



# MONTANA/DAKOTAS BLM

Eastern Montana  
Resource Advisory Council

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## **RAC MEETING MINUTES: Billings, Montana: February 7, 2008**

**RAC Attendees:** Betty Aye, Jack Bailey, Howard Boggess, Mack Cole, Marian Hanson, Chuck Hauptman, Larry Pilster, Gerald Reichert, Bernard Rose, Carl Siroky and Kent Williams

**Staff in Attendance:** Elaine Raper, Jim Sparks, Mark Jacobsen, Chuck Ward, Wendy Warren, Joe Platz

**Not in Attendance:** Colby Branch and Darryl Olson

### **Billings Field Office Update (Jim Sparks):**

- **Pompeys Pillar:** A number of improvements have been made to Pompeys Pillar i.e.; a new entrance road, parking lot, entry station, amphitheater and landscaping. The BLM has approved filling a career-seasonal park ranger position which will be responsible for assisting the monument manager in the maintenance and operation of the Pillar.
  - The Pompeys Pillar Historical Association volunteers contributed 3,757 hours this past season. The volunteers staff the retail outlet store and present interpretive talks and on-site programs to visitors and numerous school groups throughout the season.
  - Pompeys Pillar will be open April 28 through October 25; and Clark Days will be held on July 26-27, 2008.

- 17-Mile Recreation Area: The 17-Mile area was closed in September of 2006 due to cleanup needed in the area. Regular patrols by the BLM ranger and volunteers, along with public acceptance of target restrictions, have contributed to the area staying open.
- Weed Program: The Billings Field Office has assistance agreements set up with Yellowstone, Carbon, Sweet Grass, and Musselshell County Weed Departments to treat noxious weeds on BLM grazing allotments.
- Lilly Pad Lake Trail Proposal Update: A meeting was held on January 10, 2008, with Jim Sparks and Jay Parks (BLM); John Gibson (Public Land Access Assoc); Traute Parrie, Jeff Gildehaus, and Steve Williams (FS); John Simmons, Ron Nusbaum, Ernie Strum, and Marilyn Simmons (Back Country Horseman); Margaret Webster (Montana Wilderness Association); Dick Moore and Jeff Bollman (DNRC); and Mike Penfold.
- The following points were agreed upon:
  - Establish a proposed trail alignment in the spring
  - State Lands will require a marked trail across their land
  - Forest Service would perform the trail alignment (with volunteers) this spring
  - BLM would provide a resource-grade GPS unit to map the alignment
  - A NEPA/MEPA environmental review process needs to be activated
  - Class III archeological survey will be necessary
  - Agencies did not currently have funding or priority to activate an environmental review
    - Environmental review could be accomplished by proponent or contract
  - Agency specialists would be available to provide input to the environmental review process
  - Agencies retain approval jurisdiction over environmental review
  - Agencies would develop an internal coordination process
  - Agency contact/coordinator would be the Assistant Field Manager, BLM, Billings Field Office

- Citizen cooperators would explore financing and approaches for accomplishing the environmental review
  - There is good potential for grants and citizen assistance in trail construction
  - BLM would install entering and leaving public land signs
  - The County and Fish Wildlife and Parks need to be brought into the cooperative project
  - A licensing from State Lands
  - The trail will not be open for motorized use
- Shepherd Ah-Nei OHV Area: Beginning March 15, 2008, special recreation permits will be required for all ATV's or motorcycles using the area. Proof of registration will be required for the vehicle the permit is being purchased for. Permits will be sold at the Billings Field Office and the Montana State Office Public Room.
    - Multiple Unit/Family Permit: \$105 per year
    - Single Unit Permit: \$35.00 per year
    - Day-Use Pass: \$5 a day
- Travel Management: The Horsethief Travel Management Plan should be completed by the end of March. The BLM is coordinating with the Forest Service on the Pryor Mountain Travel Management Plan. The expected completion date is the end of 2008. Weatherman Draw/Cottonwood will be the next priority area.
- Range: This year 31 permits/leases will expire; three of the permits are in the high-priority "1" category. Upland health assessments have been performed on the allotments and all are meeting the standards for rangeland health.
- Wild Horse and Burro Program: The Pryor Mountain Wild Horse Range evaluation has been finalized and released to the public. The purpose of the evaluation is to determine if current management objectives have been met and if the Herd Management Area Plan should be revised.
    - The current management level for the PMWHR is between 92 to 117 horses. At the present time there are approximately 160 horses on the range.
    - The BLM is the lead agency for the management of the PMWHR and is responsible for the management of the wild

horses and their habitat conditions, public consultation, and addressing comments regarding the range.

- The Forest Service and the National Park Service are the decision-making agencies for management actions on lands under their jurisdiction.
- Meeteetse Spires – BLM’s FY09 budget approved \$2.1 million for the acquisition of 560 acres in Meeteetse Spires, which is located southeast of Red Lodge. The appraisal process has just begun.

**Miles City Field Office Update (Elaine Raper):**

- RMP Update: The RMP is moving ahead and BLM will be selecting the preferred alternative. A meeting will be held in Miles City on April 9 for public input (meeting was subsequently cancelled; to be rescheduled in June). Written comments will also be accepted at that time and details will be announced via press release.
- Supplemental EIS for Coal-Bed Natural Gas: The SEIS amends the current resource management plan and is being prepared per court order to consider and analyze phased coal bed natural gas development. A public meeting will be held on February 20 at the Miles City Field Office for input on the air quality supplement. The comment period will remain open until March 13.
- Spring Creek Coal: BLM received an application from Spring Creek Coal Company requesting an additional 488 acres to their Federal coal lease. BLM is working with a multi-agency group (BLM, Fish Wildlife and Parks, and Department of Environmental Quality) to accommodate issues, both on and off site; and incorporate them in the EA for further analysis.
- Pumpkin Creek Land Exchange: There were 7 protests involving Pumpkin Creek and all were denied. BLM is moving forward with the land exchange and will solicit public input and involvement in planning the management of the area as the process moves forward. Timelines for area management plan processes are yet to be announced.

- Access: Miles City has an access team set up to identify lands and projects for public access improvement and facilitation.
- Range: Miles City will do 400 grazing lease renewals this year.
- BLM Reorganization: The Montana/Dakotas BLM is going back to a three-tier organizational structure.
  - The Miles City District will consist of the Billings, Miles City, North Dakota, and South Dakota Field Offices and the Malta District will consist of the Malta, Glasgow, and Havre Field Offices.
  - Each District Office will have a District Manager position and the Field Offices will report directly to the District Manager. There will be a District Manager position located in Malta and Miles City, Montana.
  - Timelines will be announced as the process moves forward.

### **BiFO Law Enforcement Brief (Chuck Ward)**

Chuck Ward, Billings Field Office Law Enforcement Ranger, gave an update on Shepherd Ah-Nei. He has been checking ATVs and motorcycles to ensure that they conform to the legal noise standard (96 db).

A seasonal employee will be working at Shepherd Ah-Nei this summer which will ensure more on-the-ground management of the area. The seasonal will check for fee compliance, mark routes open and/or closed, work on visitor counts, routine inspections, and manage volunteer groups on specific projects in the area.

The new permit program will be effective March 15, 2008 and permits will be sold at the BLM Montana State Office Public Room or at the Billings Field Office. All the money collected for the permits will go back to the area and will be used to manage, monitor, maintain, and improve the site.

### **Public comment session**

No public were present and the agenda was advanced to the next topic.

### **Possible Agenda Topics for Statewide RAC Meeting:**

Several topics were discussed as possible agenda items for the May meeting:

- Additional money for law enforcement on public lands; BLM must establish a department-wide policy mandating the resources to engage in appropriate mapping, trail marking, public education and ultimately enforcement.
- Identify a best permit timing system; streamlining the permit systems for efficient use of resources
- Noxious weeds

**Crooked Creek Project Briefing (Joe Platz and Wendy Warren):**

A concrete fish barrier was constructed on Crooked Creek, which is located in the Pryor Mountains transecting the Burnt Timber Wilderness Study Area.

The project will protect the genetic viability and integrity of the local Yellowstone Cutthroat trout population (a sensitive species in Montana) and will keep non-native trout from migrating upstream into the stream habitat to compete.

The contract was awarded to Bairco Construction from Lovell, Wyoming, in August 2007 and the project was completed in October 2007.

A PowerPoint presentation and video was shown on the Crooked Creek project which detailed the process of implementing the improvements, – without significant impacts in the WSA.

**Areas of Critical Environmental Concern (ACEC) for the Billings Field Office (Jim Sparks):**

Background discussion included: to receive an ACEC designation, an area needs to be nominated and must meet specific criteria of relevance and importance. Jim expounded on a list of the ACEC's for the Billings Field Office:

- Bridger Fossil Area; 575 public surface acres; designated in 1999
- Castle Butte; 185 public surface acres; designated in 1999
- East Pryor Mountains; 29,500 public surface acres; designated in 1999
- Meeteetse Spires; 960 public surface acres; designated in 1999

- Petroglyph Canyon; 240 public surface acres; designated in 1999
- The Stark Site; 800 public surface acres; designated in 1999
- Weatherman Draw; 4,268 public surface acres; designated in 1999
- Pompeys Pillar; 473 public surface acres; designated in 1996
- Four Dances; 765 public surface acres; designated in 2002

**Meeting wrap-up:**

- Darryl Olson has resigned. The vacancy will be filled during the spring 2008 RAC application period.
- The statewide RAC meeting will be held May 20-21, in Billings, Montana.
- The RAC will meet for 1-2 hours immediately after the statewide meeting to discuss notable topics and plan for the next meeting.



# MONTANA/DAKOTAS BLM

## Eastern Montana Resource Advisory Council

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### **RAC MEETING MINUTES: Billings, Montana: May 21, 2008**

**RAC Attendees:** Betty Aye, Jack Bailey, Mack Cole, Colby Branch, Ray Trumpower, Jack Bailey, Marian Hanson, Bernie Rose, Gerry Reichert, Larry Pilster, Kent Williams, Chuck Hauptman

**Staff in Attendance:** Jim Sparks, Linda Reder, Mary Apple, Melissa Dykes (notes), Mark Jacobsen (facilitator)

Housekeeping items discussed; travel vouchers; discussion regarding the next regular E. MT RAC meetings, group decided on the following:

Meeting Location: Miles City  
Date: Tuesday, August 26, 2008  
Social: Monday, August 25, 2008, evening  
Social Location: Mexico Lindo or Rib & Chop House (YTBD)

Meeting Location: Billings  
Date: Thursday, December 4, 2008  
Social: Wednesday, December 3, 2008, evening  
Location: YTBD

Other field trips and subcommittee gatherings: YTBD and as needed

### **Public comment session**

No public attended the public comment session.

### **Miles City Field Office Update (Linda Reder):**

- Discussion with RAC about the status of the Miles City RMP and comment period. Linda will get information on the RMP to the RAC specifically regarding the dates for selection of the preferred alternative.

### **Billings Field Office Update (Jim Sparks):**

- Lily Lake: Made some commitments with groups on projects; GPS trails, surveys, feasibility for parking area, etc.
- Billings OHV Planning deferred to the RMP – not true. Have completed all the high priority areas except Pryor Mountains and Weatherman Draw.
- Billings RMP and Pompeys Pillar: Have published NOI. BiFO has hired Team Leader Kim Prill. RAC is invited to participate directly on the RMP team, help formulate the alternatives, etc. BiFO will start scoping meetings this summer. Pompeys Pillar included. The RMP will be done in house. WSA study to be contracted out. Will look at all free flowing rivers and streams. RAC encouraged to participate in the ACEC process.

### **Discussion (Resource Management Plans)**

The RAC was tasked to designate persons to participate with the RMP team.

Participants would attend meetings and send out emails and other info. Members would go to as many RMP meetings as possible and report back to the RAC.

Linda – Regarding selection of the preferred alternative, Miles City is looking for broad involvement of the RAC as this is a really important aspect in the process. Jim introduced Kim Prill, RMP team lead. Mark suggested the group move to establish RAC representation for the respective RMP efforts.

- **Billings RMP reps: Bernard Rose & Mack Cole nominated by Kent Williams, seconded by Betty Aye. Vote carries.**
- **Miles City RMP reps: Gerry Reichert and Kent Williams were nominated by Larry Pilster, seconded by Ray Trumpower. Vote carries.**

### **Discussion (Pumpkin Creek)**

Linda headed discussion on Pumpkin Creek Ranch and Recreation Area interim management plan. The MCFO had a public meeting on the interim plan and got great interest and feedback; should be rolling out the draft in June. Plan Lead Jody Fossum will include the RAC on the distribution list for Pumpkin Creek. Previous meetings (2007) for the PCLE subcommittee were cancelled for weather and other reasons. The MCFO can entertain another field trip for the RAC if they are interested.

### **Discussion (Enforcement Letter)**

Jim headed discussion on previous RAC Enforcement letter: Recently people came in to the BiFO and stated there were new roads in the Pryors. We have somebody down there every day and Citizens Watch group is tasked to go there. Everyone on staff is enforcement, although not everyone can write a ticket.

The BLM ranger can write a ticket based on phone information. The office is going to revisit enforcement. The BiFO is going to do more signage. Further discussion included violator percentages and putting responsibility on OHV groups to report violators back to

the BLM; USFS policy planning on the basis that everything (roads) is closed unless there is a sign saying it is open which takes away the incentive to remove signs. In the RMP there is a set date for existing roads determination and if it's not on the map later it's a new road.

### **Assignment (Resource Management Plans)**

Miles City Access subcommittee tasks were discussed; there is a need to identify public areas within the MCFO jurisdictional area that should be emphasized and concentrated on for access projects and action including; gaining access, clarifying access, promoting easements, possible land exchanges, etc.

- **RAC was tasked with assignment to talk to their respective publics and get a feel for those areas that would be priority zones for MCFO access group to concentrate on. RAC to try to quantify that interest for BLM.**

RAC is to correspond with Mark by email or postal. Access Team will take those recommendations into account and forward to MCFO FMT for prioritization and action.

Ray asked about status of the Terry Badlands Scenic Overlook road. Road is a Prairie County Commission issue; given road's history and public moneys spent on its maintenance. The new landowner (on whose property the road crosses) terminated a voluntary agreement with 30-day written notice as per the conditions of the agreement.

### **Discussion (Assignment from Joint Meeting)**

The RAC assigned themselves a product in the joint meeting; group needed to follow up with discussion. Topics included: emphasis placed on patrols, rangers, enforcement and weed control, lack of response and follow-up. Normal process for letters would be Director to SD to FM and would reply back with information. Discussion on need for RAC to nominate a secretary/chair to represent the group in correspondence.

### **Discussion (RAC Chair Position)**

General discussion about a Chairman position:

- how to run meetings with a chairperson;
- could call the person a secretary;
- could designate a person for each situation;
- advantages of having a chair;
- duties of the chair;
- don't want that person to be more powerful than the rest of the committee;
- nobody wants a person who runs things unilaterally;
- assigning spokesperson by situation, by area of specialty;
- shuffle the position;
- could lead to segregation of group/represented interests;
- rotate the duty on some other basis indifferent to areas of specialty.

Mary Apple checked the RAC charter regarding the chair position. Charter states that the RAC will elect its own officers from among members annually at the beginning of the calendar year. The E MT RAC was formed about 1995; were called District Advisory Councils and Grazing Advisory Committees before that.

Past history for E MT RAC regarding chair position was that no member would be any more powerful than any others and that the facilitator would direct the meetings. Mary made comment that the chairman --at the meetings she has attended-- plays a very small role; hard to tell who the chairman was, it was not like they ran the meeting. More like a RAC point of contact, a person to sign the letters or review the minutes.

RAC comments:

- group might write more letters if it wasn't so cumbersome;
  - you can call the person what you want; secretary, contact, etc. --as long as everyone knows the responsibilities of the position,
  - it lowers the possibility of that person gaining too much power;
  - if elected every year, it gives a mechanism for control.
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- **Larry nominated Kent to be the Chairman, motion was seconded by Bernie. Vote carried.**
  - **Kent volunteered to write the letter for the RAC and forward it for approval to the group, then sign it.**

Colby commented more on that day's state-wide RAC meeting, proposed asking for a representative of WO to come and discuss at the next RAC meeting. More discussion on WO priorities and getting responses to letters.

## **Discussion (Wild Horses)**

General group discussion ensued regarding wild horses; including increasing instances of abandonment, locally due to high feed prices, market glut and lack of slaughter facilities.

Jim expounded on BiFO herd plan revision. Wants to have it out in June for public comment and draft. BiFO is doing a small gather this summer with bait trapping to time it with the adoption in Billings. Pryor horses are pretty popular; horses get three chances on adoption and then go to long-term holding. If a horse is over 10 they go to long-term holding. A lot of the BLM horse budget is going to long-term holding. High profile "extreme makeover" TV program training of horses – those horses sell for thousands of dollars.

Birth control measures also discussed. The BiFO is going to change the way it's administered, i.e., give it to the horses when gathered them instead of chasing them around darting. Inoculation would be required once every 4-5 years birth control won't affect the fetus if they are already bred. Plans in future to gather in the winter. The

horses are all in one spot in the winter – don't have to run them all over the mountain. BiFO is working with a horse group in Lovell.

### **Wrap-up**

- Short discussion: future field trips to Shepherd Ah Nei, Pumpkin Creek, etc. Will offer times and dates to the RAC for consideration.
- The meeting adjourned at 2:35 pm.



## MONTANA/DAKOTAS BLM Eastern Montana Resource Advisory Council

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### **RAC MEETING MINUTES: Miles City Field Office: August 26, 2008**

**RAC Attendees:** Ray Trumpower, Betty Aye, Kent Williams, Bernard (Bernie) Rose, Marian Hanson, Jack Bailey, Mack Cole, Howard Boggess, Larry Pilster, Chuck Hauptman

**Staff in Attendance:** Jim Sparks, Elaine Raper, Mark Jacobsen, Donna Bradley, Craig Drake, Debbie Johnson

**Not in Attendance:** Colby Branch, Gerald Reichert, Carl Siroky

#### **Introduction and housekeeping**

Mark welcomed everyone to the meeting. The BLM is changing to a new computer accounting system and the department will be in a travel "blackout" until the first of the year. The next meeting will be scheduled when the travel ceiling is lifted. Travel authorization forms were provided and the process was explained, noting that payment may be slower than before.

Mark handed out the response letter to the RAC from a previous council-drafted letter to the director. The letter was from BLM Director James Caswell stating his views regarding the RAC's concern for adequate law enforcement on public lands.

#### **Billings Field Office Update (Jim Sparks):**

The BLM commitment for projects at Lilly Lake has been met. The boundaries have been marked and a feasibility study for a parking area has begun.

The Signal Mountain Coal Mine has applied for a permit and is starting a rail line. This underground mine will be one of the largest of its type, BLM minerals are affected, but no surface acres are included in the request. The application is for work to begin in two years. The leases are within the mine boundary, there may be water quality issues. The company will contract for completion of the Environmental Assessment.

The Billings Motorcycle Club owns land within the Shepherd Ah Nei recreation area; they have requested a land exchange for BLM located next to the current club site.

Bernie showed pictures he'd taken of the Shepherd Ah Nei area and praised the office for using the fees collected to enhance the site; more signage and fencing is planned. An anonymous person has purchased the land providing good access to the Weatherman Draw. They will donate it to the BLM to manage as an ACEC and will have some stipulations in the deed regarding care and use.

Chuck questioned the length of time to process an application and the costs incurred by O&G companies for drilling oil and gas wells, especially exploratory wells; specifically Spyglass Well. Dave Breisch provided an explanation and history of the well in question. Mack requested the O&G committee to have a meeting with BLM to become familiar with BLM standards and the process for issuing permits.

Mark will provide electronic or hard copy information regarding best management practices and the topic will be on the next meeting agenda. Jack Bailey expressed concern with doing the work first and paying later, recommended making sure agreements with affected landowners were in place up front. Mack stated the companies do understand the importance of surface and subsurface disturbance and mitigation issues and that excellent communication is a primary factor in positive outcomes.

### **Miles City Field Office Update (Elaine Raper):**

Sage Grouse are an issue at the national level. Members viewed a PowerPoint presentation regarding O&G and Sage Grouse habitat in the Cedar Creek Anticline. She is looking forward to the meeting with the O&G committee. The minerals division is working toward management of well applications as a package.

The Pumpkin Creek tour will be in the afternoon. The exchange for the last 2,000 acres continues. Because time elapsed on the initial appraisal a reappraisal is being done now. Prairie County is to determine if the Terry Scenic Overlook road is a county road or not. When that is determined, the BLM will then address the access issue as it stands. The MCFO Access Team is identifying sites that can be improved or developed.

The National Turkey Federation is supporting a habitat improvement area in the Knowlton area. Plans are for a prescribed burn of about 7,000 acres; however a wildfire in the area may affect this plan.

Chuck had a Tongue River water study pamphlet for the members to review and passed copies around.

### **RAC BiFO and MCFO RMP subcommittee reports**

Larry asked the status of the RMP. Elaine stated that the alternatives for Sage Grouse are being finalized. The fall travel blackout may cause some delay in the process due to limiting opportunity for collaborative meetings.

Bernie was pleased with the efforts of the Billings office RMP panel. He attended some of the scoping meetings and now the group will meet twice a month, cooperation and communication is making this a positive process. Mack questioned why the long time frames in completing this workload. He attended some of the scoping meetings and appreciated the specialist's answers.

Jim stated that they didn't offer a formal presentation at the scoping meetings; they introduced the issue and then took public comments. The plan will address management on a landscape basis, sites and roads will be developed through other processes. The scoping report will be done the end of September.

Larry stated that the Sage Grouse population on his ranch was affected more by drought, winter, foxes and eagles. When the fox got mange and the land improved, the population increased, and the birds are not located in sagebrush areas, he said. He also noted that there is a group striving to end issuing ten year permits, they would like permits to be issued annually.

Elaine stated that the paperwork process is in place for meetings in the fall with the collaborators regarding the RMP. The meetings will be postponed until travel authority is given. Mack asked if the meetings could continue, but payment requests not issued until later. He would like to see the process continue moving forward.

### **Pryor Mountain Wild Horse presentation (Howard Boggess)**

Howard requested time to present a PowerPoint of the Pryor Mountain wild horses. He would like to see the herd allowed to stabilize around 200 horses to preserve the gene pool. He wants additional land to be made available for the herd, possibly water sources to be developed to encourage grazing in the mid-mountain acreage. He noted that he is against chasing horses with aircraft and will try to determine the affects of fencing on the herd by researching the progression of ranching in the area.

### **Cedar Creek Anticline briefing (Elaine Raper)**

Elaine presented a PowerPoint on the Cedar Creek Anticline briefing that was shown to MSO. The office is improving the RMP to address the cumulative effects for Sage Grouse, yet will be open enough to cover species that have yet to be identified as a concern.

### **Public comment session**

No public in attendance wished to comment during the public comment session.

## **Oil and Gas related discussion**

Dave Breisch spoke to the concerns of Chuck regarding the Spyglass Well. Chuck wondered why the BLM standard for the road exceeded what was required of the state and county, the expense to the company exceeded \$35,000 and then they will incur the cost of rehabilitation for an exploratory well that may never produce.

Dave explained the company had proposed multiple access sites for the road; the chosen location required an engineering evaluation due to drainage and soil issues. BLM feels that most disturbance occurs at drilling time, the conditions during the time of the drill may be wet or dry so best management for the public land is practiced.

The well in question required consultation with USFWS because of a prairie dog town and with the Corps of Engineers for the soil and drainage concerns. The MCFO received the NOS in February, completed a field visit in March and received the APD on May 30. The APD was incomplete and was returned for additional information.

The corrections were received August 18 and the permit was issued August 20. The mandates for the BLM and other organizations and agencies that issue permits vary, their missions/mandates vary. The BLM is required to manage the public land for multiple uses. Chuck wanted the cost versus benefit be considered for the companies and that customer service to the companies be improved.

## **Pumpkin Creek Ranch and Recreation Area tour**

The RAC broke for lunch, met back at the MCFO at 1:30 p.m. and departed for a tour of the Pumpkin Creek Ranch and Recreation Area.

The RAC was briefed on several issues while on site by Rangeland Management Specialist Jody Fossum and Field Manager Elaine Raper including; access points for vehicular traffic, possible locations for an OHV area, boundary signing, grazing and haying issues.

The RAC also had Law Enforcement Ranger Lori Harbaugh assisting with questions. The group returned to Miles City and adjourned the meeting at approximately 4:00 p.m.

## **Wrap-up**

Next meeting: first part of 2009 (YTBD) in Billings as per the travel restrictions noted earlier.