



# **BLM MONTANA/DAKOTAS**

*Dakotas*  
*Resource Advisory Council*

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## **RAC MEETING MINUTES: Bowman, North Dakota: February 12, 2015 *Bowman City Hall***

### **Attending:**

#### **BLM**

Mark Jacobsen, BLM Public Affairs  
Lori "Chip" Kimball, South Dakota Field Manager  
Loren Wickstrom, Acting North Dakota Field Manager  
Diane Friez, Eastern/Montana Dakota's District Manager  
Jared Bybee, Montana State Office Wild Horse & Burro Specialist

#### **Category 1**

Bruce Bowman  
Drew Combs  
Ray Gilbert  
Brenda Rettinger  
Vern Timmerman

#### **Category 2**

Kevin Forrester  
Gary Colbath  
Ronald Waterland  
Mike Kain

#### **Category 3**

Ryan Brunner  
Jay Volk

#### **Public Observing**

John Cameron, Senator Hoeven's Office

### **Mark Jacobsen opened the meeting with:**

- Housekeeping items
- Ground Rules
- Introductions

### **Jared Bybee -- Presentation on Wild Horse & Burro Program**

- Gave a presentation on the program and the issues for ND and SD (such as horse population, holding facilities, etc...)

- The RAC discussed the program and formed a subcommittee to address issues concerning the Wild Horse & Burro Program.
- **Wild Horse & Burro Program Subcommittee Members are: Brenda Rettinger, Ray Gilbert, Bruce Bowman and Ron Waterland.**

**Loren Wickstrom: (Acting North Dakota Field Manager) --- Presentation on flaring and venting in the Bakken Play:**

Loren provided some background on issues and circumstances around the current controversy about venting and flaring, capture and transportation of gas, and issues regarding pipeline infrastructure needed for gas capture.

**RAC Chair Reports:**

The RAC discussed the need for new chairpersons and after discussion voted to keep the status quo.

- ND Chair – Bruce Bowman
- SD Chair – Kevin Forester

Jay made motion to keep the same chair members, Drew seconded the motion and all voted in favor.

The chairmen reported on the RAC Chair/State Director meeting that was held in Billings.

Topics covered were:

- The 2015 nomination period.
- Certain situations where the RACs don't have enough members participating was discussed. Options to call members to vote over the phone or by email will be entertained for those who can't make the meetings in person.
- There will be an upcoming statewide conference call on Feb. 24, 2015 and the discussion will include RAC resolutions and RAC reconfigurations. The Chairmen will give a report on this to the RAC at the next meeting.

**RAC Member Briefings:**

**Ray Gilbert:**

- Wild Horse & Burro is the biggest agenda item and the RAC needs to look at it.
- Went to the public land council meeting in South Dakota; is concerned with the RMP on the 3 percent disturbance rule. Diane will get the BLM presented PowerPoint from this meeting sent to the RAC members.

**Drew Combs:**

- Appreciates all the efforts and changes from a few years ago on the N.D. State and Federal mineral rights issues related to the high water mark on the Missouri River.
- Looking to do more mineral swaps with the feds in the future to get the isolated tracks developed.
- Ordinary high water mark issues are ongoing. Will report as more info develops.

**Kevin Forester:**

- Congratulated the SDFO on Travis Lipp getting the fire award.

- Trail project – started last fall on the first stage on Ft. Meade area, next stage will start in 2015; talked about grant issues.
- Long eared bat – glad that the U.S. Fish & Wildlife service didn't list the bat in the Ft. Meade area due to the likely poor effects that would have on other programs.
- Will email out the 2014 BLM flyer 'connecting with communities' on outdoor recreation.

**Bruce Bowman:**

- Concerned with the drop in oil prices and how it could affect the BLM.

**Ryan Brunner:**

- Discussed the public land council meeting; is concerned about the 3 percent surface disturbance rule.
- Said that the SD RMP closes an Army Depot near Hot Springs; has talked to Mitch about this issue. Also talked with the State Archeologist about the closure and he would be willing to talk with Mitch about the depot, too.
- Said he would be happy to assist in future travel management planning.

**Ron Waterland:**

- Talked about the recreational area near Ft. Meade and is working with Kevin to keep this going.
- Talked about Travel Management with respect to the Old Stone Road and the potential to use this as access to get to the Forest Service land on motorized vehicles
- Lawrence County has a lot of mineral surface slivers left over from mineral claims that were staked, his work place (Wharf Resources) would like to do a trade or purchase the land if available.

**Mike Kain:**

- Talked about the project with the Rifle Range (off of Yellow Creek) and has an issue with vandalism. Said the area is currently closed due to liability concerns.
- He is interested in the comment "Connection with the Community" and discussed that further.
- Asked how the BLM is going to determine where to put snowmobile trails. Discussed how the Forest Service did not do a good job planning their snowmobile trails.

**Gary Colbath:**

- The Black Hills Sports Show is this weekend; some participating interests are interested in having a meeting and talking about access issues.
- Feb 28-29 is the State South Dakota Bow hunting meeting and Gary will be talking to them about any BLM concerns/issues they may want to bring forward.

**Brenda Rettinger:**

- She is trying to work towards making more flexible guidelines for reclamation and seed choices. Said that in the past she has had good relationships with BLM field people as far as diversity indexes where there are plans for disturbance. Asked that if there is a certain plant population in a disturbed spot, are we putting in a seed mix that is similar to what was pre-existing. This is regardless of whether or not it fits in the state mix or native mix.
- She has had good luck with some BLM field agents going out looking at the plants and changing the seed mix to more closely match what is already there.

- It is very subjective, depending on the individual field person. One field person is open to changing the seed mixture but another field person says nope --this is what the book says, this is what needs to go here.

**Jay Volk:**

- Is speaking on behalf of the Lignite Industry and has concerns on permitting timeframes.
- Said he needs to look at the process and the agencies that are involved.
- Said this is a mineral issue where the BLM does not have surface ownership.
- He is looking at a situation where there could be a 'stranding' up to 4 tracts of federal coal; which means federal revenue won't be generated because the permitting timeframe is so long.
- Used an example where there was only one permit issued since 2011; the company is looking at 2017/2018 before they can mine a certain tract and needs to plan ahead for the lifetime of the mine. Permits need to be approved in time.
- The whole process needs improvement.

**BLM Member Briefings:**

**Diane Friez:**

- Talked about the status of the RMPs. Washington is still working on direction and changes made to the documents so they can be issued out to the public.
- Getting geared up for the fire season; have fire staff in Miles City and in remote locations such as Ekalaka, Jordon, Ft. Howes and Camp Crook. The district has fire suppression responsibilities for Eastern/Montana and the Custer National Forest. In the Dakotas the states have suppression responsibilities.
- BLM has an approved budget but no official numbers from Washington. The budget is pretty flat this year; it is what was expected for 2015. There was a \$3 million increase in oil and gas BLM-wide; BLM expectations were that we are going to get some additional funding which will support completion of additional inspections.
- Overall, Montana/Dakotas BLM continues to plan for a reduction in staffing. There is a 15% reduction that needs to be made by the end of fiscal year 2018. The North Dakota Field Office continues to increase staffing due to the high priority oil and gas workload in that office.
- Irma Nansel has been hired in the District to serve as the Project Lead for coal projects, oil and gas lease sales and other NEPA documents.
- In the District we have oil and gas lease sales 3 times per year, there are 4 lease sales (one per quarter) and we have involvement in 3 of those. Working on the flaring NEPA documents as well.
- Working on getting the North Dakota Field Manager advertised and filled. Loren is acting field manager at this time.
- Update on staffing in NDFO; have 5 positions where the funding comes from the North Dakota Petroleum Council.
- Happy to have Chip in the SDFO as the new Field Manager. Hoping to get the SDFO a new building.

**Loren Wickstrom:**

- The ADP process takes a lot of time in the NDFO. In fiscal year 2014, they had 583 and have already done 316 so far, in 2015.
- Seeing success in hiring for positions. They are spending 30-40 percent of their time on staffing issues.

- Coal Projects didn't get a lot of traction but now the NDFO has project managers to meet the timeframes and keep everyone on track.
- New guidance is coming out in regards to the Dakota skipper (butterfly). It's a species that the U.S. Fish & Wildlife service has listed.
- The BLM just looks at the habitat; but operators need to look when going out to identify habitat for this butterfly. This is all in the Federal Register Notice. This will affect Dunn and McKenzie Counties.
- Talked about some tweaking in how the NDFO will handle cultural work.
- Have a scheduled cultural workshop in April with industry. An invite will go out.

**Lori "Chip" Kimball:**

- Travis Lipp (Fire Management Specialist) received the 2015 Wildlife Mitigation Award, which was issued by the National Association of State Foresters. The program is where agencies hire Veterans and train them so they can get other jobs in their transition. The award will be presented to Travis in Reno, Nevada.
- Some employees received the Riparian Excellence through Stewardship Award from the State Director for the work that was completed on Battle Creek.
- Travel Management planning course: a 2 day training session will be held in March in Miles City.
- Making a selection on the Reality Specialist job and advertising for the Front Desk position.
- The Dewey Burdock project is a Uranium Mine in the southern hills; and is looking to come online sometime in the near future. Just got the plan of operations from the company; approved it at the end of November, now working on the Environmental Assessment (EA).
- Talked about the potential land withdrawal/transfer on the VA National Cemetery; talking about putting in an application for a BLM land withdrawal to expand the cemetery.

**Tabled Items:**

Tour: Future North Dakota Bakken area tour w/Drew; Meet at NDFO (Fall).

**Possible Project task list:** Yellow Creek (Rifle Range); Wild Horse & Burro issues; High water mark payments issues.

**Next Meeting:**

Rifle Range, release of Big Horn Sheep, tour of gold mine (Lead/Deadwood Area)

Places to stay: The Lodge at Deadwood



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## RAC MEETING MINUTES:

Deadwood, South Dakota: June 9, 2015  
Field Day

### Attending:

#### BLM

- Mark Jacobsen, BLM
- Lori "Chip" Kimball, South Dakota Field Manager
- Loren Wickstrom, Acting North Dakota Field Manager
- Al Nash, Chief of Communications
- Ryan Larson, Recreation Specialist
- Rebecca Newton, Wildlife Biologist
- Daniel Velder, Reality Specialist

#### Category 1

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

#### Category 2

- Kevin Forrester
- Gary Colbath
- Branden Bestgen
- Mike Kain

#### Category 3

- Ryan Brunner
- Jay Volk
- Debra Brown

#### Attending Public

- Dave Hague

Mark Jacobsen opened the meeting at 8:00 am at the Deadwood Lodge front lobby with:

- ❖ Itinerary for Field Day and Introductions
- ❖ Orientation for Wharf Mine tour
- ❖ Explanation of Public Comment Period at Lewie's Restaurant

- ❖ Orientation regarding the Yellow Creek Shooting Area tour

The RAC visited the Wharf Mine and got a tour of the facilities and operations at this site. After the tour the group assembled at Lewie's Restaurant to conduct the public comment period and listen to the field manager updates.

**Public comment period (one person attending):**

Remarks to the RAC by Mr. Dave Hague member of the South Dakota ATV/UTV Association:

- 95% that the Rainbow gathering will be held in the Black Hills this summer.
- South Dakota ATV/UTV Association is attempting for the third time to get authorized a permit/sticker for OHV riders for entire state use. Dave would like the RAC to support the riders when they go to Pierre with the proposal in 2016 --regarding the sticker and having a permit system like the U.S. Forest Service. The money for the sticker would go directly to the state OHV program. The sticker program would be enforced by law enforcement. There would be a \$250 fine for riders without the sticker. The state shot down program the last two times and the state Fish, Game & Parks pulled their support for the funding. Next step for RAC members is to draft advice/input/recommendations for the South Dakota ATV/UTV Association and get a copy to Mark Jacobsen.

**BLM Briefings:**

**NDFO FM Loren Wickstrom:**

- ❖ Currently interviewing for the NDFO Field Manager position and also hiring other personnel to fill vacancies.
- ❖ Oil rig counts are down.
- ❖ Monitoring habitat for the Dakota Skipper butterfly.
- ❖ Working on four proposed pipelines; waiting on NEPA/public comment and should have a record of decision soon.
- ❖ Rewriting the flaring topic plan (NTL4A).
- ❖ Working on two coal projects.

**SDFO FM Lori "Chip" Kimball:**

- ❖ SDFO Biologist Rebecca Newton spoke to the RAC on Long-Eared bats and the Black-backed Woodpecker; concerns and status for each species.
- ❖ Introduced Daniel Velder to the group.
- ❖ The SDFO RMP got issued a week ago, and is under protest. The biggest concern is the 'no surface occupancy' for Sage Grouse habitat in Butte/Lawrence Counties.

After lunch, the group drove to the Yellow Creek shooting range; Ryan Larson talked about the issues affecting BLM management of the site and the history regarding a proposed transfer to the county. The area has lead contamination/migration concerns and needs significant earth moving and berm rehabilitation in order to be rendered fit for safe use by the public. The group later traveled to view a nearby fuels project site where selective logging and thinning had cleared out stands to improve grass and forb production, lessen the risk of high-intensity fire behavior, (the area is in close proximity to newly built housing) and lessen the ability of pine beetles to infest and migrate to uninfected trees.

The group convoyed back to the hotel and the meeting was adjourned.

**Next Meeting:**

September 9, 10