routine maintenance and be put back in production. No prior approval is needed for this work. Well #1-7 has been shut-in for a number of years. Macum Energy has asked BLM to extend an approval from several years ago when an Environmental Assessment (EA) was written and a right-of-way issued. BLM recently completed a Determination of NEPA Adequacy (DNA) and no new environmental assessment is needed. The action will be approved.

Well #15-1 is on private surface. At the request of the landowner and due to issues BLM has had with the well, Macum plans to retool the site and relocate the pit. An on-site visit will take place.

Work is also proposed for two wells on Ervin Ridge. 30,000 feet of pipeline were authorized along a road right-of-way that goes to Well #29-15. The well has mechanical problems that need some work and the owner would like to install a pumpjack if water is an issue. An EA will be written. Well #22-28 is just east of there. It was drilled but never completed. The intent is to complete the well, determine its capability, and install the necessary infrastructure.

As previously agreed, BLM will give Friends of the Monument and others notice when such actions are planned in the Monument.

Oil and Gas 101 Session

Don Judice showed a PowerPoint presentation on the process involved in the development of oil and gas. Questions from RAC members included the following:

Is MFWP included in the on-site inspections? The BLM works closely with MFWP, particularly when several wells are proposed at the same time. In addition, a NEPA document is prepared to analyze field development cumulative impacts.

Does a biologist approve the actual drilling site? The operator submits a proposed location. The BLM can move the proposed drilling site up to 200 meters. This is handled on a well-by-well basis.

Does BLM encourage multiple wells from one drill pad? It is reviewed as an option to reduce environmental impacts.

Bear Paw South Natural Gas Project EIS

Don then showed a PowerPoint presentation on the Bear Paw South Natural Gas Project. Questions from the RAC included the following:

How many wells are in the proposal? 1,600 new wells and the associated roads and pipelines.

Is there a concentration along the western boundary of the Monument? It is unknown at this time, but some indications are that they are near existing development areas.

Law Enforcement Issues

Jon Edwards and Dan Ritchey gave an overview of law enforcement issues in central Montana. The three categories of use they are concerned with are recreation, commercial activities, and conservation. Rangers are responsible for public safety and protecting resources on public lands. BLM law enforcement enforces Federal laws on public lands and can enforce state laws on public lands, included MFWP violations, with authorization. State law enforcement cannot enforce Federal laws.

The RAC agreed to keep support for law enforcement as an area of primary concern.

BLM Grazing Rules Update

Mark Albers gave an update on the grazing regulations. Public participation, fundamentals of rangeland health, and ownership of range improvements were the three areas placed on hold due to litigation. The remainder of the new grazing regulations were put into effect. However, the latest court ruling enjoined all previous regulations and rolled them back to those in effect prior to June 11, 2006.

On the public participation issue, the concern was the definition of an interested party. The Malta Field Office does not have that issue at present because interested parties are staying involved in the process. For fundamentals of rangeland health, the time was lengthened for addressing violations of grazing regulations. However, in this area the permittees are willing to fix identified problems as soon as possible, rather than dragging the process out for an additional year. On the issue of ownership of range improvements, nothing will change in that regard until a decision has been made on how to proceed.

RAC members offered the following comments:

Barb: The majority of permittees are concerned about the land and are working to improve it. Responsible grazing contributes to the health of the land.

Ron: The purpose was a seat at the table so that when and if a management proposal came up that we liked or disliked, we would be able to do so. The purpose was never to interfere with a quality permittee working with BLM.

Open Discussion

A general discussion took place about the purchase of farms and ranches by out-of-state hunting clubs or others who close off hunting access, and the survival of traditional ranching operations.

Scott Haight noted as a follow-up to comments made by Tim Faber during the public comment section, the road he referred to in the WSA is an open public road.

Next Meeting

Date: September 26-27, 2007

Location: Fort Benton/Great Falls

Agenda: Judith/Moccasins Travel Plan Subgroup Recommendations/Decision
Oil and Gas 102 Session
Template for Forest Service Fee Proposals
Missouri Breaks Interpretive Center Tour
Malta RMP Update
Commercial Use of the Marias River
Field Manager Update on Watershed Planning (Lewistown)
Zortman/Landusky Mine Reclamation Update

Times: 10:00 – 6:00 on September 26. Convene at the Missouri Breaks Interpretive Center with a public comment period. The meeting will continue in Great Falls after the tour.

8:00 – 3:00 on September 27. Convene with a public comment period.

This meeting adjourned at 2:20 p.m.

**Central Montana RAC Meeting
July 18-19, 2007
Public Comments**

July 18, 2007

Vicki Marquis

Good morning. My name is Vicki Marquis. I am with the Missouri River Conservation Districts Council. We've spoke to you before. We're a group of the 15 conservation districts along the Missouri River in Montana. I am here today. I won't be here tomorrow because this afternoon I fly out to Omaha to go to a meeting on the Missouri River recovery. If you look at the Missouri River, the entire stretch of the river, it's the longest river in the United States, over three-quarters of it is either impounded or channelized. So here in Montana we're pretty lucky that we have two of the last remaining freeflowing stretches of the river. One of those stretches is in the central area for BLM, so you're very familiar with that. It runs through the Monument. It is very precious and if you look at all the efforts that are going on across the nation to restore, rehabilitate and recover a lot of the ecosystems, we're pretty lucky here. So we appreciate the time and attention that the RAC and the other groups put into keeping our Missouri River freeflowing and the way it is.

I noticed that you will be looking at grazing regulations in the future months. One thing that our council is adamant about is finding ways to sustain the river and its multiple uses. One thing that the council always tries to do is to find a way for the current uses to continue and to maybe improve, but not take away anything. To continue to let people use the resource and keep the resource in good shape. I brought along a couple of brochures and I'll pass them out. We've done an insert, and on the back of the insert we highlight project number 5, which is right here in Fergus County. It was a big project to restore some riparian areas that had been damaged by grazing. We worked with the private landowners and I think BLM was also involved in that project. So there are all kinds of ways that we can work with private landowners and the agencies to improve grazing management. We encourage you to look at some of those efforts as model projects and maybe try to copy them in other scenarios.

Another thing I saw that you've been dealing with is weed management. Of course, that's probably the biggest threat to our river system, the infestation of noxious weeds. I would encourage you to look at ways to partner with both local agencies, the county weed districts, the local landowners, and the other federal agencies. I know on the Fort Peck Reservoir the Army Corps of Engineers and the U.S. Fish and Wildlife Service have partnered and they have pooled their financial resources to go through one contract so they can do a better job of weed management. They've had a lot of success with that on salt cedar specifically. I know there's a stretch of the Monument that overlaps with the CMR, right there near the Fred Robinson Bridge. That would be an ideal place to target some early detection efforts, especially for salt cedar because that's becoming a bigger threat to our Missouri River.

That was all the comments I had for you this morning. Do you have any questions of me?

Paul Gies

I was on the PN Ranch Monday, probably about 11:00, on Arrow Creek if you're familiar with that country. We probably went in about ten miles. What we went in there for, he's going to put a flat car on Arrow Creek. There's like 8,000 acres on the other side and to get to that he has to go all the way back around, probably a day's drive from the PN Ranch just to get into that pasture.

What was interesting is we started to comment about the cottonwood trees in Arrow Creek. There's a tremendous regrowth of them. He has changed the grazing down by the main house, if you are familiar with it down there. You'll see the regrowth of cottonwoods. When you're talking about changing patterns and everything else, I want you to know we work really hard on it. On the board that I'm on, plus this board, there's a member on that board by the name of Kevin Komars. Kevin Komars and I have both put in for Undaunted Stewardship programs on our ranches now. We haven't been accepted yet, but I want you to know we're deeply involved in this and noxious weeds – nothing against Friends of the Monument, they had an article about the airports – noxious weeds, I look at

the Governor when he's making his speech about certified hay and he's talking about noxious weeds. Well she mentioned salt cedar, which we're concerned about, but if you go right down by Fleet Wholesale you'll see some poison hemlock. There's two hemlocks. I have them on the ranch. I went down on Spring Creek Colony, they're my neighbors. I've never seen poison hemlock in my whole career like it is in our drainages. I mean whatever happened, it's exploded and I don't know, there are some biological fixes for it, but I don't think they're real successful. I would consider that noxious weeds are the most serious problem facing the Missouri River. There is spurge everywhere. We have spurge on the ranch we've never seen, and you're going to have knapweed. I have two drainages. I have a pasture that's cut by the Judith River so I'm always going to have spurge and knapweed. Of course, I have a railroad and then I have three gravel pits. They built gravel pits on both ends of the ranch back in the 30s when they built that trestle, and then the Milwaukee Rail put in a huge gravel pit Trampis Heble leases. I actually went in there and hit that with herbicide this year because it was so bad. I had knapweed that high. I didn't know it could grow that high. But I zapped that. I've used beetles on knapweed and had some success at the ranch, but they disappeared and we never go them back. Actually, I'm going to be in Grass Range tomorrow morning to pick up beetles for spurge. That's all I have to say. Thank you.

Question: Your ranch is at the mouth of the Judith?

Gies: I'm about a mile from where the Judith and Spring Creek come together. I sit up on a bench. That ranch there, that's owned by a doctor, Stalmaster and Thompson, that's the old Hogle Ranch. It sits right there about a hundred yards upstream from the buildings or so, that's where they come together. That's interesting too, because there's a guy that moved there from New York that bought some property from there. I think he's a movie actor. He put in a free-spanning bridge across the Judith because he had no access. I think it's about 175 feet long. The bridge cost him more than his house. And he's got a real problem because the Judith is cutting that corner.

Question: I was wondering if you could comment on the status of Russian olives? It seems to have taken over those islands down near the PN.

Gies: Russian olive has now been declared a noxious weed in the State of Wyoming. We've lobbied to get that done in Montana. The Missouri River Council put on a tour, was it last year when we did that at Culbertson with Buzz Matlin? I toured with Steve Smith from DNRC. If you get around where there's a lot of wetlands, they just totally take over. I would basically hope it's declared a noxious weed. Russian olives, they're like salt cedar. Salt cedar's even worse, but you get them on water and they just flat take over. But I just got the message it was declared a noxious weed in Wyoming, and that's kind of a pace setter. I think it will happen in Montana.

As a board we are very tickled. We've worked with you. We did a project Buzz Matlin did on the Missouri a couple of years ago with a dredge system. They did that with two counties that got together and it was very successful. I think we had to deal with five government agencies on that, did we not? It was the Army Corps, the BLM, DEQ, Fish, Wildlife and Parks, and somebody else if I remember right. What they did is they got a grant, if you don't mind me telling this, and got a dredge made from Crisafulli, which is an international firm out of Glendive if you're not familiar with them, and they just put a huge auger on it. I think there's 155 pump sites below the dam down there. A lot of those where they backhoe leave all these humps. Well this thing came in and leveled it out and they could blow the silt and that stuff out about 80 or a hundred yards. When it did this it took all these little humps and leveled them. The next thing that happened is the plover and tern, endangered species, moved right into it. So I know Fish, Wildlife and Parks, I think you'll see them buy one of those dredges or get one made or lease that one, because it's just a fantastic product.

If you don't mind me commenting, there's a stretch of the Madison River up there on the Granger Ranch. This is going to receive national acclaim. Rob Hazelwood is retired Fish, Wildlife and Parks, I was involved with him, we got a CREP grant. We got \$15 million for the Missouri River five years ago. He got permission to modify that grant and went up on the Granger Ranch. There's 268 acres, all wetlands on the Madison, and our government money straightened it out in the 50s. He went in and oxbowed it and got it all squared around. I think we were there in September, were we not? The dirt work alone was over \$200,000. It was snowing. It was a cold, miserable day. But we walked down to it and the fish were jumping. It was just phenomenal. The grass had come back by itself. But the effect, it's just like what we did in Brewery Flats. The effect on the downstream and upstream neighbors, I don't remember the acreages involved, I think there was a couple hundred down and above him. There was like five or six hundred acres. We expect because the downstream neighbors were so happy that will all go into that

reconstruction, just like Brewery Flats, where they'll get it oxbowed and get rid of that straight edge. I'll quit. Thank you very much.

Question: Could you explain to us what conservation district is, and something about its history and mission?

Marquis: The conservation districts began in the dustbowl era and they are made up of a board of publicly elected supervisors. Their duty is to protect the natural resources, the soil and the water, within their boundaries of their conservation district. In Montana, most conservation districts follow the county boundaries. The one along the Missouri River that's different is Chouteau County, which actually has two conservation districts: Chouteau Conservation District south of the River and Big Sandy Conservation District north of the river. So they still operate today and their main focus is to conserve the natural resources, the soil and the water within their boundaries.

One of their big jobs, and it's becoming a bigger job in areas like Gallatin County and Lewis and Clark County where you have a lot of growth, are the 310 permits which involve any work that's done along a streambank of any water body as long as it's not an intermittent stream. So when Paul was talking about the inspection on the PN Ranch, that was a 310 inspection. They'll go out and do an inspection before the project, whether it's a project to put in a bridge or boat ramp or even just put in rip-rap or stabilize a bank or put in a pump site. They'll go in and do an inspection. They have to approve the project and then they'll do a follow-up inspection to make sure the project went as they approved it.

Question: They are publicly elected? Is that on the general election ballot?

Gies: Publicly elected, and then there are people like me, I'm a city rep, I'm appointed. Every other county probably has a member like me who is appointed by the city or whatever.

Question: Other people, like city commissioners, county supervisors?

Marquis: Some of those are appointed as supervisors. If there is a municipality and incorporated town within a conservation district, that incorporated town is allowed to have one representative on the conservation district, and they're called an urban supervisor. So like in Cascade County, I am familiar with that, they have two urban supervisors. They have one from the town of Cascade and one from the city of Great Falls. Then they also have their board of publicly elected supervisors. So you can have anywhere from five to seven supervisors on a conservation district board, plus they can also have associate supervisors they can designate. Some counties will designate their county weed supervisor as an associate supervisor. Others will designate maybe a representative from a federal agency. Over in Garfield County they elected doing that because they are impacted so much by the CMR and so they looked at designating a U.S. Fish and Wildlife person as an associate supervisor.

Gies: I can tell you too, just in grants alone, on the Fergus Conservation District we've brought in nearly \$100,000 in the last two years, mostly grants.

Question: I'm just trying to figure out what it is. So the conservation district answers to the county commission?

Marquis: No. A conservation district is a political subdivision of state. So they have their own taxing authority and they are publicly elected. They are accountable to the people who elect them.

Question: And that is who?

Marquis: It's the voters within their district. They have their own taxing authority and they tax the landowners within their district. They do receive some state funding, usually through DNRC in the form of grants.

Question: I don't remember ever seeing a conservation district election. That's what I'm trying to figure out.

Gies: It's on the general ballot. In this county we get a mil and a half from the county, which comes to about \$26,000. What we try to do with the grants, if we can do it we try to get a 10 percent administration fee so we fund ourselves for other projects.

Marquis: It is a unique setup because they are publicly elected, and they do have authority to enforce the regulations within their district. In a lot of instances where you might have the State DEQ or some other agency coming down and forcing things from the top down, in a conservation district with your 310 permits and your streambank work, the regulations are enforced by the people who live and work and are elected by the people right there in their district. So it's unique and it's a good opportunity for people to get involved.

July 19, 2007

Mary Jones reading a statement from Bill and Ronnie Robinson

I am Mary Jones. I'm doing a proxy for Ronnie and Bill Robinson this morning. I'm reading for them. They are busy up there on the other side of the river haying and so on. This is their comments that I am reading this morning, and I will pass them out to you also.

To All RAC Members:

We are addressing you today pertaining to the proposed 1600 to 2000 new gas wells. This amount of activity will be devastating to our livelihood and our cow/calf operation. We have already been severely impacted. We currently have about 50 wells on our property with about half of them producing. The remainders are shut in wells.

There is constant traffic and activity occurring on our property and roads year round. This includes 4-wheel drive pickup traffic, heavy equipment, tandem axle dump trucks, water trucks, belly dump gravel trucks, trailers, graders, excavators and bobcats. Not to mention the geophysical and seismograph trucks and 4-wheelers.

Our roads cannot support this amount of activity. We have mud and gumbo roads. This activity has totally destroyed our roads and made permanent marks on the land. We have had contractors out here for 3 weeks already trying to clean up the mess and fix our roads due to the gas activity.

It has severely interrupted our livelihoods. It is affecting our waterways and drainages to our creeks and reservoirs. We have one well that was drilled in 1985 and was shut-in in 1999 and was reworked last fall after 22 years that is producing about 1300 barrels (and each barrel, I think, has five gallons. Is it 42 gallons? I'm sorry) of production water a month that has to be hauled out on a regular basis. This well is a shallow well and we are greatly concerned about how it is affecting our groundwater underneath since the main source of water out here is spring fed. There have been no studies or research done on how this is affecting the good groundwater and formations underneath. Our operation and livestock cannot survive without good groundwater. Some of this production water was leaking on the ground for a considerable amount of time. We have already lost livestock from the production water leaking on that ground. The water puddled and our stock drank it and died.

There has also been production water dumped on our property out of tanks and storage containers. We have had this water tested by a lab and it way exceeded the acceptable level for livestock to drink. We have found dead animals around some of the locations and in the production water pits.

There is not enough monitoring and regulating by any agency to keep this amount of activity under control. It has been a great expense to us and cost us more than what we have been paid for damages or compensation. We cannot get help and support in trying to deal with these problems and issues. There needs to be adequate laws in place that need to be enforced to protect private landowners and their property. We have not yet been able to procure an adequate surface agreement. Thank you. The Robinsons.

Tim Faber

I'm Tim Faber. I'm the guy that wanders around aimlessly in the breaks. I just spent the last two days in the Missouri breaks. People ask, "How can you stand it down there when it's so hot?" I always like to go back to a comment in the 1984 EIS: You can't go hiking down there. There's no water to drink down there.

Last year I hiked with a native of Texas who said he hiked in the desert southwest. He just packed three or four liters of water with him. There's other ways to beat the heat. There's some canyons down there that stay fairly cool and I've found some mud holes where the bighorn sheep cool off. Yesterday I found places in rocky shaded ridge tops where the mule deer had been. So while the exploding population of the southwest hunker in their air conditioned homes and offices sucking up our natural gas reserves which subsequently puts an encroachment on critical wildlife habitat like this, I like to tell them to go down in some canyon and lie down in the mud.

It brings to mind conditions four years ago when I hiked many miles in near hundred degree heat photographing landing strips back when landing strips were a non-issue and few people even knew they existed. I just set out before sunrise each day and got the job done by noon.

Here in Cabin Creek, the pictures to the lower right, I drove as far as the road is shown on recent maps. The user extended road established in recent years continues into the Wilderness Study Area, well beyond the boundaries so it's not shown on any maps. I just drove as far as the road was made in recent years so it was about an hour's leisurely walk from this site.

The range conditions look good in the breaks. I took some photos of road closures posted in the last few years around the Cow Creek WSA. Most of them have revegetated pretty well. This road closure, nobody seems to have been driving on it. The cattle use it a little bit where the tracks used to be, but it's revegetating pretty good. This road was closed a few years ago. This is near Hay Coulee. This would be going down toward Squaw Creek. It's near state ground above this where people drive all over the place and there doesn't seem to be much control there. But there were heavy tracks up around this hillside where people did that sort of activity and it seems like they're pretty much abiding by the law for the most part.

This picture was taken going down toward Shetland Divide. It's hard to see here in this picture. Here's the road closure sign and this road extended on up here over this ridge top. There was a telephone cable put down here and it followed this route, and people just used that road as a user-created road from that telephone cable.

This, of course, is looking down into Cabin Creek where I walked down into. This is another view of Cabin Creek here. This is the Hay Coulee fencing project. The materials were taken down by ATV from the ridge above, but much of it was dragged in and there are places here where this road tried to revegetate itself and it doesn't really show real good in these pictures here, but they drug posts and material down here and just kind of gouged out all of this vegetation. You can see down here, this road goes down in the bottom of Hay Coulee, extends down here for a ways. I only walked down so far and this road just takes off into the WSA. It amounts to a user-created road within the wilderness study area. You can call it what you want, you can call it a trail, but it's a road. And once it's established, people will follow this down. There is a road going up the other side. That will give them access up to Spenser Ridge. It's just another user-created road in a wilderness study area. I don't understand why these posts had to be drug down here. In my experience you can throw four or five posts on the back of an ATV, you know, as long as you have the width, and you do here, and there's posts scattered through here. I hope when they finish up they pick up some of those. I would have went about it a little bit differently, I think. You kind of like to see fencing projects with a minimum amount of damage and effort. Fencing down in the breaks is no piece of cake, you know, but this kind of looks like a skid trail going down here. So you have that and you also have places like this where people cut trees down in a wilderness study area alongside the road, probably for firewood, you know, but they've left the limbs and everything laying there. This is the type of activity you don't want to see in a wilderness study area.

I would also like to mention that I saw a pair of sage-grouse in the lower stretch of Bullwhacker in mid-May. This tells me that they were near a nesting site and biologists might take note. This brings to mind another comment in the last round of scoping. "I sprayed sagebrush down there and it didn't hurt them sage-grouse none." I compared

these recent comments to those of 25 years ago. Some of them are the same old non-issues, but a leader of a rod and gun club made some negative comments at the onset of these Monument meetings, but at the most recent round he made some conciliatory notes. It was all just a matter of conflict of interest and seeing the other side's interests as well as swinging away from that dark, deep, visceral side of self-satisfaction. We've got a lot of work to do here. Like I said, these pictures show some of the revegetation of these road closures. There's areas in this Cabin Creek/Squaw Creek area that you have these user-extended roads, user-created roads. We need to post some signs there, do something to eliminate some of this ongoing road making. We've got a lot of work to do. We've got to work together. As for me, I've spent too much time being negative about negative comments. Thank you.

William Geer

I am William Geer with the Theodore Roosevelt Conservation Partnership. We're a sportsmen-based group of conservationists. I am a fish and wildlife biologist by trade. I used to be the director of a state fish and wildlife agency in another state, Utah. I've been in wildlife for 34 years. I brought 15 copies of what I am going to give to you, and five of one. I guess I didn't have enough of one of the items.

What I am here to talk about is two things. One is relative to oil and gas drilling throughout Montana, particularly in this area. Our organization is part of a coalition of hunter-angler sportsmen groups around the state. In fact, there's 64 of us in the coalition representing nearly every rod and gun club in the state from all corners of the state. Montana Wildlife Federation, Trout Unlimited, Mule Deer Foundation, and of course, our organization. There's also businesses in that coalition. Collectively, we have more than 100,000 members represented in that coalition. Hunters and anglers who obviously their passion is on the public land, as well as other private lands under block management wherever they can hunt and fish. So they have a stake in this game, so to speak, and they have concerns at the pace of development in this state. This stake is going to significantly diminish as traditional values. They have specific recommendations they would like to make to BLM and the oil and gas industry on how to at least minimize or prevent some of the damage and certainly not stop oil and gas drilling for the energy everyone seems to need, but perhaps if they do it at a different pace and they do oil and gas planning and they do it perhaps in a smarter way, then we can have other uses sustained as well.

To promote they have distributed a thing they call 14 Questions for BLM Prior to Montana Oil & Gas Lease Sales. These 14 questions are not yes or no questions. They are questions posed to BLM and they could be posed to even DNRC, for example, on state lands, but these are aimed at BLM on how, for example, hunting and fishing opportunities will be fairly considered in the process to make sure some of those values remain as well along with the other traditional values, ranching and about everything else you can think of. I would like to give these to you please. These 14 questions have been posed by at least 35 of the organizations in our coalition relative to the upcoming South Bearpaws lease sale on July 31, particularly on 127 parcels over in Garfield/McCone Counties, expressing concern over sage grouse, elk, mule deer and pronghorn, what the impacts will be. But they recently posed these questions to BLM and said you know, with the deadline, this is a significant area, 307,000 acres more or less, 480 square miles, it's not a postage stamp, that has significance and we feel planning needs to be done well in advance before things are leased out and before decisions can no longer be made. Once those leases are issued, of course, the horse is out of the barn so to speak and most of the activity is going to roll on from there.

We feel that things need to be more considered in the process. We asked BLM for a response prior to July 16, and the reason was because that was the protest deadline for that particular lease sale. We did receive a response from BLM. I have five copies here I will give to you. That response is not to the point. This is the same response that we have received in our own organization clear back to Kathleen Clark's days in BLM. Another thing, it's almost like it was pulled out of a drawer with minor edits and given to us. It didn't answer the questions. In terms of the questions we posed and the interests we represent, it's an unacceptable response. We feel that BLM ought to take it more seriously and say you know, they are pretty good questions. There is a public with a vested interest here. They have legitimate questions and we need to look at it more thoughtfully and say what can we do to better accommodate those uses and make sure we have something when it's all said and done.

The last comment I would like to make is as a result of the thought that we got answers that did not answer the questions, we reviewed the lease stipulations in the upcoming lease sale and we realized that they are using stipulations that are either not well founded in science, and certainly proven not effective. I've toured the lease sale

areas in the Powder River Basin in Wyoming and Jonah Field and Pinedale Anticline and several other places and realize just what exactly faces us in terms of the future if wells in fact are productive and you start to get into the full field development. We filed a protest on some of those parcels south of Fort Peck Reservoir. It was in today's Great Falls Tribune. I don't know if you saw it on page 9, I believe. We filed it based on sage-grouse, mule deer, winter mule deer habitat, elk calving and pronghorn. We addressed factors that we felt were not addressed in the stipulations and ought to be considered with new science by BLM's own expert, Dr. David Naugle, their own consultant on sage-grouse, new evidence on leks and nesting habitat requirements on buffers that were not considered in there, and we thought it was a thoughtful basis for a protest. At the same time, I would like to say this. We have some indication that BLM is actually reconsidering and saying, maybe for example, on sage-grouse we do need to do some things differently. They met I know with Fish, Wildlife & Parks last week in Helena, the BLM State Director, and suggested that maybe they will do some things differently on this sale.

I am not at liberty to say exactly what it is, it's not official, but if in fact it follows through, it will be of significant benefit to wildlife. It will be, if something is done, very, very good and it will affect the protest if, in fact, it follows through. It may be that if our protest is denied, we would choose not to appeal it, for example. We would feel that they adequately responded and came up with some measures. We are hopeful that that's the case. Nonetheless, no assurances were made to our organizations, our hunter-angler coalition. The only process we can use to comment on the entire is the protest process. Therefore we did, and you have it in your hands.

Question: Is your organization headquartered in Missoula?

Geer: Actually, that's where it started, in Missoula. I am in Missoula now. We actually have an office in Nashville, Tennessee. We have an office in Washington, D.C.

Question: You're associated with Boone and Crockett, is that right?

Geer: No. They are members. Some of their members are our members as well.

Question: But you're not a spin-off of Boone and Crockett?

Geer: No, we're not. It's just a similar name. We've worked on many conservation issues from marine fisheries to coal water to farm bill, oil and gas, lots of different things. This is one of the issues. We work on consensus-based issues that are of a significant interest to fish and wildlife and hunters and anglers as a whole. The priority is to that audience. Thank you for your time.

Mary Jones

I am Mary Jones, Friends of the Missouri Breaks Monument. What I would like to talk about today is just to bring something up, a little different side than we've heard so far. That's the grazing rules. These are the grazing rules that have come out. A number of us went to one of the hearings on the grazing rules a number of years ago, three or four years ago in Billings. They had them all over the western United States and information that they received from that, they went back and redid some of the work on those because they got a lot of negative comments.

Anyway, what I'm going to say today has to do with what was said here earlier by one of the state people that gave a little talk on grazing rules. I'll begin with the grazing rules are again on the agenda today. I remember a gentleman from the State BLM office was here to present these at a previous RAC meeting. I thought he covered his material so quickly and acted as if it was all pretty much run-of-the-mill policy. Since I am not sure how the subject is going to be presented today, I would like to give a little background action on what has taken place around these grazing rules, proposed grazing rules which have now come before you.

First I'll start with about four years ago, August 18, this was from Arizona State University law professor Joe Feller, here are his comments: "The Bush Administration has proposed easing environmental controls on cattle and sheep grazing on public lands marking the latest example of politics and secrecy trumping professional judgment and transparency. An internal analysis written by experts at the BLM and later leaked to others warned that this action would damage watersheds and wildlife, but political appointees suppressed and overrode it. All in all, the

regulations would remove opportunities for the public to provide input into management decisions/environmental analysis, and appeals procedures to favor ranchers over environmentalists and make it easier for ranchers convicted of environmental crimes to obtain grazing permits. The proposal would also allow ranchers to obtain ownership of water rights, fences, wells and pipelines on public lands. That is crippling the BLM's ability to manage the land in the greater public interest. The proposed action will have a slow, long-term adverse impact on wildlife and biologic diversity in general."

That was four years ago. Then the grazing rules came out in the Federal Register on June 17, 2005. June 18, the day after that, the L.A. Times started covering the new grazing rules changes and had a number of articles on it. June 18 the L.A. Times started their coverage. July 2005, just the next month, Eric Campbell, retired Nevada BLM employee who worked on the new grazing rule changes, appeared on Air America with his comments: "The grazing regulation issue centers on the ranchers of the west wishing to roll back all the changes made by the Clinton Administration to improve the health of the western rangelands. The changes by the Clinton Administration had been needed for almost a hundred years and were heralded as a positive step by all involved except the livestock industry. When the original draft was completed, it was reviewed by someone within the BLM who immediately mobilized a second team of range management specialists who rewrote every section of the document to be more sympathetic to the administration's goal to appease the livestock industry. A scientific analysis that was included in the first draft of the EIS was subsequently removed and replaced by language 180 degrees from my professional opinion," and he's the one who wrote that section of the grazing rules. "For example," he said, "the cumulative effects resulting from all these changes will be significant and adverse for wildlife and biological diversity in the long term. The number of special status species would continue to increase."

He goes on to talk about all that they changed from what he had written. And then in August, the next month, August 9, 2005, the Washington Office of the BLM announced that the agency would be preparing a Supplemental EIS on proposed changes to grazing rules. The announcement was in response to unfavorable national publicity and to federal court litigation filed on July 21, 2005 by Western Watershed Project. Two articles in the L.A. Times and national coverage on public television's NOW with David Brancaccio underscored BLM's questionable behavior in seeking to protect public lands ranching over other uses of western public lands while at the same time suppressing public involvement in grazing. That was August 9, 2005.

Almost a year later, July 12, 2006, the BLM and the Department of Interior published in the Federal Register revised regulations for administering livestock grazing on public lands. The revised regulations continue the history of the Bush Administration management of public lands by gutting BLM's current grazing regulations that were implemented in 1995 by then-Secretary of Interior Bruce Babbitt. Western Watersheds Project sues to stop new BLM regulations. A year later, June 8, 2007, just a couple of months ago, Chief Judge Lynn Windmill of the Federal Court for the District of Idaho awarded Western Watershed Project a victory in an order overturning the Bush Administration grazing regulations for the BLM, affecting over 160 million acres of public lands in 11 western states. The grazing regulations that have now been found illegal in this court decision under three major federal statutes, NEPA, FLPMA and the Endangered Species Act, would have effectively returned the management of public lands management by the BLM to the days before the Bruce Babbitt regulatory changes of 1995 that finally broke open the stranglehold of ranchers controlling public lands.

This is the history of the new grazing rules that brought out four years ago. I would like to remind you of a few characters in charge during the time these grazing rules were being processed. Number one, J. Steven Griles who resigned in 2004 after helping to complete institutional failure under Norton. Number two, Julie McDonald. She resigned in October 2006 after running roughshod over scientists whose findings on behalf of certain endangered species annoyed them. Number three, Paul Hoffman, Deputy Assistant Secretary for Fish and Wildlife and Parks, demanded the lifting of restrictions on commercial activities in the national parks. And of course, we have number four, Vice President Cheney, who intervened in efforts to save fish species in the Klamath River Basin, assuring the death of millions of salmon, changed scientific evidence so that irrigators got water and a Republican would be elected in Oregon. That's kind of the history of the grazing rules. Thank you.