



# MONTANA/DAKOTAS BLM

## Eastern Montana Resource Advisory Council

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### **RAC MEETING MINUTES:**

**Miles City, Montana: December 7, 2011**

***Miles City Field Office Main Conference Room***

**Attending RAC Members:** Lance Kalfell, Bernard Rose, Robert Lubbers, Bill Kennedy, Jerry Kaiser, Harold Guse, Ernest Strum, Cal Cumin, Doug Kary

**Attending BLM staff:** Mark Jacobsen, Jim Sparks, Elaine Raper, Donna Bradley, Lori Harbaugh, Debbie Morford

**Attending Public:** Todd Devlin, Jack McNamee, Marshall Johnson, Mark Good

Members were welcomed and the meeting was brought to order; housekeeping items and ground rules for the meeting were reviewed. All members were encouraged to participate in the discussions; these meetings are for the Council to come up with ideas and recommendations for the BLM. All in attendance introduced themselves.

Harold moved to accept the minutes from the August 2011 RAC meeting, Robert and Bill seconded and the minutes were accepted.

### **Field Manager Updates**

#### **Billings Field Office Manager (Jim Sparks)**

Signal Peak Energy's Bull Mountain Coal Mine application for expansion has been approved. The lease was offered for a bonus bid in November. The bonus bid is

the right to mine the area and 8 % royalties are paid on the coal that is mined. The royalties are paid to the state and federal government.

The bid exceeded the minimum bid, but didn't meet the fair market value and was rejected. Signal Peak may request a reconsideration of the bid or another bonus bid sale. This request is expected this week.

BLM owns the federal mineral rights while 3/4 of the lease area is private surface. The company must receive approval from Montana, but they must show that they control the coal before they can seek this approval. This bid matched what Montana accepted for the Otter Creek Coal lease.

Doug asked what constitutes fair market value. Jim stated that it is based on similar prices at similar mines and the cost estimate to mine the coal.

The preliminary draft RMP will be sent to WO January 2012. The formal draft should be available for a 90 day public comment period early this summer. The final document should be released June 2013. Details are provided in the briefing paper.

The preliminary Pryor Mountain Wild Horse gather EA is out for public comment. This is for a bait/trap gather, followed by an adoption. The number should be around 30 horses. Small gathers can be managed this way, gathering 70 horses or more must be done with helicopters. The council discussed the effects of the winter on the herd; some animals died, but the herd faired reasonably well. The Forest Service did rebuild the boundary fence this summer.

BiFO is continuing to work on the Russian olive project at Pompeys Pillar; as funds are available, the trees are being replaced with buffalo-berry bushes. The River Walk sidewalk system has been completed, a security fence installed in response to thefts and the farm buildings have been removed. The plans are to develop a trail system to encourage other users to visit the site and expand the use of the area.

## **Miles City Field Office Manager (Debbie Morford)**

The Alluvial Valley Floor exchange decision was completed in August 2012 and available for public comment. One timely comment was received from a private owner

and the Northern Resource Council submitted a comment after the comment period. Our solicitors are reviewing the document.

The Spring Creek Coal mine and American Colloid are planting sagebrush in the Alzada area. The seeds were collected in this area and the Special K Ranch has grown the seedlings for BLM.

The Belle Creek Oil CO<sub>2</sub> oil recovery project south of Broadus is being reviewed. The company plans to use CO<sub>2</sub> to recover oil in the Belle Creek field. The oil well has been drilled, and then they used water to recover the oil and now the company is proposing to use CO<sub>2</sub>. The CO<sub>2</sub> will be piped up from Wyoming. The company has a contractor completing the EA on this proposal and should be completed in 2013. We have completed another EA for leasing oil and gas for a sale in May. There are 154 lease parcels nominated for this sale. The parcels are located in Prairie, Dawson, McCone counties and south of Fort Peck. The EA is out for public comment.

We are beginning to see interest in CBNG in the Powder River area. Requests have been made from Fidelity and Summit to drill in the next year.

There is increased interest in drilling in the Bakken area in Richland County and the Ft Peck area.

A unique project is proposed for the western part of the field office. A company has proposed a CO<sub>2</sub> sequestration project. BLM is waiting for guidance from WO prior to proceeding with the application approval process and to know how to permit these sort of projects. The request is to store carbon in old oil fields.

There is a proposal for an oil pipeline through Carter County from Plevna to Hammond. This line would go through core Sage Grouse habitat so BLM is coordinating with the company. This would tie into other pipelines in the area.

The Keystone pipeline has been delayed by the Department of State until after the 2012 elections. The BLM is positioned to issue our right away when the State Department issues a decision.

Private owners in Richland County didn't realize that scoria is a federal mineral and the oil developing companies have been using the scoria for roads. BLM is following up with trespass issues. BLM is working with private owners and commissioners to resolve these and then assist in completing sales for scoria for road

surfacing. Our appraisal for this year is \$1.12 per cubic yard for in place material. The surface owner will work with the companies if they want to approve use of the surface.

The SO has commented on the RMP draft and we are addressing those comments. We are incorporating current Sage grouse guidance into the document. The Sage grouse status review timetable has affected our RMP release dates. Our draft should be out to the public in June 2012 and the ROD should be issued April 2014.

Lance commented that Prairie County is out of the oil zone, but is planning for the predicted effects of the oil boom. Does BLM have funds available to assist with roads or planning?

Debbie offered to meet with commissioners and share information on the possible impacts.

Bill noted that there should be impact fees available to help with roads and other issues. The companies also can be cooperators in maintaining roads and often step up and help out to meet needs of communities. Bill suggested that BLM meet with the commissioners and companies as BLM has the leverage, after the fact, counties have little influence.

Debbie noted that the companies must be contacted early in any projects.

Lance expressed concern about the BLM having the federal minerals and 40% of the surface area.

Elaine stated that BLM has 12 million acres of subsurface and only one quarter of the surface lands. The BLM doesn't have any jurisdiction on private land.

Jim explained that BLM's efforts are limited to the Application of Permit to Drill, a private land owner may work with the companies for roads and other projects that they want developed.

Prior to break, Jim received notice that Signal Peak Energy had requested another bid sale. The process will take a minimum of three months to be issued in the Federal Register; a sale could be offered in early spring.

## **Wilderness Briefing (Elaine Raper and field managers)**

Elaine presented notes that Dave Lefevre had provided regarding wilderness issues. This agenda item was in response to RAC member requesting more information on the topic.

December 2010, the Secretary of Interior issued an executive order to inventory public lands that had wilderness characteristics and would be *eligible* to be designated as wilderness. The public expressed a lot of concern that this would result in wilderness designations.

June 2011, the Secretary directed BLM to continue with inventory of lands that have these characteristics. BLM reached out to the tribes and other agencies to identify sites that had these characteristics, but also had strong community support for wilderness and conservation designation.

November 2011 the list of sites that could be considered for designation was released. The Sleeping Giant and Sheep Creek WSA area in the Holter Lake area were listed on this document; eastern Montana didn't identify any areas for consideration.

Jim provided a handout with Wilderness Study Area and Land with Wilderness Characteristic information for the Billings Field Office area.

Bill and Bernie requested maps indicating the lands that will be managed with wilderness characteristics. Bill recommended that effort be made to educate the public on the laws and what has historically happened in Congress that guides BLMs management policies.

Bernie noted the efforts of special interest groups to promote their agenda and how that becomes controversial with other uses of the public lands.

Debbie stated the Miles City Field Office has seven Wilderness Study Areas. She provided maps of the Wilderness Study Areas. The Terry Badland WSA has an area with wilderness characteristics that was acquired through a land exchange and three sections are not part of the WSA.

The RMP alternative is to manage those sections as having wilderness characteristics. There are no other lands in the FO area that are considered to meet the wilderness characteristic criteria.

The BLM requested county commissioners to provide comments regarding wilderness areas that would have local support that Congress could consider designating.

Garfield County did not support any sites be designated; they did request that a decision be made on the current WSAs to be designated as a wilderness area or not. Prairie County responded with a petition signed by 400+ residents to not designate the Terry Badlands as a wilderness area.

Lance asked about the Chalk Buttes ACEC.

Debbie responded that an ACEC is different designation and not managed as lands with wilderness characteristics. Pumpkin Creek Ranch and Recreation Area was looked at, but the planned use didn't meet the criteria.

## **Sage Grouse Strategy (John Thompson MSO Planning and Environmental Specialist)**

John provided a hand-out regarding the Sage Grouse planning strategy. He shared the challenges of this plan and what it means to the Montana Dakotas BLM. FY 2015, FWS will issue a decision regarding the status of the Sage Grouse for listing as an endangered species.

The plan identifies actions that BLM can implement to manage the Sage Grouse on public land in the priority habitat areas. There are three types of habitat; priority protection, restoration and general. BLM RMPs will be amended or completed by mid-2014 and will address management of the Sage Grouse.

The Western region habitat has been threatened by wildland fires, the Eastern region by development. RMP revision scoping meetings have been scheduled for Lewistown, MT, Dillon/Butte, MT and Bowman, ND.

The other field offices are writing new RMPs and Sage Grouse management will be addressed in the final document. Predator control is managed by FWS and the State; BLM is a land management agency and will consider land use issues. The National Park Service, Forest Service and BLM are coordinating efforts for management of the species.

The Secretary of Interior will be meeting with area Governors to inform them of the importance of this initiative; meeting Dec 8-9, 2011.

Forest Service is putting together a similar plan.

Harold noted that BLM is a land management organization, not a predator control agency; the state determines the predator control issues.

Lance expressed his concern that habitat and predator control go hand in hand and that planting sagebrush isn't going to save the Sage Grouse. Where do ranchers go to report that the issue is a predator problem?

John responded that there will be scoping meetings and concerns should be stated at those meetings. All concerns will be looked at and the decisions will be coordinated with other agencies.

Jim stated that BLM has five years to step up to the plate to implement management practices for the Sage Grouse. BLM can begin conservation measures that we can show that numbers are being maintained. If good management and measures are implemented, it may keep the populations at levels that it won't be necessary to list the Sage Grouse as an endangered species.

Lance expressed concern about predators and the effects of West Nile Virus on the grouse; Jim stated that BLM is addressing concerns that they can have and influence on versus other concerns that are outside the BLM scope.

BLM can control the sort of water development that affects the mosquito population, but not West Nile Virus.

John stated that Forest Service and BLM will work together to have a coordinated conservation effort. He is not familiar with the actual organizational plans at this time.

Ernie noted that there is currently no funding provided for this program. The BLM only has a portion of the surface management in the priority habitat areas, other surface right owners will need to take action too.

Question and answer discussion followed John's presentation regarding concerns, action and the BLM process for issuing approval for permits, projects and the terms and conditions that might be required to receive that permit.

Bill asked if the RAC could request to be included as members on this coordination team. John and Mark will work together to bring this forward.

Robert asked that Sage Grouse remain a topic on the meeting agenda.

## **Public Comment Period**

**Todd Devlin:** Prairie County Commissioner; Todd, and Lonnie Reukauf discussed the BLM request for comments regarding wilderness/wild lands that would be supported for designation by local communities.

They have issues with the Terry Badlands WSA. Stated there is a tremendous amount of Leafy Spurge on the North side and Spotted Knapweed coming onto the site on the south along the river.

He requested that all the public land uses be allowed back on the site. A petition was available for the Prairie County public regarding the Terry Badlands. They received 400 signatures requesting to eliminate the WSA designation and four supported its continuation.

The other issues are gravel and road use and maintenance, due to the Bakken development and Keystone pipeline being built. He stated the county will need to use the BLM gravel pits as sees this as a big issue down the road to keep roads maintained.

He said there is a request for 50 wells to be drilled in northern Prairie County. He asked where the target population numbers for Sage Grouse came from. He has provided Kent Undlin from the BLM with information from the 1960's and late 70's and 80's.

He stated that due to the use of 1080 for predator control, the numbers were artificially inflated; when 1080 use was banned, the population declined as predation increased, then when fur prices were high and predation declined, the population increased again.

He stated that he doesn't feel that the government is following Federal policy #13 and Federal Land Management Policy Act or 1976, related to PILT payments. The policy states that the payment should be fair and equitable; .32/acre in Prairie County is not equal to 2.12 per acre in Custer County.

He requested the RAC to address the issue. Lance asked if the BLM could address the topic; he understood it was Congress.

Todd responded that now the DOI administers the payment, he feels that the RAC can address it, stating that is not fair and equitable and send to back to Congress.

Todd provided the history and explanation of PILT calculations.

Bill stated that changing the formula would result in winners and losers because of county population and not all counties would support equalizing the payments because those receiving the larger amounts would not be willing to receive less, especially in these economic times.

**Elaine will obtain information on the PILT program from DOI in response to Todd and Bill's request to see if the current process is following these laws of the policy and Act.**

**Jack McNamee:** rancher south of Miles City; Speaking on behalf of those that border the Pumpkin Creek Ranch, Helms, Leidholts and Birds.

Here today to encourage the RAC to support livestock grazing on the Pumpkin Creek Ranch. Discussed multiple-use as defined in the Federal Land Policy and Management Act of 1976.

Jack states that he feels that grazing would benefit large game, bird habitat and lessen the fire hazard. Grazing would generate income off the public land. This could be put into projects that would improve all uses to the public land.

Hunters, hikers, campers have benefitted from the land exchange, but as neighbors their property has been negatively impacted by overflow of hunters, prairie dogs, noise and increased fencing obligations.

Main concern is the fuel load currently on the site. This litter may fuel hotter fires that could kill the perennial vegetation, allowing invasive annuals to become established.

The group feels that there would be little to stop a fire. The group has agreed on a suggested division of the property that splits the grazing to the neighbors. This is one proposal to be considered. They all meet the requirements to become permittees as listed in the Taylor Grazing Act.

Revenue from grazing would benefit Custer County. If no grazing is allowed on this land until the RMP is complete, the group would like to understand why every other activity is being allowed on the site without a completed RMP.

The group would like BLM to begin working on grazing options and leases now, so ready to move forward with this use when the RMP is complete. Not asking for other uses to be curtailed, just asking that grazing be authorized along with other multiple uses.

Lance asked if there was any documentation that the value of the private land had been negatively impacted by this purchase. Jack wasn't aware of any, however it did remove some private land that had been available for purchase that they could have purchased to expand their operations.

Lance discussed his suggestion to the RAC in Billings and his concern for how to offer grazing equitable. After listening to the permittees proposal today, he thinks there is a way to issue the permits.

Robert asked about the moderate grazing that benefitted native grasses. The research was based on grazing 40% of the year's growth. Robert expressed concern regarding how grazing would benefit the native grasses.

Cal asked why grazing wasn't authorized along with the other uses.

Debbie responded that at the time of the exchange and consolidation of the public lands, the decision was made that there wouldn't be any use out there until the RMP was completed.

There currently isn't any permitted livestock use, or outfitter and guide programs. There is a lot of interested public out there, wildlife groups, livestock operators. "What we are hoping to do, is not necessarily wait until the RMP is completed, but when the draft (RMP) is out to the public, the RAC has actually offered to help put together a subcommittee that would work together to prepare a type of management plan they would like to see with some sideboards that we would put together in draft that all interested parties would be represented and offer that recommendation to the BLM for consideration as a draft management plan," she said.

The Sage Grouse plan that John Thompson talked about pushing our completion date to 2014. Miles City has had to move up our schedule so that the RMP draft will be coming out in June.

“We acquired those lands with the objective for wildlife habitat and recreational opportunities; that is the focus of those lands. Not saying that livestock grazing is excluded, but maybe it would,” she said.

Bernie asked how that fell in with FLPMA, grazing is listed as a multiple use and it doesn't say in certain areas you can go in exclude livestock grazing or any other use. How do we exclude one use?

Elaine explained that you consider what the definition of multiple use is and what it entails, never been interpreted that it is for every use on every acre; it is for appropriate use would be considered on the acreage.

Jack asked about FLPMA listing grazing as one of the multiple uses. Elaine continued that it doesn't mean that of all the multiple uses, all must occur all the time on every acre. There are times when oil and gas development is restricted because another use might not be compatible. So multiple use, but based on what uses are and aren't appropriate for that acre.

Lance stated he wasn't aware of any BLM land that didn't have grazing on it, including WSAs, wilderness area, it was an original use.

Elaine responded that it is a use that is widespread on BLM lands, there are areas that grazing does and does not occur, not appropriate for some of the area.

Lance stated that work is being done out there and it is changing the Ranch.

Elaine stated that some, including our frustration is that the RMP was to be issued in 12 to 18 months from the time of the completion of the exchange, due to air quality and Sage Grouse issues that have greatly drawn out the RMP process.

Debbie stated that permitted uses are not occurring out there, some projects are being completed out there, and we have worked with landowners on fence projects. “We will continue to work with our partners if we determine that degradation is occurring out there. We could use grazing as a tool if we felt it was a benefit.”

Jack responded that “...we are sitting on three to four years of fuel loads with outstanding moisture years, and if a fire starts it won't be able to be stopped before it

crosses to private land and it will devastate the native grasses and bird habitat will be devastated and it will be years before that habitat returns.”

Robert agreed.

Lance stated that it seems like the tool of grazing is being left in the toolbox, just doesn't seem like it's logical to do that. Should be planning ahead so that when the RMP is ready, thinks BLM would have grazing out there and you'd want to start working on it now, so you have those rights divvied up. Why wait until the RMP is done and then begin to work on the issue? Do test plots; seems like there's no effort to use grazing in there.

Robert asked if the bird issue was as serious as said.

Debbie stated that “our Fuels staff is continuing to monitor that. Prescribed burns are a tool.”

Jack stated that grazing would provide income and provide the same results as a burn that would cost money.

Debbie stated that “...last year when the vegetation was so great, we considered mowing those two tracks, never did get that done. This is a tool that we have.”

Lance responded that “...it's a tool that costs money, you have a tool that doesn't cost money and provides income, use it.”

Jack stated that “...50% of the income goes back into the land for improvements, so you've got a positive use that creates improvements with no cost versus alternatives that cost money and don't generate income.”

Harold questioned the time frame of the RMP and if the Pumpkin Creek decision would be complete in 2014. “Would grazing use in Pumpkin Creek be addressed in the RMP?”

Debbie responded “to wait until June.”

**Marshall Johnson:** Mule Deer Foundation Regional Director for the MT/Dakotas:

The goal of MDF is to promote Mule Deer habitat and provide education for children on conservation and hunting. The foundation is willing to help and provide volunteers for planting and fencing projects.

The funds from the sale of special license plates is being put into a trust that will be used for land easements and acquisitions that will be turned back to the state. MDF will work with landowners to obtain access to public land; funds are available to lease access routes.

Provided magazines and information on conservation easements they are working on. He would like to know what BLM is planning to do to mitigate O&G impacts when the drilling gets here. “Has BLM started working with companies to look at issues before drilling begins?” he asked.

**Mark Good:** Montana Wilderness Association:

He wanted to follow-up on the discussion of wilderness lands; “The purpose of wilderness areas is to keep lands as they are. There is a need for wilderness protection in the prairies, not just the mountains. Some reasons for the designation are for scenic, conservation or historic values,” he said.

He requested the RAC to continue discussing wilderness issues in this area. He encouraged BLM to continue to manage these characteristics. He stated that sometimes wilderness designations are misunderstood; grazing, firefighting and rescue work are appropriate uses for the lands, there is more flexibility than what people believe. Issues don’t end in complete consensus, but they continue to work toward their goals.

**RAC Member Briefings:**

Bernie –RAC information is available on the web. (Charters, By-laws, rosters of RACs, summary of expenses) He encouraged members to look at the information.

Mark explained that the site is called the FACAD (Federal Advisory Committee Act Database). It is open for public viewing and mostly used elected officials in Washington, DC.

The Associate State Director would like to meet with a council of RAC chairpersons.

Bernie volunteered to be the Eastern MT RAC representative, and assured members in attendance that he did not have an agenda to take forward.

Robert noted his support to continue without a chairperson. He stated that the group works well together and that solutions are made by the group. There isn't a possibility of being influenced by a chairperson in this manner.

Robert and Bernie are in agreement that there is no division, and that discussions are valuable.

Robert nominated Lance to be a representative for the RAC. Bernie was selected to be the representative.

Cal asked if both could attend and Mark will check into that. Other RACs have a chair and vice-chair that may also attend.

**Mike Sterchi:** (presented in his behalf by Mark Jacobsen)

He interviewed a couple dozen ranchers in Prairie County regarding BLM. More people were happy with BLM than unhappy.

- Conflicts noted were with personnel who aren't employed by MC at this time and were personality conflicts.
- Concern that there was unequal representation on the RAC, i.e. environmentalists versus grazers. Mike provided education on the categories and how nominations are made
- Fear that large blocks of land will be consolidated without regard to multiple use policy
- Limited presence of BLM employees, grazing district meetings
- Some proposed a hunting fee on BLM lands in addition to regular cost of hunting tag
- Lack of commitment on BLM's agreements, i.e. Scenic View Road
- Some expressed concern that grasshopper spraying was limited to large blocks of land, excluding small operators
- Many pleased with limited contact from BLM
- Comments regarding release of permittee names policy
- Need to pay more attention to two track erosion
- Some not in favor of fencing riparian areas

- Many were confused on the BLM management regarding weed control, fence and road management work, unclear what is the permittee responsibility versus BLM
- Many pleased with BLMs water development
- One asked if hay leasing was still available on BLM

A copy of the bullet points was provided to Debbie. She asked what the expectations were from this list.

Lance stated that the response showed that BLM and public weren't that far apart on the issues.

Mark stated that this information is precise, focused on the individual and the kind of information that is useful to the bureau. If BLM were left to guess what all the concerns and issues might be the conclusions might not be the same.

### **Harold Guse:**

He reported on constituents concerns regarding the impacts that may be imposed on the public land by the new RMPs. If problems are occurring in certain areas, is there policy and guidance already in place that can address these issues so that specific uses won't be impacted, i.e.; hunting, trapping. Are regulations in place that will hold users accountable? Long term concern is that the land use activities will be decreased.

Other issues addressed; land exchanges and limiting river and land access because of blocked public land. There's a long term plan to remove state land from the Flathead Indian Reservation. That land will be exchanged for other federal land, mainly BLM land throughout the state; DNRC has been tasked to identify public land that would be advantageous to complete the exchange.

DNRCs primary goal is to establish a funding source for the public school system.

Debbie stated that DNRC met with the BLM Montana-Dakotas State Office to identify lands that the state was interested in; that list was sent to field offices for review.

Miles City is interested in the State lands located within the Pumpkin Creek Ranch and Recreation area, the state is interested in two sections in the Tongue River Ranch.

**Jerry Kaiser:**

Represents Ducks Unlimited and expressed his editorial comments.

FWS has opportunities to enter into conservation easements with landowners (BLM leasees). Jerry recommends that FWS be part of the RAC committee, Mark stated that they could come and be involved with the issues brought forward. He wished BLM good luck on the amount of work they will be tasked with as new direction and policies are issued.

**Lance Kalfell:**

He seriously represents everyone. He represents the ranchers and says his job as a RAC member is to educate the public on the grazing history of public lands. He shared his family ranch history. He provided a narrative summary of grazing and the cultural role ranching has in the area.

**Bernie Rose:**

He encouraged continued coordination and communication with various agencies, especially where lands are comingled, (BLM, FS, FWS, tribal, state). He reminded BLM that because the agency is familiar with a subject or a decision has been made on a subject, the topic can't be filed away; that information needs to be continually communicated to RAC members.

Members are absent, timed out or newly appointed and everyone needs to be informed of past decisions that affect decisions to be made today, i.e. Pumpkin Creek Ranch and Recreation area.

Longest serving, long-term employees have valuable information. Need to have information for members to understand FLPMA, WSAs, ACEC, Wilderness, ORV (Outstanding Resource Values, not Off Road Vehicles) and other terms that are used by

BLM. Private landowners need to be brought into the issues too, not just to the BLM border.

**Ernie Strum:**

He contacted the Red Lodge Hiking Club and Beartooth Backcountry Horseman. The concerns are primarily local, but concerns probably could overlap across Eastern Montana. The number one concern is access to public land.

The BLM has programs to assist in obtaining access, i.e. Lilly Pad Lake trail. The Forest Service is proposing the Face of the Mountain Trail from Red Lodge to Clark; this goes along the lower part of the mountain.

The high country isn't available to hikers year round due to snow and ice; the lower trail will provide open access year round. BLM and FS have cooperated in providing access across the lands. He discussed the coordination efforts at Meeteetse Spires. The groups want to see enforcement of the rules.

**Robert Lubbers:**

Discussed wind energy development and the benefits versus the trends and effects of this form of energy technology.

Issue: Wind Energy Potential

Main points:

1) Montana is referred to as the "Saudi Arabia of wind" yet, since the first wind energy farm at Judith Gap (October 2005), wind power development has been slow: only 375 MGW through May of 2011. Other states including, WYO, ND, OR, WA, MN and IA (in order) each added two, three or four times as much wind power production. Iowa added 3,000 MGW from 37 new projects in '08 and '09.

2) The major issue preventing increased wind power development in Montana according to developers is the lack of adequate transmission lines to move power within the state and to urban market places in other states that want renewable power.

3) Wind generated electric power costs more per/KWH than electricity from fossil fuel generated power plants as those fuels, particularly natural gas, incur lower price

fluctuations due to increased availability of newly discovered natural gas fields and more efficient extraction methods. However, advanced wind power tower designs and materials, drive trains (gear boxes, bearings etc.) and turbine blade weight reductions can provide more efficient power production/cost ratios; improved blade designs through aerodynamic research for quieter operation and adaptation to varying wind speeds will reduce installation costs, and improve power production efficiency per KWH.

Field Office/Location: All BLM field offices. A US Wind Resources Map, published by the DOE (2000) rates Montana's West in the Class 5, "Excellent" and Class 6, "Outstanding" Wind Power Class. Eastern Montana winds are rated Class 3, "Fair" to Class 4, "Good."

Does this issue have national ramifications? The U.S. Dept. of Energy research proposes that by 2020 the wind energy industry will contribute 100 Gigawatts of wind powered electricity to the nation's energy supply, displacing 65 million metric tons of carbon equivalents per year. Further, energy efficiency and clean renewable energy can develop a stronger economy, cleaner environment and greater energy independence for the country.

The mission of DOE's wind energy program is to improve wind energy technology through public/private partnerships to enhance domestic national economic benefit from wind power development and reduce the cost of wind power electricity to \$0.10 to \$0.15/kWh for Class 3 wind resources.

Predicted trends/ long-term effects:

1) Wind turbines kill bird of all species. Birds stand no chance when flying into rotating wind turbine blades.

2) Wind energy is a green energy source. Harnessing wind energy does not pollute the environment such as fossil fuels, coal or nuclear energy.

3) Wind energy is also renewable: the supply is practically unlimited.

4) Wind energy does ultimately come from the sun's nuclear fusion process. It may be trite but in other words, as long as the sun shines, we can harness wind energy

on Earth: this is not the case for fossil fuels, that is overly relied on in present world wide industrial countries. The increasing negative effects created by fossil fuel combustion processes through the release of carbon based gasses, leads to ever growing scientific assumptions that the burning of fossil fuels leads to irreversible “climate change.”

5) Good availability. Although some areas are better suited for harnessing energy from the wind, such energy can be generated at any site the wind blows. However, it all comes down to the proposition of the probability of being able to generate cost-competitive electricity with current tower technology in a particular area and whether that energy can be transmitted to areas of need .

6) Wind is unpredictable. The availability of wind energy fluctuates. Therefore, wind energy is in most cases not suitable for providing a base load of energy. This is why wind turbines should be used together with other renewables or even non-renewables to meet the power demand.

7) Are wind turbines cost effective? This question is debatable. Wind turbine technology is relatively new. In most cases these projects heavily rely on incentives to lower costs; blade and rotor manufacturing costs are typically 25 percent of the total turbine cost and innovative designs and research must be developed to minimize production and installation costs.

Recommendations to the BLM: To increase the deployment of renewable energy technology, federal lands are an option that the BLM needs to consider. Twenty-eight percent of the land in the US (650 million acres) is controlled by the Federal government.

Four agencies including the BLM administer 96-percent of Federal land. Because of their varied missions and responsibilities, these land management agencies have widely different procedures for permitting lands for wind energy development. The lack of uniform, consistent permitting processes has a negative effect and may discourage development of wind power projects. The BLM should develop a procedure to identify lands for wind energy development. The BLM should ease the permitting process to encourage greater interest and investment in wind power energy resources.

Sustain or Improvement needed? President Obama’s call for the United States to attain 80 percent of its electric power from “clean energy” sources i.e.; wind power

energy, by 2035 suggests at the very minimum that the BLM as one of the four agencies entrusted (page2) ...with administering public lands should start studies to determine which public lands can be used as wind power generation sites without impacts on wildlife particularly birds.

If the US Dept. of Energy intends to attain its goal of reaching 100 gigawatts of wind powered energy by 2020 the BLM will need to coordinate its plans with that Agency as well and if planning for these goals is not being shared by these two agencies, then the question must be asked why not and how can this be done?

Other: The following official BLM policy regarding migratory birds presumably has counterparts in other agencies entrusted with administering federal land. If not the agencies--specifically the BLM-- should undertake coordination procedures to accomplish a universal policy for the protection of migratory birds and other wildlife at wind power sites present and projected.

SOURCES: UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT WASHINGTON, D.C. 0240 <http://www.blm.gov> December 19, 2008 In Reply Refer To: 2800 (350) P EMS TRANSMISSION 12/22/2008 Instruction Memorandum No. 2009-043 Expires: 09/30/2010 To: All Field Officials From: Director Subject: Wind Energy Development Policy Program Area: Right-of-Way Management, Wind Energy. Purpose: This Instruction Memorandum (IM) provides updated guidance on processing right-of-way applications for wind energy projects on public lands administered by the Bureau of Land Management (BLM). Wildlife and Migratory Birds. In July 2003, the Fish and Wildlife Service (FWS) issued "Voluntary Interim Guidelines to Avoid and Minimize Wildlife Impacts from Wind Turbines." The guidelines are currently being reviewed by a Wind Turbine Guidelines Advisory Committee established under the Federal Advisory Committee Act (FACA) to provide further advice and recommendations to the Secretary of the Interior (Secretary) on effective measures to avoid or minimize impacts to wildlife and their habitats from wind energy facilities. The voluntary interim guidelines are not mandatory requirements in BLM land use plan decisions. Until the Secretary determines the applicability of final guidelines for the Department of the Interior (DOI) agencies, the FWS interim guidelines should only be used as a general guide to assist the BLM in siting decisions and the design of pre-development surveys, mitigation measures, and post-construction monitoring for site-specific projects. The BLM Washington Office Instruction Memorandum 2008-050 (December 18, 2007) provides interim (Page 3) guidance for Federal responsibilities under the Migratory Bird Treaty Act. This guidance addresses analysis of BLM land use planning decisions to avoid or minimize measurable negative impacts to migratory bird populations. The BLM guidance on migratory birds and the FWS guidelines may be used for site-specific wind energy projects to assist in developing mitigation measures for avoiding or minimizing impacts to wildlife and avoiding or minimizing measurable negative impacts to migratory birds. The BLM 6840 Manual also provides guidance on Special Status Species Management. From: Huffington Post, (dateline, Nov. 17, 2011) Wind Power: Voluntary Guidelines Proposed To Avoid Bird Deaths WASHINGTON — (Feb 8, 2011) The US Fish and Wildlife

Service Tuesday proposed voluntary guidelines for onshore wind energy developers to avoid bird deaths and other harm to wildlife as part of the Obama Administration's push for renewable and clean energy. "We have a responsibility to ensure that solar, wind and geothermal projects are built in the right way and in the right places so they protect our natural and cultural resources and balance the needs of our wildlife," Interior Secretary Ken Salazar said in a statement. Bird advocates who had lobbied for mandatory standards warned that the new guidelines would do nothing to stem bird deaths as wind power builds up across the country. President Obama has called for the nation to get 80 percent of its electricity from clean energy sources by 2035, and renewable sources are expected to play a key role in that effort. The American Bird Conservancy said that the wind industry's goal of providing 20 percent of the nation's electricity by 2030 would lead to a million bird deaths a year or more. A 2005 Forest Service report estimated that 500 million to possibly more than 1 billion birds are killed in the U.S. every year in collisions with manmade structures such as vehicles, buildings, power lines, telecommunication towers and wind turbines. The report estimated that 550 million are killed by buildings and 130 million by power lines, while only 28,000 are killed by wind turbines; a 2009 report by Fish and Wildlife scientist put the figure at 440,000 annual bird deaths by wind turbines. "With proper diligence paid to siting, operations and management of projects, it is possible to mitigate for adverse effects" on wildlife, the guidelines say. "This is best accomplished when the developer coordinates as early as possible with the US fish and Wildlife Service and other stakeholders." The agency is also proposing new voluntary guidance aimed at preventing deaths of bald and golden eagles. Handouts: none. *Bibliography ;*  
1) *Wind Power--Today and Tomorrow, US Dept of Energy "Energy Efficiency and Renewable Energy, March 2004 DOE/GO102004-1894* 2) *Chicago Tribune.com "Wind Farm's Biggest Victims: Bats"March 1,2009'*  
*Gerry Smith, Chicago Tribune Reporter, 3)Avian Mortality at Communications Towers: A review of Recent Literature, Research and Methodology. March 2000; Prepared for US Fish and Wildlife Service, Office of Migratory Bird Management, Paul Kerlinger Ph.D, Curry and Kerlinger LLC P.O. Box 453 Cape May Point NJ 082124)*  
4) *Wind Power: Voluntary Guidelines Proposed To Avoid Bird Deaths Huffington Post, (dateline, Nov. 17, 2011)*  
Prepared by Robert Lubbers (245-2970); [rslubbers@q.com](mailto:rslubbers@q.com)

**Cal Cumin:** no comment

**Bill Kennedy:** no comment

**Doug Kary:**

Doug visited with people to determine their impression of BLM. Comments centered on public access, but most are unable to explain it in specific concerns; some discussed land locked parcels and the rule not to jump corners. Jeep and ATV trail user groups would like an 'Adopt a Trail' program issued by BLM.

FS and BLM have closed many, many trails, they appear to not be used, but this is because industry has responded with 'tread lightly' OHVs. The groups requested that trails be identified that replace the trails that have been closed.

They would like to see the coordination of trails through public land managed by various agencies.

Doug was asked about Pumpkin Creek Ranch and Recreation site on a recent trip to Phoenix, quote, “what the hell are they doing there?” The groups don’t see anything happening on the site and opine that the area is overrun.

The firearm policy that is proposed to not allow shooting on public lands is a major concern of the users he talked to. Land swaps with the Nature Conservancy et.al. -- Which result in a National Monument or selected management that changes or limits the use of the lands was a concern.

Encouraged the coordination of getting all the public land agencies under ‘one roof’; National Park Service, BLM, USDA-FS and FWS to decrease the ‘head weight’.

Support public land for public good; eminent domain should not be used when public land is available. Private landowners shouldn’t be asked for power line easement if there is public land across the road.

Lance noted that an access issue exists in Prairie County Badlands and an OHV area. He suggested that if a motorcycle user group would coordinate with the landowners, BLM and OHV users to identify a lane across the private portion, access might be made available.

Doug responded that FS has adopted the trail program, OHV users have clubs and groups across the state that would be glad to work on this access issue.

Jim stated that if a road is not designated as open, it is closed. Road information will be on maps. It has been more successful to sign roads open versus closed; closed signs are often removed.

### **Open Discussion:**

Members and employees discussed;

Shooting ranges versus open shooting on BLM

Access sites, GPS use, definitions and issues

### **Next Meeting:**

April 4, 2012 in Billings (propose Weatherman Draw tour)

### **Future Agenda items:**

Sage Grouse updates

Travel Management

Access

Round Robin Briefing- members not in attendance at Dec. meeting

Pumpkin Creek Ranch and Recreation Area

PILT payments equitable according to Policy #13 and Federal Payment Land Act

Wind Energy (Harold to arrange for a speaker)