

Western Montana RAC Meeting Notes
Butte Field Office
2/10/2010

RAC Members Present: Wayne Farley, Nate Finch, Steve Flynn, Michael Gibson, David Hooks, Russell Kipp, Jack Kirkley, Mack Long, Mitzi Rossillon, Sam Samson, David Schulz, O. Alan Weltzien

RAC Members Absent: Francis Auld, Karolin Jappe-Loendorf, and Bryan Rowder

BLM Staff Present: Tim Bozorth (Dillon Field Office Manager), Nancy Anderson (Missoula Field Office Manager), Rick Hotaling (Butte Field Office Manager), David Abrams (Public Affairs Specialist)

Guests: Joni Packard (Forest Service - Regional Recreation RAC Coordinator and Fee Program Coordinator), Janne Joy (BLM Access Program Manager)

The meeting was called to order at 9:15 a.m., administrative details were taken care of and introductions were made.

RAC Overview: Mack Long

The Department of the Interior established the Bureau of Land Management (BLM) Resource Advisory Councils or RACs in 1995 as a forum for local citizens to provide advice and recommendations to the BLM. A RAC consists of local residents of a variety of backgrounds, but who share an interest in public lands. Each RAC consists of representatives of three broad categories, which are: commercial and commodity interests; environmental, historical, dispersed recreation, wild horse and burro; and state and local government, tribes, public at large. Council members vote on recommendations related to public land management and provide them to the designated federal official, who serves as liaison to the RAC. There are twenty four RACS in the western states, four in the Montana/Dakotas, the RACs meet two to four times per year, rotate between Field Offices (Dillon, Missoula, and Butte), and occasionally a two-day meeting is held. Notice of the RAC meetings are published in the Federal Register thirty days in advance and also in local newspapers so the public can attend if they so chose.

RACs assist in the development of recommendations on issues on public land and resource management. The RAC is an advisory council and not a decision council. They address a variety of public land issues which may include fire management, OHV use, land use planning, oil and gas exploration, grazing, and legislation. The RAC also gives recommendations for ecosystem management, concepts, principles, and programs—basically anything that affects BLM grounds. They assist the BLM in establishing landscape goals and objectives. The RAC also provides feedback from the council meetings to local interests.

Each RAC has a chair. The Federal Advisory Committee Act, which provides the legal authority for the RACs, stipulates that each RAC should elect officers from among its members; therefore councils elect a Chair and Vice Chair to serve for a year. Meetings are conducted using standard meeting rules, meetings are recorded and minutes are later distributed to members and posted on the BLM website, so they are available to the public. The next meeting location and potential topics are discussed at the end of the meeting. A quorum must be present to vote. At least three members from each of the three categories must be present to constitute a quorum. The way the votes are tallied is “thumbs up” if you are in favor and “thumbs down” if opposed.

“Thumb sideways” will be accepted if you are unsure on any issue. The RAC strives to reach a consensus. The BLM reviews the RACs recommendations and fully considers them in their decisions regarding public lands and resources.

RAC members’ personal information is not distributed to the public unless they sign a waiver.

Meetings are open to the public and members of the public can make oral and written statements to the RAC during the public comment period. The public can only observe the RAC without comment outside of the public comment period.

Members serve three-year terms. The Secretary of the Interior may appoint members to an additional three-year term. RAC members serve without salary; however, travel expenses are reimbursed. Travel and per diem expenses are paid at the current rate for government employees.

Sometimes subcommittees are created and members may serve on those subcommittees to study and develop recommendations on specific issues, then later bring their findings to the full council. Subcommittees are formed in response to a petition by a local citizen or by a motion of the council.

Access Program Manager for BLM Montana/Dakotas: Janne Joy

There are a lot of access needs in western Montana and the State’s top directors recognize the need to have a focal point for an access initiative, so Janne was hired six months ago. Janne wanted to give us some of her observations in these initial months, answer any questions and receive comments regarding access. Her observations cover three major areas, with the first being, the BLM’s need to take care of the access it already has. Some ways to do this include signing, replacing signs, getting information out to the public, maps, and designating entry points. Those entry points could be similar to block management entry points and could include boxes with maps and GPS information. The BLM is trying to be more efficient with the resources we do have. Janne said the Field Managers would be your primary points of contact for any ideas on specific locations. User education is also part of taking care of our access. The BLM, Forest Service (FS), and others partnered in the Respected Access is Open Access Initiative. It is fairly new and came out of Tread Lightly. It came from the Federal Lands Hunting and Shooting Sports Round Table, the memorandum of agreement between federal agencies. There is a Tread Lightly website, which is similar to FWP’s website in that there is a hunter landowner stewardship project where an entity can get a certificate of completion. Oftentimes, access is blocked because gates are left open, or someone used a route to drop off old appliances, that were then used for target practice. When Janne queries people, they say the problems only come from maybe 10-15% of users but they make things so difficult for everyone; that is a challenge for the BLM. Many of the user groups want to help with those challenges; they are always looking for a work project. Janne said she is the focal point for that, if she knows that there is a situation where the BLM could get access, but the landowner is hesitant in one or two areas, she can connect the groups. For example, she can ensure success by connecting the landowner with groups that will provide funding for cattleguards or other access over a fence.

Her second observation is that Montana groups are all going in the same direction. They all agree that better access is very desirable. Access used to be done by handshake agreements, but we don’t have that friendly-neighbor type of attitude in every situation anymore. Janne said all of these groups want to come together. She can help focus entities in the right way to gather support for issues for which they may need funding. BLM is glad to participate in block

management, which has been very successful. Janne is meeting with the DNRC in Helena on a Memorandum of Understanding that will facilitate reciprocal rights between the BLM and the DNRC on state school section lands, so we can work between the two sovereigns and facilitate access being exchanged. Montana Access Guide was a wonderful cooperative effort between Federal and State agencies. It gave us information to explain to people why access is different on state lands and federal lands. This brochure is usually available in all BLM offices and we want to continue that cooperative relationship. FS, BLM, DNRC, FWP will be meeting in Helena at the end of the month to talk more about cooperative relations and how we can create better access when we have to go across multiple ownerships. Janne said BLM land is often land that was leftover. Bottom land was patented out, the mining claims were patented out so we can't get from the county road in the bottom to the uplands that the BLM or FS administers. Janne wants to help get access to that county road.

Her third observation is that land acquisition is a very important issue. Her 27 years of experience are an asset to BLM to figure out how to tackle any one particular problem. Many times, a road may go through a ranch, then cross on to public lands, than go back on to the ranch again, so reciprocal rights are just as important to that land owner as they are to us as a federal land manager. The BLM can look at the whole spectrum of acquisition opportunities and we may end up purchasing a portion of a property, however we don't want to leave uneconomic remnants. The BLM can go after federal funding, or other partnering individuals such as Canyon Ferry Trust, Rocky Mountain Elk Foundation, The Trust for Public Lands, The Nature Conservancy, or The Conservation Fund. There is a litany of individuals who would love to partner with the BLM and can do the lobbying that we cannot do. They can help the BLM to secure the funds to help us acquire that piece of property that provides access.

David Hooks asked if the BLM can just purchase an easement instead of buying all of the property. Janne said yes we can and it is certainly one of the options. FWP has some money that the BLM may be able to tap into for road or trail easements. Janne said the BLM does not have an appropriation just targeted for access. The BLM is hoping that this administration finds access important enough to request congressional appropriations; right now we are just being creative. Land exchanges are another way to gain access, however they do take a lot of time.

Nate Finch asked if some of the small isolated tracts that the BLM cannot gain access to, and that are hard to manage, could be put up for sale to raise funds to purchase access. Janne said we do have that authority and that the State Director is looking at a term position to do just that. Janne said that access will not be used for the BLM to be land barons and buy up all available land. Nate asked about the process for deciding what parcels of land would be put up for sale. Tim explained that the Field Offices categorized land into three categories in their resource management plans based on their disposal status. The three categories include lands that would never be considered for disposal, lands that in general would not be up for disposal, but may be considered in some circumstances, and a third category of lands that are unmanageable isolated tracts that are identified for disposal. Currently, depending on the date that Field Offices' RMPs were completed, the money Field Offices receive from selling land goes back into the general treasury. This means there is not a lot of incentive to go through the process of selling lands, but there is a piece of legislation that is up for reauthorization that may change that. Steve Flynn asked if the BLM can do land exchanges. Janne said we can do land exchanges and there are usually no funds transacted in a land exchange because the land is of equal value.

Sam Samson asked if it is possible to exchange lands with the FS. Janne said it is called a jurisdictional transfer and typically requires legislation. Sam also asked if wildlife access was considered when access is considered. Janne said her role is typically to bring the public to the edge of public lands and would defer to the Field Managers when it comes to wildlife issues. The BLM does have wildlife-friendly fencing standards.

David Schulz commented that access is a big issue for counties and as a commissioner he supports the public's right to access our back country, but at the same time there is a weed issue. There is a lot of problem with movement of weed seed with access. David gave some examples of access issues in Madison County involving roads.

Janne said the BLM is not typically a public road maintaining entity and we usually look to the counties and their attorneys to take on the opening of historical routes. We can provide information and historical records, but it is very hard for us to do the court action that is required to open a road. Sam Samson commented that the BLM records are really phenomenal. Jack Kirkley commented that there is good support for getting parcels as long as the public can see value for value and don't see diminishing acreages. He also noted that there are signage issues and it is hard to know if you are on public land without using GPS. He realizes that signs disappear.

Butte Field Office Update: Rick Hotaling

Whitetail Basin Permit Renewal and Restoration – We expect to issue proposed decisions in March to address issues raised in this area located just east of Butte and north of Whitehall during the course of 2009 land health assessments, and to outline details and projects in renewal of grazing permits in three allotments in this area. Supportive partners include Jefferson Watershed Council and the Jefferson Sportsmen's Association. Other publics have shown limited interest, though we've received one opposition comment letter. Projects include developing a commercial firewood area, forest health treatments, stream crossing and riparian restoration work, aspen restoration, and potential prescribed fire.

BFO Weed Management – We are coordinating the annual operating plan for treatments this field season. We'll have a two-person seasonal spray crew (this is one more than funding allowed last season) supplemented by other on-board staff who have certifications. Also, we have provided funding to seven counties to assist in control efforts across the BFO. We'll be planning treatments by moving through our Weed Management Areas established in the Weed Plan and EA finalized in the spring of 2009.

North Hills Shooting Issue – The EA was completed and a public information meeting was held in Helena. Most all comments were in support of the proposed shooting restriction. We are working with the Montana State Office on creating implementation regulations to submit back to DC for review and approval.

Wise River Project – In 2009 we implemented mastication (conifer removal) in five units of our Wise River project under a contract with Healthy Lands funding, treating 240 acres. The Wise River project area lies on the south side of the Big Hole River between Divide and Wise River, and has multiple objectives to restore habitat, reduce fuels and improve forest health. Butte now has a finalized Stewardship Agreement, and treatments will continue this summer and fall using Rocky Mountain Elk Foundation grant funding, BLM Healthy Lands funding, and any generated product value. We expect a couple of our units this year to yield product, though value will be minimal due to the economy.

Graymont Mine EIS – The final EIS will be available in the Federal Register in the next 4-6 weeks. The Record of Decision is planned for release 30 days after it comes out in the Federal Register.

Scratchgravel Hills Fuels Treatment – We awarded a stewardship contract for work within the Helena Valley, starting with the Scratchgravel Hills area. This stewardship contract is not tied to a specific project site, but allows us to develop annual work on projects within the area based on funding. This is an Indefinite Delivery, Indefinite Quantity type of contract that has a term of 10 years. It is the first time we have used this type of stewardship contract to allow us to address fuels issues within the wildland urban interface.

Jerry–Johnson Creek Project – This project area is on the north side of the Big Hole River, extending from Divide to the Anaconda cut across highway. We'll be collecting information this field season (2010) and do a Land Health Assessment on the Jerry Creek allotment so we can move forward with planning. This effort is part of the Butte Forest Restoration Strategy in joint partnership with the Forest Service, DNRC and adjacent private landowners if they are interested in being involved. Along with the Wise River Project, this area comprises our Healthy Land Initiative area.

Travel Plan Implementation – Five travel plans were completed during the RMP process. All five were appealed, and eventually upheld by the Interior Board of Land Appeals, so we can begin implementing these plans. The highest priority areas will be 1) Scratchgravel Hills, where the area is being closed to motorized use; 2) East Helena Travel Planning Area near Hauser Lake, and 3) Big Hole Travel Planning Area.

Causeway Land Exchange – This land exchange is nearly completed and will exchange 20 acres of Federal land for 34 acres of non-Federal land and interest in land owned or optioned by PPL Montana, LLC (PPLM). The exchange will protect the investments made by PPLM and the BLM at the White Sandy Recreation Site on Hauser Lake, provide additional recreational opportunities on Hauser Lake and protect the visual resources enjoyed by Hauser Lake recreationists. It will also consolidate existing Federal land ownership and lakeshore frontage and eliminate small and isolated Federal parcels that have minimal public resource values and high relative administrative costs.

Great Divide ARRA Project – This is a CERCLA project involving both the BLM and DEQ, where both agencies have a need for a repository for mine waste. The BLM portion is the Great Divide Sand Tailings Reclamation Project located near the town of Marysville, on the Great Divide Ski Hill.

Browns Gulch Acquisition – This project is located near Hauser Lake and Canyon Ferry and includes two parcels of 37 acres and 66 acres. The primary purpose of this acquisition would be to protect important resource values with high subdivision potential given its close proximity to the lakes, acquire and improve important wildlife habitat near the Missouri River corridor, and develop and enhance public recreation opportunities.

Range Permit Renewals and Land Health Assessments – We are working on renewing 13 grazing permits on 17 allotments this year. These allotments are at the end of their 10-year permit cycle. The land health assessment was conducted on these permits in previous years. Out of these allotments, 10 did not meet standards (only four were livestock-related). Most issues were related to water quality issues from the State's impaired stream listing. We are planning on continuing land health assessments this coming field season.

Nate Finch asked about the grazing allotments that did not meet standards and Rick explained the steps the Field Office may need to take, if any, to bring those allotments up to

standards. Steve Flynn asked if the three Field Offices had a program, plan or initiative to look at forest health issues relative to the mountain pine beetle. He wanted to know if there was a program, similar to the FS, to assess the condition of the timber lands. He feels the issue needs to be dealt with. Rick said that every project the Butte Field Office does takes into account bug infestations. They are not separately assessing where the infestations are, because they are everywhere and the BLM is treating everything as one unit for land health. One of the driving priorities for the BFO is forest health and the mountain pine beetle is a component of that.

Tim said forest health has been integrated into watershed assessments and forest treatments are forest health driven. They have been as proactive as possible, but they cannot keep up. Several timber sales have been driven by forest health issues, but there is no market for the wood.

Nancy said the BLM does not have an overarching program like the FS does, the forest program in MT/Dakotas is relatively small. MFO is doing watershed assessments and laying out plans, then the bugs expand and they are back to planning.

Missoula Field Office Update: Nancy Anderson

Resource Management Plan Revision

We are scheduled to be the next Field Office in the Montana/Dakotas BLM to begin our plan revision. We are currently working on our Prep Plan and hope to have the draft completed by May. We are also in various stages of contracts to collect necessary data for our analysis. The official revision will begin when funding is available.

Ecosystem Management at the Watershed Scale (EAWS)

We have completed the Marcum Mountain EAWS. This assessment covers approximately 13,000 acres of public land. We held a public meeting last April in Ovando to discuss the project. In December 2009 we sent a scoping document out to the public and we are currently working on the Environmental Assessment (EA). The EA/Decision Record is scheduled to be completed in the spring of 2010.

Multi – agency Integrated Restoration Strategy (MA-IRS)

This effort, being led by DNRC, is focused on bringing various state and federal agencies together to work on priority landscapes. The group has identified an area in the Blackfoot as its second project area. The project is entering its second year. They're currently refining maps with actual proposed projects including actions to reduce fuels to manage wildfire risk, salvage insect mortality, or manage stocking and species for forest growth and yield, manage weeds, etc. There have been several public meetings to include private landowners in the project area.

Blackfoot Community Project

The Blackfoot Challenge, in partnership with The Nature Conservancy, is in the final phase of the Blackfoot Community Project. This is a community-based and locally developed effort to guide the future ownership and management of key lands formerly held by Plum Creek timber. In total, the Nature Conservancy acquired 89,000 acres of land in the upper Blackfoot Valley. These lands are being re-sold by the Conservancy according to a community-driven plan. Some lands go into public ownership and others to private ownership with safeguards to protect community and conservation values. To date, the BLM has acquired 6,462.41 acres in the Marcum Mtn. area and 4,755.37 acres in Chamberlain Creek. To date, the BLM has expended over \$14 million in LWCF for the project. There are two remaining sections of land in the Chamberlain area which we will acquire through an assembled land exchange.

Grazing Management

Ram Mountain Allotment – We have been having a series of meetings with our lessee and three extension agents to develop a grazing plan for the allotment. Our rangeland health assessment showed that it was not meeting standards and we have been working cooperatively to develop alternatives to consider in our EA. The EA is nearing completion.

Lease Renewals – We are finishing an EA covering 21 lease renewals.

Weed Management

Last June, we issued our decision on our Integrated Weed Management EA.

Clark Fork Integrated Weed Strategy

The Department of Interior and ARCO have signed the Consent Decree for the Clark Fork Superfund site. The Missoula Field Offices manages 15 tracts along the Clark Fork River which were covered by the decree. We have received approximately \$300,000 as part of the settlement which will be used to treat weeds. The Consent Decree was the result of over 10 years of negotiations. Through an assistance agreement with Missoula County, we completed a survey of the Clark Fork to map weed infestations as a first step in the process.

Forest Management

Bear Creek Flat Stewardship Project – This project is in an Area of Critical Environmental Concern (ACEC) located on the Blackfoot River. The project will treat about 215 acres by removing some of the understory and ladder fuels. The contract is prepared and the bid solicitation will go out in May 2010.

Hoodoos Timber Sale

This sale was offered last year (approximately 5 MMBF on 900 acres). There was one bidder who subsequently failed to meet our pre-award qualification requirements. We are currently preparing an EA addressing additional bug-killed timber in the area. Upon completion of NEPA requirements, our plan is to offer the North Hoodoos timber sale which will combine a portion of the original timber sale and additional salvage areas (approximately 10 MMBF on 927 acres).

Upper Willow Timber Sale

This treatment was analyzed as part of our Rock Creek EA. The sale was sold last year and is currently active (4.7 MMBF on 420 acres). There was a lot of defect in the timber, a lot of the logs were going to go to Smurfit-Stone Container Corp and the sale required removal of pulp and biomass. The purchaser is doing what they can to remove as much as possible. They have modified the contract, that in lieu of removal, if we end up with bigger landings than they planned, then they will have to be burned and the contractor will have to go back and rehab the landing sites.

Wildlife FY2009 Challenge Cost Share Projects

We supported ongoing efforts with various entities to study Canada lynx, grizzly bears, flammulated owls, and golden eagles.

Garnet Ghost Town

Garnet salvage/*Ax Men* – This sale was purchased by R&R Conner in November 2007. This was a helicopter salvage sale. The sale was partially harvested but became economically unfeasible. We mutually agreed to terminate the sale.

Garnet Stewardship Project

This project is treating approximately 300 acres around the ghost towns of Garnet and Coloma. The majority of the merchantable volume has been removed. Approximately two miles of interpretive trail is being constructed under the contract.

Garnet Nomination

On January 16, 2010, Montana's Historic Preservation Review Board approved the National Register of Historic Places nomination for Garnet Ghost Town for forwarding to the Keeper of the National Register. We are currently completing suggested edits and resolving a notification issue with a private property owner. We are hopeful that the nomination will be forwarded this spring

Public Comment

Charlie O'Leary

1. As a deer hunter, he is disappointed about the decline in the deer population on the Big Hole south of Butte. He feels like the amount of access in the area is the cause. He supports a decrease in the number of roads in the area
2. Speaking as the Chairman of Backcountry Horseman of Montana, he added that the local chapter worked with the BLM in the Humbug Spires area on two projects, one being a weed spray day and the other being a bridge built on Moose Creek. Charlie would like to encourage the BLM and the State to work closely with the State land lessee in that area on weed control. He also wanted to note that Backcountry Horseman of Montana is excited to see that the Humbug Spires is getting some serious consideration in making it a permanently protected wilderness area.
3. Charlie also had some comments on MSTI and was speaking as a County Commissioner for the south end of Butte, representing everything from the county line to Homestake Pass over to Beef Trail Ridge. He has been a county commissioner for over 20 years and feels the residential population of Butte is moving south. Charlie said the best place for residential development in Butte is in the south end of town and it does not think it makes sense to put a 500KV line through the land best suited for residential development in the county. He feels the issues are the aesthetics, devaluation of property and health concerns. He added that Northwestern Energy has not addressed any of the issues except the aesthetics. The BPA route is the route he supports. He is not sure if that is still on the table or not. He said the Northwestern Energy lobbyist told the commissioners that the route would not work because the road was not up to snuff and the environmentalists would protest. He felt that blaming the environmentalists was a convenient excuse. He felt the carrot on the stick for county commissioners was the increased tax dollars for the county, he felt that the increased money was not needed. He would encourage the BLM to keep the line on public land. Sam Samson noted that the northern route would not be along the BPA line, but would have to be located 1,500-2,000 feet away from the existing line. Mack asked why they cannot be closer together. Tim Bozorth noted that the offset of one span length, or approximately 2,000 feet, was due to reliability standards and is regulated by law.

Linda Rogers

Represents move MSTI, with a goal to have the line sited on public land as much as possible. Linda said that evidence shows that land values will be decreased as much as 40% in an average real estate market, in the current depressed market who knows how much values

would decrease. She has met with real estate agents from southwest Montana who suggested land values would plummet or be unsalable. Linda is also concerned about weeds being spread. As a physician she has dug through the literature to identify health risks. She said the power company has admitted the line will interfere with pacemakers and defibrillators, but has not contacted people along the route who have pacemakers to inform them they may not be able to sell their property, but will have to move due to the health risks. She said the evidence is accumulating for other health issues, with the biggest being childhood leukemia. Linda noted that the power company says the evidence is inconclusive. Many legal experts say that this will hit the civil courts soon and will be the next asbestos. Linda feels in the future it may be possible that the power companies will not be able to site new lines by homes and schools. Linda wants to encourage anyone involved to help get the line away from people. So far she is appreciative of the BLM for helping to develop a public land route as one of the alternatives. The route from Anaconda south is primarily on public land, but does need some improvements she feels. Linda stated she had hoped that the northern route was an easy answer, but there may be some issues there. There are going to be more and more lines with the push to improve the grid. She would like an approach to be developed to deal with these lines as they come on the drawing board, rather than having to start over each time.

Eric Shelton

Eric said he and his wife and four boys live in Butte and that their front door is 400 feet from one of the proposed routes. He has tried to get information from Northwestern Energy about the health effects; they have said it is inconclusive. He did finally receive a pamphlet. Nothing in it says it will not create health effects, and there is a line that says available series of studies indicates no association with EMF exposure and childhood cancers, other than leukemia. Eric does not feel that leukemia or any other cancer is okay. His family will have to move and doesn't feel they will be able to sell their home. Eric wants the line located on public land.

Ed Dunn

Ed said he has a pacemaker, a mechanical aorta valve, and a steel plate in his back. According to this book he will have to leave his property. He would like to see the line on public land as much as possible.

Henry Hislop

Henry said he lives south of town, has spent all of his life developing his property, and is a taxpayer in Silver Bow County and Clark County, Idaho. The line is proposed to go 100 yards from his house in Butte. It will also go through his summer cabin that his grandfather homesteaded in ID. He is not happy about 500kv, as he has kids and grandkids. He is concerned about the loss of property values and health concerns. He would not be opposed to the line if he could be guaranteed there were no health risks.

John McDermott

John said he is a private landowner and a member of the Butte-Silver Bow Planning Board. He said the project was proposed to the Planning Board in 2007 and at that time the proposal was to follow the BPA line. He feels there are better ways for this to be done than to walk over folks to get it done quickly. He thinks it needs to be looked at further.

Sam Samson said that as a member of the RAC and as a landowner, he will advocate strongly for the line to be on public land. Jack Kirkley said he sits on the RAC committee as an environmental voice and is concerned about the effects on wildlife, but there is nothing more important than human health. He would put the public health issue ahead of anything else. Linda Rogers added there are specifications for the line in regards to protecting wildlife, but there are none for humans. Nate Finch said the land value issue is very important to him and he will stand against the devaluation of land. The electricity consumers in MT will not benefit from this line. It is going to benefit the public in other states so it should be on the public land. Linda Rogers said there are increased abortion rates in cows and cows won't graze under the line, and humans cannot work under the line. Alan Weltzein said he has read literature on agriculture effects.

Linda said a line was moved in ID due to agriculture effects and that the power company does not want to talk about agriculture effects. She added that direct current lines dramatically decreases the health risks, but does require a switching station. Linda said that Northwestern Energy does not want to expend the costs to make switching stations.

Forest Service Fee Proposal: Joni Packard, Regional Fee Program Manager, Forest Service

Joni said the FS is here before the RAC because the FS has fee retention authority under the Recreation Enhancement Act. Under that authority, before the FS can make fee changes, they have to go through an advisory council. An existing committee can be used or the FS can create a new committee. The Forest Service opted to use BLM RACs in the Intermountain West region. The BLM uses FS RACs in the Pacific Northwest and other areas. The FS presents fee proposals to the RACs and is going to present an official fee proposal to the RAC regarding Rendezvous Ski Area.

Forest Service Fee Proposal: Rob Davies, Resource Assistant, Hebgen Lake District, Gallatin National Forest

There are two parts to the fee proposal. Part One is a fee increase of the current fees collected for a trail pass, the other is a proposal to expand the fee area. The expanded area would be groomed trails at a higher elevation about four miles from the existing trail system. It would just be used in early season conditions, when there is not enough snow at the current trail system. The season would start on Dec. 1, which is the start of the fee season. There was limited snow this year and people came to town expecting to ski and were not able to do that. Once there is enough snow on the existing trails, the expanded area would shut down for cross-country ski use. A 2006 environmental assessment called for an expansion and there were no significant issues found.

The second part of the proposal is the fee increase. The FS has a strong partnership with the Yellowstone Ski Education Foundation and the Chamber of Commerce in West Yellowstone and they do a lot of the trail maintenance. Comparable Trail Fees in Big Sky and Bozeman were higher than the proposed increase to \$8 per day, \$40 per season pass and \$75 for a family pass. Fees at Rendezvous were first charged in 1995, and last raised in 2003. Usage has been trending upwards. Rob also noted that Rendezvous Ski Trails are groomed by a private operator.

Joni said there has been a lot of public involvement in the proposal and there has been strong support from the local community and user groups. It is also important to diversifying the West Yellowstone economy. State grants were being used to pay for grooming, and those

revenue streams are drying up. A phase implementation of the fee increase was originally proposed, but the community partners supported a full fee increase instead. Current fees are not covering operating costs.

Sam made a motion to approve the fee increase and it was seconded by Mitzi. The motion carried. Joni said the Forest Service is working on streamlining the fee proposal process and may be able to shift some of the other National Forests to other RACs so that the Western Montana RAC does not have a disproportionately large number of National Forests. Joni will continue meeting with RACs to get an idea of where they stand on the issue.

Dillon Field Office Update: Tim Bozorth

The Forest Jobs and Recreation Act S 1470

It would designate as wilderness the BLM Wilderness Study Areas recommended for Wilderness in BLM's 1987 recommendation forwarded to Congress by the President in 1991.

The following would be designated as Wilderness:

Ruby Mountains 15,615 acres

Blacktail Mountains 10,586 acres

Farlin Creek 610 acres (This is a little parcel of land in the Pioneers that would be administratively transferred to the FS.)

Centennial Mountains 23,054 acres

Humbug Spires 8,791 acres

Total acres of new Wilderness would be 58,656

The following areas would be released:

Axolotl Lakes WSA 7,804 acres

Bell/Limkiln WSA 9,650 acres

Portion of the Blacktail Mountains WSA not designated as Wilderness 6,893 acres

East Fork of the Blacktail Deer Creek 6,230 acres

Portions of the Ruby Mountains WSA not designated as Wilderness 10,996 acres

Portions of the Centennial Mountains WSA not designated as Wilderness 10,996 acres

Portions of the Farlin Creek WSA not designated as Wilderness 529 acres

Portions of the Humbug Spires WSA not designated as Wilderness 2,384 acres

Henneberry Ridge WSA 9,806 acres

Hidden Pasture WSA 15,509 acres

Total released acres 74,438

The provision of this legislation dealing with Stewardship and Resource Advisory Councils are not applicable to BLM.

Nancy added that the Wilderness Study Areas within the Missoula Office were not included in the bill and their status would stay the same.

Wild Horses

The BLM's Washington Office Horse Program solicited bids for long-term wild horse holding facilities and received a proposal from the Spanish Q Ranch near Ennis. Spanish Q

proposed to operate and maintain a Wild Horse Holding Facility. There was an EA prepared and a decision was issued Dec. 28 to select Alt A of this EA. That would allow for 805 horses initially, with monitoring, to determine if that number should go up to 1,000 horses or down. The horses are geldings, so they will not multiply. Fence specifications and carrying capacity were the two major issues. There are at least two appeals pending. The BLM received notice that there is a private party conflict that needs to be resolved before anything can move forward. No action will be taken until that is resolved and the appeals sitting before the Interior Board of Land Appeals will not be acted on until the dispute is resolved. Everything is on hold until that private party dispute is resolved.

ARRA

The field office is implementing projects funded through the American Recovery and Reinvestment Act for road maintenance, road surfacing, historic structure restoration, campground reconstruction, boat ramp reconstruction, riparian and wetland exclosures and riparian pasture fencing to protect sensitive species, fence modification and removal, weed projects (including aerial spraying), range improvement projects that came from our watershed assessments, sage grouse monitoring, Westslope Cutthroat Trout barriers to protect pure strain Westslope Cutthroat Trout, abandoned mine reclamation, and juniper removal. There are 18 different projects funded under ARRA that the DFO is working on. These projects have accelerated timelines and work needs to be started by June of this year. The funds need to be obligated in March.

The Dillon Field Office will be offering the Grasshopper Timber sale this spring, it will cover 212 acres and amount to 950,000 board feet.

The DFO is working with the FWP and the USFS on a Westslope Cutthroat Trout project on Cherry Creek that would establish a 100% pure population in Cherry Creek and its headwater lakes. DFO has received grant funds to construct a barrier on Cherry Creek on private land to protect that population.

The BLM Ranger in Dillon is obtaining a K-9 and will be training this spring and will become a K-9 officer.

2009 Projects

Non-Renewable Resources

Hazard tree removal around the Garrison Mill and Christenot Mill near Virginia City with the wood being donated to the Dillon Wood Bank (six cords)

Garrison Mill stabilization work will get the ore and milling equipment off the second floor which will help with the destabilization

Travel management signing and implementation of the Dillon Travel Management Plan
Wilderness Study Area Monitoring

Madison River Clean-up of Lower River with Trout Unlimited and volunteers this is an annual project on Public Lands Day

Special Recreation Permit Monitoring, primarily hunting and fishing SRPs

Madison River SRP Program, continued implementation with nearly 200 fishing outfitters

Windy Point boat launch was created to fix a user-created site; the cost was approximately \$180,000

Road graveling at Story Ditch

2010 Projects

Ney Ranch and Buhner School historic structure roof replacement

Sunset Cabin work to replace sill logs and to get that ready to rent (Barton Gulch)

BLM/FS Bridging the Divide --field camp for tribal high school students --requested funding through the Youth Initiative Program

Hazard tree removal around the Garrison Mill and Christenot Mill near Virginia City with the wood being donated to the Dillon Wood Bank (6 cords)

Abandoned Mine Reclamation: Emma tails vegetative stabilization; Rochester tails spreading top soil and seeding after mine tailings were removed to Golden Sunlight for processing

Land Acquisitions for Public Access: Working on the Hagenbarth acquisition, the Field Office is acquiring 90 acres on the Big Hole in exchange for lands of equal value, but more acreage, on the divide between Dillon and the Big Hole Valley on the old highway. J_L in the Centennial Valley, near Brundage Bridge, is the exchange of 40 acre parcels. Land and Water Conservation Fund exchange on the Madison across from the Wall Creek game range, this exchange would provide public access to 800 acres on the east side of the Madison River. It would also protect elk wintering in the area.

The Ney Ranch historic restoration includes work on windows, walls, doors, and the foundation

Stream bank restoration at Windy Point and Canaday boat launches

Community Assistance Grant to Madison County for fuels reduction in WUI Meadow Creek, \$55000

The Field Office is designating Powerline Road open between Lost and Willow Creeks (East Pioneers), and will close some section of road that wasn't being used.

There was discussion about putting a culvert in the road at Gallagher Creek, which is across from the Ney Ranch property, to prevent people from driving in the creek. Tim said the cost was not justifiable and the road will probably be closed.

The DFO is working on the Big Hole and Madison Watershed Assessments. Reports were sent to the RACs around Christmas. EAs are being done right now, and will be out in the summer.

The DFO is finalizing the Bell Canyon EA, which is a remnant from the Watershed Assessment decision on the Beaverhead West in 2008. It was appealed by WWP; the judge found the DFO did not address visual impacts in WSA. The rest of the appeals were denied on Beaverhead West and the Red Rocks Lima Watershed Assessments.

Travel Management

There was a poll in Eastman's Magazine addressing punishment for ATV violators who don't stay on designated routes. The majority opinion of those polled was to punish the offender by confiscating their ATV and taking away their hunting privileges for a year. Another suggestion was heavier punishment and higher fines. DFO would like to work with law enforcement to see if they can get the fee increased for violations like driving in closed areas. It is currently \$150 and is laughed at. People figure it would cost more than \$150 to hire someone

to haul out game with horses, so people just try to get away with it. DFO would like the fine for driving in closed areas to be increased to approximately \$500.

MSTI

The MSTI project is a proposal by Northwestern Energy to build a 500kv line from Townsend, MT to Midpoint, ID. Northwestern Energy filed a Major Facility Siting Act application with MT DEQ and Right of Way application with the BLM. The BLM and MT DEQ have been working together on an environmental impact statement (EIS) for the line. They have been developing alternatives and holding scoping meetings. A map of the alternatives available on the MT DEQ website was shown and there was discussion on where those alternatives were located.

All routes are still being analyzed and considered in the EIS. After the draft EIS comes out on April 2, there will be a 90-day comment period—which is a longer comment period, and this is due to visual impacts. There is potential to modify both Dillon and Butte’s RMP. There is also potential to modify the Beaverhead-Deerlodge National Forest because their plan only calls for the line on existing routes. During the comment period, there will be three public meetings in Idaho and three meetings in Montana, one in Dillon and one in Butte and one determined by what the agency preferred alternative will be. If the Jefferson Valley route is selected, the meeting will be in Whitehall; if the northern route is selected, the meeting will be in Boulder. The BLM, FS, and MT DEQ will meet March 3-4 to select the agency-preferred alternative.

David Hooks wanted to know if the RAC will be asked to give input on the agency-preferred alternative. Tim said he is open to input and needs to receive it by March 3. The public meetings will be in May and there will be opportunity to comment on the draft EIS at that point. There was discussion about whether the line could be direct current instead of alternating current and Tim suggested that those comments should be made on the draft EIS. It was asked why some of the proposed routes don’t go to Mill Creek. Tim responded that Northwestern Energy *wants* to go to Mill Creek, but does not *have* to get to Mill Creek, which is a change from what they had said previously. A question was asked about how the tax distribution will change if the line is placed on federal land. Tim commented that it will be the same; it will still be taxable by the county.

Oil and Gas Leasing Reform: Tim Bozorth

There is a new policy out for internal review and comment. The new policy will entail more public involvement and NEPA analysis in the oil and gas leasing process. The intent is an open process that assures decisions are well supported using a thorough and complete NEPA process. The policy is not finalized but will change how the leasing process is done.

Western Montana District Fire Management Officer: John Thompson

John discussed the impacts of the closure of Smurfit-Stone. The Western Montana District fuels program is generating a lot of woody biomass. Most of the material generated is not of saw log quality and it was going into pulp or hog fuel. Butte and Missoula have ongoing projects that were designed with the intention of putting woody biomass into the marketplace, but the closure of Smurfit-Stone has put a halt to those plans. One of the effects of the closure

will be bigger slash piles that will have to be burned. The Field Offices have ongoing treatments to address the mountain pine beetle, with the material produced in those treatments being mostly of salvage quality. There is now no place for that material to go, although they are hoping some alternative markets will open up. The Fuels for Schools program uses this type of material, but doesn't have a large enough demand to take everything that is being produced. The Field Offices may have to redesign projects or they will take a look at the limited alternatives that are out there.

Another secondary effect of the closure of Smurfit-Stone is that the low-quality material has to sit on the landings for three to four months. During that time, the mountain pine beetle may be able to fly out of the wood while the material is sitting on the ground.

Jack Kirkley asked if there was a market for people to cut firewood from the slash piles. John said there is just too much material and it is easier for people to just cut down their own trees. John predicted the biomass market would not redevelop for at least three to four years. Rick added that they were sending saw logs to Smurfit-Stone last year because there was not a market for saw logs. Rick added that with the stewardship contracts they used to get paid for the timber; now, they are paying to get the material hauled away. John added that the Helena Valley is a challenging area because there are very limited days they are able to obtain a burn permit.

Next Meeting Date

The RAC decided to hold the next meeting on May 26, 2010 in Dillon, MT. (The date is firm, but the location is tentative.)

Next Meeting Potential Meeting Topics

MSTI

Access and Signage

I-161 and I-160

E-mail or call David with any other ideas

Council Elections

There was a motion to nominate Mack Long as Chairman.

There was a motion to nominate Nate Finch as Vice Chair.

Both motions passed.

The meeting was adjourned at 3:35pm.

Mack Long, Chair

Date:

Western Montana RAC Meeting Notes
Missoula Field Office
May 26, 2010

RAC Members Present:

Mack Long, Sam Samson, Michael Gibson, Nate Finch, Francis Auld, Mitzi Rossillon, Karolin Jappe-Loendorf, Russell Kipp, Jack Kirkley, Steve Flynn, David Schulz, Wayne Farley, David Hooks

RAC Members Absent:

O. Alan Weltzien

BLM Staff Present:

Tim Bozorth (Dillon Field Office Manager), Nancy Anderson (Missoula Field Office Manager), Linda Cardenas (Missoula Field Office Assistant Manager/Renewable) Rick Hotaling (Butte Field Office Manager), David Abrams (Public Affairs Specialist), Nicole Henry (Missoula Field Office Resource Assistant)

Guests: Gayle Sitter (BLM - Wildlife Biologist)

RAC Welcome and Housekeeping by David Abrams:

David Abrams called the meeting to order at 9:05 a.m. Evacuation procedures and administrative details were addressed. David Hooks asked whether there was a standard rate for reimbursement for travel from Butte to Missoula or if he had to look at the speedometer in his car. Rick Hotaling answered that usually Myra in Butte fills them out because there is a standard rate from Dillon to Butte/Dillon to Missoula that the government uses, so when you fill out your form leave that part blank and she will fill in the mileage.

David Abrams thanked the members for their help with RAC nominations. He had a lot of people contact him who were interested in serving on the RAC. The nominations closed May 10th. There were a total of 8 applicants composed of new applicants and current members wishing to serve another term. Nomination packets were sent to the state office the week prior to this meeting. He is expecting to hear back from the Secretary of the Interior in October or November.

David Abrams went over the meeting's agenda. He mentioned that Joanie Packard, the Forest Service liaison, was not able to attend the meeting, but she and David Hooks had been in contact. There were no Forest Service fee proposals to go over, which is part of the reason Joanie was not attending.

Mack Long asked if there was anything that needed to be added to the agenda. Russell Kipp said that he wanted to talk about Initiative 161 and it was added to the afternoon. Jack Kirkley wanted to get an update on MSTI. MSTI would either be addressed in Tim Bozorth's Dillon field office update or would be a separate agenda item in the afternoon.

Meeting Ground Rules presented by David Hooks:

David Hooks gave a presentation recommending ground rules for meetings. His recommendations were:

1. Have scheduled breaks.
2. Have an agenda facilitator. (He acknowledged that the group does this already.)

3. Start on time.
4. Finish on time.
5. Stand up when giving a presentation to the group.
6. Use visuals.
7. No cell phones or put them on vibrate.

David Hooks asked for other recommendations or for everyone to look at his list and decide if it was something the group wanted to adopt or not. Jack Kirkley mentioned that what he finds useful in having a facilitator is that sometimes when somebody's running on or the issue is not being addressed that at some point the facilitator has to be able to guide the conversation and to ask if this is pertinent to the group. Some people may think an issue is important, but it may not be important to the BLM or the RAC. He didn't know how that was usually handled. He felt that there needed to be a sorting of what was pertinent to the group.

8. Keep conversations during meeting pertinent.

Sam Samson added that as a former Commissioner he had been to a lot of meetings and didn't have any complaints about the group. He felt that the agenda was typically stuck to and that he agreed with all of the ground rules previously listed. David Hooks also wanted to add another item based on Russell Kipp mentioning during the last meeting that he wanted to talk about Initiative 161. He felt that rather than waiting to capture action items at the end of the meeting, it would be better to capture them when someone was through talking.

9. Capture action items at the end of each agenda item.
10. Take turns speaking, one at a time.

Nate Finch asked if it was the chairman's or the facilitator's job to rein things in. David Hooks answered that it was the facilitator's job. He added that when the time allotted for an agenda item is ending, it is the facilitator's job to remind the group of the time. Rick Hotaling also mentioned that part of keeping track of time is to ask the group if they want to continue with the current discussion or to stop and move on. Mack Long stated that it's also the chairman's job to make that transition from the facilitator back to the group. David Schulz commented that most everything if not each one of the points is already being accommodated. He was impressed with the group and how well it stays on time.

David Hooks commented that he would like to have something created that can be shown on the screen before every meeting to remind the group of the ground rules. Jack Kirkley asked if there was already something in the book. Rick Hotaling commented that David Hooks had a good point and that if you've served on the committee before you have a "corporate memory". He said that they used to go over the ground rules at every meeting but after awhile everyone got tired of seeing them, but that it's important for new people to the group to see them. Mack Long asked if there was a way the list could get updated and sent out to everyone. David Abrams said that he could do that and that he would include it in the new member's notebooks so they know how meetings are run.

Mack Long got the feeling from e-mails that the group should be following Robert's Rules of Order more closely. David Hooks replied no. Mack Long wondered if the group wanted to be more formal. David Hooks thought the group was already too formal and that the meetings minutes were too formal. David Abrams reminded him that the minutes are a public document that does go out, is saved on a central file, and provides the members that aren't able to attend the meeting with more detail.

Rick Hotaling asked if the ground rules could just be a hard copy that is posted on the wall in the meeting room due to some rooms not having a power point projector. David Hooks said that was fine. David Schulz mentioned that's how a lot of the Code of Conducts are presented. He asked if it could be put on brass. David Abrams said he would do something like that.

Field Office Overviews: **Dillon Field Office Update (Tim Bozorth):**

The Dillon Field Office has 27 seasonals this year. They're in training and are busy doing a lot of the 2010 projects that were on the handout provided last meeting. We're trying hard to implement those projects. We've got a number of stimulus funded projects that we're doing, some habitat projects such as juniper removal, conifer encroachment, fence modifications; as well as riparian/wetland projects. We have an additional labor crew that we funded with stimulus money that is on board and busy doing a lot of that work. We're on the 3rd year of the Madison River Special Recreation Permit process and that continues to go pretty well.

Recreation site projects:

- *Windy Point* - we finished construction on that last fall and paved it this spring. Windy Point reopened last Friday.
- *Warm Springs* - that parking lot was paved. Warm Springs should be opened, if it hasn't yet, it will be reopened before Memorial Day.
- *Palisades* - is progressing very well. The target date is to reopen on June 8, which is well ahead of schedule. The contractor there has been helpful in keeping that site open and functioning even though he didn't have to. They've been allowing people to take out and launch boats there. The first week in June they'll move over to the campground area and do the upgrade that we've been planning on. It hasn't had an upgrade in about 40 years. We'll be adding a few sites and moving a few sites around

Timber Sales:

- *Grasshopper Shale Creek Timber Sale* sold last week. We are working with the sole bidder on their qualifications and some other things.

Environmental Assessments:

The watershed EAs will be up for review this fall. That's something the RAC might want to review and look at. The Madison and Big Hole Watershed EAs are the last two EAs that we're doing on the first round of watershed assessments. We're finishing up the NEPA on those and that should be out for review in late September.

Oil & Gas Leases: We're going to be doing environmental assessments on oil and gas that were sent back to us in a negotiated settlement from a lawsuit on global climate change. We're implementing some new policy direction on oil and gas leasing and we're doing NEPA on those 7 oil & gas leases in the Monida area. Most of them are on the east side of the interstate and a couple of them are on the west side. There's a scoping statement on the state office web page. The EA will be out for review in early August.

MSTI Update:

Not much has changed since our last meeting. We are still working on the draft EIS. The Notice of Availability is back in Washington. We're moving through the various levels of approval to get permission to send the draft EIS to the public. That's got to go through the Washington office and the Department of the Interior. We are working on issues such as cultural and visual resource management, cumulative effects & wildlife mitigation. Most of those we've taken care of. We're still working closely with the Idaho State Office on the cultural issue.

The VRM (Visual Resource Management) issue is probably the biggest current issue that we still haven't totally resolved. And that's basically how to amend our resource management plans to deal with the visual impacts of this line moving through various VRM classes. We have various VRM categories from 1 (being the most restrictive) to 4 (being the least restrictive) and we look at that and we have certain classifications that we've designated an RMP and as part of the EIS we have to assess the impacts of putting that line through a changing VRM class.

David Hooks asked if, in the document Tim was talking about, they considered the impact on the tourist industry. He wondered if there was a decrease in visits due to the visual impact he was talking about. Tim answered: There'll be things like that addressed in the economics section. And if it's not adequately addressed or addressed sufficiently then that's something that would be a good comment to make. They've got to weigh putting it in an area where there's already existing development such as an interstate or other power lines versus sticking it in the back country and seeing what kind of impact that brings to wildlife and things like that. Since that line is the first one, pretty much out of the box, that's looking at amending these new land use plans or some fairly recent ones anyway, it's going to set a precedent nationally for how we address visual resource mgmt. So we are involving the Washington office VRM people, national experts with the BLM, state offices (Idaho & Montana), trainers and field offices to come up with the right approach. Some other approaches have been looked at. For instance, with the Gateway West Project that parallels the southern portion of the MSTI line and Idaho, that line goes from some place in Wyoming down across southern Idaho and ends up the same place as the MSTI line does. There are a couple more lines that are going to be put in that area. So, we've got to get this right and we've been spending a lot of time trying to figure it out and with that comes delays. We had hoped to have the draft out by the end of next week. That's not going to happen now. We're hoping to resolve this in the next few weeks and have the draft out for public review sometime in June. We have public meetings scheduled in Montana and Idaho. The public meetings in Montana are scheduled for the week of July 19th (Townsend - July 19th, Whitehall - July 20th, Dillon - July 21st, Butte - July 22nd). But we'll see how things go here in the next few weeks. We want to make sure people have a chance to review the draft EIS before the public meetings, at least to some degree. There'll still be a 90-day public comment period on the draft. We'll have to see if we have to bump these public meetings back. It depends on if we get the visual stuff taken care of or not. Rick and I are meeting with Jefferson County tomorrow morning to coordinate on the power line and try to visit with those folks, tell them what's going on and how they can be involved in the process.

Russell Kipp said: Tim, you spoke of fishing access sites on the Madison. I got a letter the other day from Robin Cunningham and he raised some concerns about the issue that in the original environmental assessment it talked about compressed gravel in those lots and now it's pavement and he wanted me to deliver this to you and just wanted to know why the change. Tim said we've communicated with Robin via e-mail to respond to these questions. Basically, the rationale for replacing gravel with pavement was maintenance.

- *Palisades* – We would blade that and within 2 weeks or less – it would be wash boarded again and we would get complaints from the shuttle drivers asking when we were going to blade it again. We got over there about twice a year on an average. So, when money became available through stimulus funding, we thought that was an excellent opportunity to take advantage of that funding and deal with the maintenance issue at Palisades.
- *Windy Point* - Windy Point was a user-created site that was unsafe and damaging the river bank and so we had to move it. We moved it slightly down stream. Again it was a maintenance thing so we didn't have to come in there and blade it as frequently. The opportunity came to pave that so we took advantage of that.
- *Warm Springs* – During the summer, there's probably 200 people and they'll leave their boat, their trailer or vehicle on the boat ramp and jump in the river and float down. The gravel from the parking lot was draining into the river. Now they're draining into a central drain. Both ends of the parking lot slope into a central drain, which runs the water off north of the restrooms and into a low spot there and will percolate down into the ground water.

We think that all of the sites, whether it's Warm Springs, Windy Point, or Palisades will reduce run off into the river because of the engineering design that we did on the sloping and vegetation between the pavement and the river. So, we see it as a positive for water quality.

Russell Kipp asked did they pave the parking lot only or did they also pave the roads leading into the parks? Tim said: the entrance into Warm Springs was paved a year or two ago. There isn't any other access road to Warm Springs. At Windy, the access road into the parking lots is paved as is Palisades. The road to the campground isn't paved, nor will it be down in the campground or the path to the campground because those people don't seem to drive as fast as people pulling boat trailers. The maintenance issue wasn't a concern.

Michael Gibson asked if there was an update on the land acquisition in Sheep Creek? Tim answered: we're working on the LWCF (Land Water Conservation Fund) project over in Upper Sheep Creek, Cabin Creek, and Simpson Creek. We're in the process of resubmitting the 2012 LWCF projects. I just finished that up on Monday and sent it back into the state office. Some things changed nationally as far as ranking criteria so we resubmitted that. Until we get a feel for where we sit with that I don't think Rocky Mountain Elk Foundation or the Conservation Fund are going to want to risk their finances & acquire an option on the property until we have a firm feeling whether or not that's going to be a go. So, that's what we're waiting on at this point. We are proceeding on another LWCF project over on the Madison which is acquiring some acres over across from Wall Creek that will provide access to about 880 acres of only accessible public land right by the river. So, we're getting the preliminary appraisal work done on that right now. That's in the works for 2011 as far as funding goes.

Nate Finch asked Tim to be more specific. What is a LWCF? And how big is the one in Big Sheep Creek? Tim answered: it's Land and Water Conservation Fund monies in which we can use to acquire land for the public. Our main focus is access. Secondary objectives are usually wildlife habitat, especially for sensitive species such as sage grouse. There was a ranch that went back to the bank. That piece of land would provide access to the joining public land on both sides to the west and to the east. There are also two streams in there. One's 100% pure westslope cutthroat trout, the other is 98% pure westslope Simpson, Cabin Creeks, and we'd like to extend that fishery downstream further if possible.

Wayne Farley: You mentioned climate change... Tim answered: we issued some 50 oil & gas leases two years ago. We were appealed on the fact that we didn't consider global climate change in issuing those leases adequately enough. That appeal went back and was not resolved until they got together and had a settlement conference with both the proponents of the appeal, which were a number of environmental groups as well as industry, so they sat down and they asked how are you going to deal with this and said OK, we'll pull these things back and even though the leases have been issued we'll do further NEPA on them and see if we can get that cleared up. So, that's where we are on those. We have to go back and do additional national environmental policy act analysis on those leases and include an analysis on the effects on global climate change. And our national technology center in Denver is helping us with that. These 7 leases are 7 of hundreds that are involved. Rick has 18, Miles City has a hundred and something. So, they're scattered all around Montana and the Dakotas. There are a number of leases that we were considering issuing since then and subsequent sales that are also being looked at further. We have to address the impact on global climate change. We'll be doing that and that will be open for review later this summer. August is the target date to have that out for 30-day public review.

Nate Finch: You mentioned funding for the LWCF purchase coming from Rocky Mountain Elk Foundation and the Conservation Fund. Tim answered: Rocky Mountain Elk Foundation and the Conservation Fund are helping us to look at bridge funding between now and when we would be able to get the money, because the money is appropriated by Congress for the budget for that year (2012). So, they would purchase the property or an option on the property from the bank and we would cash them out in the end. They just basically hold it because they think it's worthwhile and they don't want to see it sold.

Nate Finch: Why don't they just keep the land once they purchase it? Tim replied that in some instances Rocky Mountain Elk Foundation has held property but that's not generally how they approach these things. They usually work with us and help us to get to that end point because we can't move that fast and they can move a lot faster than we can. Rick added that it's a balance of staffing. Rocky Mountain Elk Foundation and the Conservation Fund have the ability to purchase the property and they can move very quickly on that but they don't have the staffing to manage the property and maintain it. Whereas the government side can't move very quickly in purchasing the property but once we acquire the property, then we have the staff to manage it and do the maintenance on it. So, it's a good partnership.

Nate Finch mentioned that he would rather see the BLM generate funding by trading or selling off land-locked parcels. Tim agreed with Nate and said that the BLM has no ability to sell land and take the money and acquire other land because of the way the bill that allows us to do that was written. The land use plan had to be approved before the year 2000. Ours is 2006 so we have no ability to do that. That bill is up for reauthorization this year so we're hoping that they change that so that we can sell those isolated parcels and that money could go to a statewide fund that we, the Forest Service and Fish, Wildlife, and Parks could have the ability to utilize.

Nate Finch said, But you've done those in the past, since 2000. Tim replied that those were land exchanges where we have somebody come in and help us where we identify a number of parcels that we can offer to an adjacent land owner and acquire something else. That is a possibility but it is a very long-term project. David Schulz mentioned that he's talked to the BLM a lot about many of the parcels that are isolated and the benefit of blocking some of them up, if that were achievable, or doing some land swaps. Access to public lands is one of the biggest challenges commissioners have today.

Nate Finch added that his fundamental problem with it is that it brings the federal government into the real estate market and that it will have a long-term impact on prices and the ability of agriculture to

participate. Tim replied that when we acquire something, it has to be at fair market value with a willing seller and we go through a very extensive appraisal process. Appraisals are done by Department of Interior employees. They look at comps and they have to be certified appraisers. Nate gave the example of if a rancher wants to expand and can offer the bank holding the property 2 million dollars but the property appraised for 3 million dollars and that's what the government has to pay, then the bank won't talk to the land owner. Rick added that the reality of it is that while the bank could get the extra million from the BLM they would have to wait 3 to 4 years. This is why BLM uses Rocky Mountain Elk Foundation and the Conservation Fund in land acquisition. Because they can come in for some land being listed for 3 million and appraised for 2.7 million dollars and offer 2.5 million. The land owner will often take it. When the BLM buys it, in 3-4 years they pay the appraised value, which at the time may be 3 million dollars and will usually raise the appraised value of the surrounding property.

Karolin Jappe-Loendorf shared with the group that in Beaverhead County 69% of the county, which is the 4th largest county in the country, is already public lands and mentioned that she appreciates the access. Tim responded that we've lost 25,000 acres of BLM-managed public land in Beaverhead County since 1978. Jack Kirkley asked, what do you mean "lost"? Tim said it went in exchanges for other office throughout the state (Nat'l Forest, various entities). We've had a net loss over the past 25 years of over 25,000 acres. Rick mentioned that when the Butte field office did their RMP, over that same time period they had a net loss of 50,000 acres of land, even though they made a number of large acquisitions during that time. Because a lot of it was through land exchanges and sometimes the land being acquiring is valued more highly than the land being giving up, so it usually takes more acres to get to that value.

Karolin Jappe-Loendorf asked what the name of the bill coming before congress this year was called. Rick said that BLM refers to it as the Baca bill because it was Senator Baca that introduced it.

Sam Samson asked about the stimulus funding received. He wanted to know how much it was and what kind of strings were attached. Tim answered that the Dillon Field Office applied for around 20 and ended up with around 18 stimulus projects. The funding was approximately \$2.5 – \$2.75 million dollars; about \$600,000 in habitat projects and another couple million in construction projects for recreation. There were a lot of strings attached and the rules kept changing as we went along. The tracking got difficult. One of the last things we had to deal with was that all of the projects had to start by June 1st. We were initially planning on doing some of these fishing access sites in the fall, but we had to figure out how to move up the start dates. Fortunately, we had the contracts done and were able to get the start dates moved up as far as we could into the spring.

Sam Samson asked if it helped. Tim answered, yes, and I think that if you ask the contractors in Kalispell working on the Palisades and the paving contractor that did Warm Springs and Windy Point, he'd say yes. We hired a bunch of local folks for the labor crew. We're employing 4 young men on that crew. We pay them pretty good wages and are going to get a lot of projects done. We've also done contracts for juniper removal, fence building, weed work, and so I think it's worked as it was intended.

Missoula Field Office Update (Nancy Anderson):

Resource Management Plan (RMP) Revision:

We have completed the first draft of the Prep Plan for our RMP revision. After we're done tweaking that it goes to the state office for review, and then it goes to Washington. Then we just wait and see if we get funded to do the Resource Management Plan. BLM, I think, has made the decision that they're not going

to fund any more planning starts for 2011. So, we're probably looking at 2012 for the earliest to officially start. In the meantime, we are continuing to collect necessary data for our analysis, we have some contracts out, and we're going to continue to do that until we get the funding and can move forward with the plan. I think that in the Montana/Dakotas, Missoula and Lewistown field offices are the only ones that haven't started or completed their plan revision.

Marcum Mountain Watershed Assessment:

This is probably the last assessment we're going to do because even though we're not funded yet, we are going to try and start working on the RMP revision. We are finishing up work on the Environmental Assessment (EA). It should be out in a few weeks. It will cover projects on approximately 13,000 acres of BLM land. David Abrams usually sends the RAC an electronic copy of the EAs but if anyone needs any more information or would like a hardcopy they can ask for it.

Grazing Management:

We issued our proposed decision on the Ram Mountain Allotment – we received a protest from the Western Watershed Project. We are preparing our response. This is the first protest this office has received from Western Watershed. We had a pretty good process for that allotment revision so we were disappointed with the protest. We had Dan Lucas, our former RAC chair helping, we had Jeff & Tracey Mosley from the Bozeman area helping, in addition to lessees and our ID team. We had worked on it for 5-6 months. So we were disappointed but we'll work through the response and get the decision out.

Lease Renewals – We are finishing an EA covering 21 lease renewals. The EA should be sent out for public comment in early June.

Forest Management:

Bear Creek Flat Stewardship Project –The project will treat about 215 acres by removing some of the understory and ladder fuels. Bear Creek Flat is designated as an Area of Critical Environmental Concern. The bid solicitation went out this week.

Hoodoos Timber Salvage Sale – we issued an EA addressing the proposed salvage of bug-killed timber in the area. We are preparing the Decision Record and timber sale. We anticipate the first advertisement to be published on June 9, 2010.

Copper Creek and Ram Mountain. Timber Sales – the first advertisement went out last week. The sale volumes are 561 MBF and 282 MBF, respectively. The sale date is June 11, 2010.

Spring Prescribed Burning:

We completed 115 acres of spring burning and have approximately 200 acres remaining.

Garnet Ghost Town:

Garnet Day – will be held on Saturday, June 26, 2010 from 11:00 a.m. to 5:00 p.m. We'll have tours, music, and ice cream.

Garnet Stewardship Project – this project is treating approximately 300 acres around the ghost towns of Garnet and Coloma. We should complete the contract this summer. The remaining work involves finishing 2 miles of interpretive trail.

The Missoula Field office received a national award for the Garnet Project. It was one of three awards given nationally by BLM.

Garnet Nomination - The Garnet nomination was unanimously approved by the State Review Board in Helena with a few suggested corrections. We've made those corrections and the final version was sent to the Montana/Dakotas BLM State Office. The State Office is currently in the process of forwarding the nomination to the BLM Preservation Officer in the Washington Office. The Washington Office will review it and then send it to the Keeper of the National Register. The Keeper has 45 days to review the proposal to either approve it – usually with some corrections – or not. So, we'll see if Garnet gets on the registry of historic places.

Coloma Ghost Town Management Plan:

We are in the last stages of finalizing the Coloma Management Plan and are starting to write the EA. The plan calls for installing an interpretive kiosk and building a small parking lot outside of Coloma. In addition, a gate would be installed to prevent people from driving into Coloma. That should be done within the next few months.

Limestone Cliffs Area of Critical Environment Concern (ACEC):

The Garnet RMP designated the Limestone Cliff ACEC in 1986 and recommended the 20 acre area be withdrawn from mineral entry. The area was withdrawn June 6, 1991 for 20 years (maximum allowed time). We are requesting an extension of the withdrawal for an additional 20 years with no changes.

Rattler Gulch Limestone Cliffs ACEC's primary values derive from its geology. The accessibility, outcrop exposure and structure encourage its use by local schools and others outside the immediate area. The cliffs are a well exposed outcrop of Madison Limestone of Mississippian Age which is used specifically by the University of Montana for field geology and stratigraphy course. The educational importance and use of this area led to the ACEC designation. Any surface disturbance from mining on the site could adversely affect the geological values and would be incompatible with the scientific use of the site.

Recreation and Public Purpose Act Proposal:

The Town of Philipsburg has applied to acquire two parcels of public land in Philipsburg for a park under the Recreation and Public Purpose Act (R&PP). Along with the R&PP conveyance they have inquired about a direct purchase of four additional parcels in the same area. The Town of Philipsburg proposes to create an open space park on approximately 10 acres of BLM land. The proposed plan is to construct a walking trail and a parking lot for park use. In the future, trees may be planted, and picnic tables placed around the site as funding becomes available. The four small parcels for direct sale total less than 6 acres and are adjacent to land owned by the Town of Philipsburg.

Nate Finch: Can you tell us what some of the issues were with the Ram Mountain that Western Watersheds was protesting? Nancy: Yes, there were some general statements that we should have done an EIS instead of an environmental assessment, we didn't address global warming, and we didn't address soils adequately. Really the main issues we need to look at are the riparian. We have one stream that we did have concerns about; it wasn't meeting the standards for rangeland health. We made some proposals for some project work we were going to do along that stream. They argued that that wasn't good enough. We're revisiting that.

Linda Cardenas added: The lessee voluntarily agreed to retire 53 AUMs temporarily to shorten the grazing season by a few weeks. We put in place a rotation system with very distinct and specific monitoring requirements. Some of their concerns were about the fish being threatened at Scotchman's Gulch. They would like to see cows excluded from the area entirely.

Nate Finch: How many AUMs did you have going into this? Linda: 329 and that's still in place but there's a temporary non-use. (*Note: the number should be 429*)

Wayne Farley asked what's the difference between an EIS and an EA? Nancy: It's a level of analysis. When you go through your environmental assessment you make a determination on whether or not it's a significant action, so we went through our EA process, I signed a Finding of No Significant Action because there are certain criteria that if you trigger that criteria it bumps you into having to do an environmental impact statement which is a higher level of analysis. I didn't feel that we met that trigger on this project. Frankly, I think that any time we get a protest, that's an issue that is always brought up – that you should have done an EIS.

Russell Kipp mentioned that there's a lot of difference in the cost and that it's factored into your decision. Nancy agreed on the cost but argued that it's not a factor in the decision making. You do your analysis and if you can't sign a finding of no significant impact, you can't sign it. Russ: But you wouldn't just do an EIS on every EA because the cost would be greater. Nancy agreed and mentioned that some offices do automatically do an EIS just because they have a high rate of being protested against. BLM hasn't adopted that philosophy.

Nancy also announced that she will be retiring on July 2nd so this was her last RAC meeting.

Butte Field Office Update (Rick Hotaling):

Rick was going to cover the Land and Water Conservation Fund and also some different land exchanges but since there'd been a lot of questions about those topics he proposed doing a presentation for the next RAC meeting covering the Land and Water Conservation Fund as a whole and what the criteria is for that and the Baca bill and what it allows the BLM to do. The RAC thought that was a good idea and David Abrams added it to the agenda for the next meeting.

Whitetail Basin:

Last time I talked about the Whitetail Basin project. We completed that document and we didn't receive any protests or appeals on it. So, we are moving forward with doing the reauthorization of those grazing leases. However, the other projects associated with the document (forest restoration, etc) those are all waiting on funding, which probably won't happen until 2011 or 2012. We're in a cycle right now where a lot of our planning is done so we're requesting the funding to be able to start implementing some of them.

North Hills:

We are in the middle of the writing and regulation that allows us to restrict shooting in the North Hills. We are implementing the travel management plan in that area. We put up a brand new sign and kiosk the sign was literally shot in half by someone with a gun. So, we want to take care of that in that particular area. We do have a new law enforcement ranger in Helena. He came from the BLM in Oregon and is starting to do some patrolling. So, hopefully he can help with the shooting in North Hills. But we're really trying to get that regulation in place because right now he has nothing to enforce.

Part of one of our projects is rebuilding signs and kiosks made out of steel with ballistic material behind them, just to address people shooting our signs. Karolin Jappe-Loendorf mentioned that she knows a law enforcement officer in Helena and she could get them to help with enforcement if Rick would like.

Wise River Project:

We are going to relocate a road to go around a private mining claim. We're installing a permanent culvert across from one of our fish-bearing streams, which we weren't planning on doing before. We're looking into a travel management area that the Forest Service has.

Graymont Mine EIS:

When we last met I told you it would be out in 4 to 6 weeks, actually it's supposed to be mailed this week. So, we were pretty close since we met about 6 weeks ago. The final document will be out. That document will later be followed by our record of decision. We'll sit down with DEQ and work out an actual decision document to send out.

Limestone Mine:

The Limestone Mine is associated with the Bigmouth EA Mine, and it's associated with the Limestone Hills training area, which is being withdrawn to the Montana National Guard (actually the Department of Defense). That process is in the Dept of Defense with the US Army. We won't know anything else about that until the end.

Scratchgravel Hills:

We're doing the fuels treatment up there. We got stimulus money to take care of the biomass up there. We were taking a lot of the material that we would have just burned on site, to be chipped and it was supposed to go to Smurfit-Stone, which just got closed, so now it's going to a place in Idaho which can use it. They're talking about shipping it to a facility in Oregon with a generation facility for the biomass. We're trying to use the biomass. Karolin Jappe-Loendorf asked why it's going all the way to Oregon and why not to Dillon. Rick answered it's because of the difference in the quality of chips. The burner that they have at the University, the biomass generator that they use for heating and power, has a very specific contract on what those chips have to be. We have a contract with Marks Miller but they're not taking it. But the material we have doesn't meet the specifications Western (University) had. We looked at the schools in Clancy, Philipsburg, Deerlodge and they can't use it plus we're generating so much biomass that there's not enough storage capacity at these places. We could easily fill everyone's bunkers with the biomass we're going to generate. That's why we're taking it to Idaho and Oregon. We have no place to stockpile or store it. Jack Kirkley asked if this is that mastication process where you're taking the trees and chewing them up. Rick answered yes, we have several different methods out there. It's a piece of equipment with two heads on it. It can just grab it and cut it down and put it through a delimeter. Then they look at it and decide if it can be used for posts and poles, or timber. The tops and branches will go to the biomass. Then they can change out the head to one with a grinder on it and they can ground the stump down to the ground. David Hooks asked what do they do with the chips; just leave them on the ground? Rick answered yes, they're ground up and thrown on the ground and eventually they will deteriorate as a biomass. This is what we're doing at the Wise River Project. We also had to set some safety rules at Scratchgravel Hills and Wise River. Because when they're using those grinder heads they throw big chunks of wood up to 100-150 feet. So we set up a 300-foot safety zone around that piece of equipment. We have a lot of public in these areas and we were having people walking right up to the operator of the equipment watching them work.

Nate Finch asked if these were beetle-kill trees. Rick answered no, the project started out as a fuel treatment because in the Scratchgravel Hills we're surrounded by subdivisions so the treatment was designed to leave a healthy savannah type forest in there. It was really encroached and overgrown and we were trying to limit the spread of fire. We wanted to make it so we could defend the homes. During the initial review of it, we ran a computer model to see how long it would take a fire to spread. We started the fire in one area and with normal summer burning conditions, within 6 hours it projected the fire would

burn all the way across Scratchgravel Hills and move into a subdivision, which doesn't leave a lot of time to get a fire department up there. So, the initial project was just to thin that out and treat it as fuels. But as we got in there, we had to redesign the project to address the beetle kill. The prescription and the treatments stayed the same but we're trying to clip and take the beetle-kill trees. That's another reason we're trying to take care of the biomass and get it chipped, some of the trees still have the bugs in them.

Jack Kirkley asked if, in terms of fire, is this more effective than when you used to do the slash piles and burn those in the winter? What fire-carrying capacity does this mulch that you're putting down have? Rick answered it creates the fuel loading on the ground, but because of the way it's been chipped up it's considered to be a woody debris or dead down and you have the grass component mixed in there. But it doesn't get it up into the trees, it treats it as a ground fire where you can fight it. Whereas if you have a huge slash pile that can be piled 20 to 30 feet in the air, if you get that thing going, the fire can go up into the crown of the trees and that fire will walk. If we have a ground fire, the trees are spaced far enough apart that it would burn right across it and we'd be done. If this was a normal area, not surrounded by subdivisions, our normal treatment would be to come in and do prescribed burns and do a very low intensity burn and burn underneath that. But there's no way we can do that. For other projects we usually just make slash piles and burn them later. But because we're so close to Helena valley subdivisions, we can't do that kind of burning. We would have to bring in an air-curtain burner, which is a very expensive thing. It's a steel container with powerful fans that blow air up into it. You put your material in it and as it burns you get no smoke out of it. It incinerates the material into a fine ash and sends it high into the atmosphere. Our choices were to chip and haul it elsewhere or use an air-curtain burner, and while the burner was cheaper, we'd rather have the biomass utilized than turned into hot air.

Sam Samson asked if this was ponderosa being worked on. Rick answered, it's a lot of ponderosa, lodgepole, and juniper. Sam Samson also wanted to know what would a restoration of lodgepole be? Rick answered that he's not a forester so he didn't know. Steve Flynn answered that it would probably just involve clear cutting. Rick added that one thing they discovered is that you can't thin it too much or it's susceptible to wind throw.

Wayne Farley asked if there's anything being done to control the beetles like DNA manipulation or radiation. Rick responded that we're not doing anything along those lines. Our control for beetles is that we try to get ahead of the beetles and do some thinning to make the forest healthier so it can fight off and survive from the beetles. We're trying to get the trees that are already hit and still have beetles in them cut and removed. We also use bubble caps of the pheromones that they put out. We put them all over the trees, which mimics what the beetles give off, telling them that this tree is occupied so they move on. The problem is, in this area of Helena, while we're putting up pheromones, so is everyone else and the beetles are beginning to ignore it. So, we're seeing trees with the bubble packs being hit.

Karolin Jappe-Loendorf addressed Wayne Farley and told him to contact David Wick. He wrote an SPIR grant and he had a solution for beetle control. She didn't know if he had gotten approved.

Rick mentioned that there are some chemicals that are being used. They have used carbaryl and there's a new one that just got approved where you spray it on the tree and when the beetle eats the bark it is killed. It's not supposed to be as bad as carbaryl. Steve Flynn added that these chemicals are for campgrounds and private land but are typically too expensive to be used on the whole forest. Tim said that there are some affluent subdivisions in the upper Madison that are starting to spray.

David Schulz asked if these chemicals had to be sprayed on each tree individually or if it could be dropped by plane. Rick said that the tree has to be hosed down in order for it to be effective. Nancy

mentioned that she was surprised that she had seen Verbenone for sale at Home Depot. Tim said most nurseries are carrying it now too. And it's really expensive. Rick said that people are overdoing it as well. While one packet will work per tree, they're putting 3 to 4 packets on. So, one of the other things we're trying to do is to teach people the proper way to use Verbenone, because some people have even put packets on trees that have already been hit by the beetles.

Jerry Johnson Creek Project:

We're going to be addressing bug kill and trying to restore the forest treatment, do some aspen regeneration. We're in the data gathering phase out there. It'll probably be sometime next year when we start writing the NEPA document and trying to see if there are any issues out there that we need to address. When we get to that point and stage, this could be a project for the RAC to get involved in if they wanted to.

Causeway Land Exchange:

We finished the Causeway Land Exchange. BLM now owns a piece of the causeway and the individuals we exchanged with have a little piece of land that they can build their home on.

Holter Lake:

We have so much use at our Holter Lake campground and so many people using our boat ramps in the day-use area, we don't have any parking for them. So they're parking on the county road and parking in people's access roads into their homes and cabins so we're trying to acquire a piece of land on the other side of the county road from our campground for parking. If we acquire that piece of land we'll pave it and make it overflow parking for the Holter Lake campground. Our estimation is that it will be at maximum capacity immediately.

Last year we replaced all the boat docks and boat ramp at Holter Lake so now the docks are handicapped accessible and the boat ramp is 3 to 4 cars wide. We'll be doing the exact same design but slightly smaller at Log Gulch this summer. So, the Log Gulch campground will be closed for part of this summer.

Recreation Public Purpose Act:

We do also have a recreation public purpose act from a couple of counties. One is the Lewis & Clark County in Helena. They want to acquire little pieces of land to work on a trail system. The city of Helena has been working with Prickly Pear Land Trust and acquiring Mount Ascension and they want some of our land so they can build trails. There's also a shooting range calling the Last Chance Shooting Range and we're trying to get that given to the county so they can authorize it because BLM is not allowed to authorize it.

Oil & Gas Leasing:

The EA we're preparing has a tight deadline. We're supposed to be out to the public for comment August 1. We also got a construction memorandum from the BLM on how we will do oil and gas leasing and how we're going to do the NEPA associated with it. So, I'd like to propose to the RAC that we do a presentation for you on how we're going to do oil and gas leasing to see if there are any places where the RAC would like to be involved in the process and help to make recommendations for future leases. It's a process that's kind of defined but there's a lot of flexibility on what we do and how we do it. It has a lot more guidance on how we're going to do the environmental documentation. But I thought it'd be good for the RAC to take a look at it and I want to forewarn you that once we do all this we probably won't see another oil & gas lease in western Montana because we don't do many. Tim mentioned that they might want to take a look at the BLM state webpage if they're interested in participating in the scope or EAs being prepared around the state because that's the only scoping that's going to go on for this

environmental assessment. Rick added that that's just for this particular EA. He then asked if the RAC would like a presentation on the oil & gas leasing with that IM because they can get them a copy of the IM before the meeting and they can have someone walk through the process and explain what it is so then the RAC can decide at which point they want to be included in the process. They could be setting the precedence for how the other RACs can also work on it. David Hooks asked if we work on this, when is it due? Rick said that the scoping is occurring now and that EA is on the leases that were already issued, the EA has to be completed August 1st so it will be out for public review sometime in early August and it will be for 30 days, then sometime around the 1st of September the decision record would be issued. David Hooks asked what would be the deadline for the RAC's contribution. Tim answered that it would be during the 30-day comment period. He added that if they want to get involved with the scoping, which is issue identification; it is open for comment for 2 weeks. Rick said that the IM that just came out will give some direction for how the process is done in the future. There are points where the RAC could be involved in a particular oil & gas area or partial review. David Hooks asked if it would be hard to put a timeline in as well, to specify where the RAC would start and where they would finish. Rick responded that when they do the presentation and go over the IM they'll add the timeline. He also added that if the RAC wanted to be involved in the current oil and gas leases EA, which includes the leases from 2008 and the new ones, the RAC would have to meet in August to make comments on that. Since we usually hold a meeting in September you'll probably get the document and then a week or two later we'll be holding the RAC meeting. David Hooks said that he'd like more time since he didn't know what would be involved. Tim told him that BLM is not in charge of the time frame. The new IM says that the public comment portion is 45 or 90 days so there will be more time going forward.

David Schulz asked Rick - do we meet the 2nd week in August and do a reevaluation of the current process and potentially have an opportunity to have input into it, as well as get training on the process for future projects, and is that achievable in 1 day? Rick answered that it is achievable in 1 day but it would probably take a good chunk of your agenda; just doing a review of the EAs and walking through the process and then setting that aside and moving forward with the new IM. He proposed that if the RAC is going to do both then they should break the 2 apart, do the EA, and if they want to comment on that, then have a meeting in August. Then at the next meeting, move on to the agenda process.

International Recreation Provider:

Rick mentioned that the Butte field office is now an international recreation provider. At one of their campgrounds, the campground manager came across 6 men on a rubber raft in camouflage and black painted faces and guns. It turned out they were Russian commandos using the campground area and Holter Lake as a training area for assaults. They didn't know that they needed permits or had to pay a fee for the campground.

Ballot Initiative 161 Informative presentation by Russell Kipp:

Initiative 161 does away with outfitter-sponsored licenses. He wanted to let the committee know a little bit about the outfitting industry, how they work, how they affect revenue streams to Fish & Game licensing, block management, revenue streams to the Forest Service and the BLM through permit fees and revenue through partners like the Rocky Mountain Elk Foundation. Outfitters donate trips to the Rocky Mountain Elk Foundation to sell them. Russell is a gold medallion level of business partners in conservation with the Elk Foundation. His trips have netted them \$100,000. They in turn have used that money. Russell passed out handouts about the initiative.

History – In the early 1990's, Governor Rosco put together a board called the PLPW (private lands, public wildlife counsel). It was a consortium of sportsmen, land owners, legislators, and outfitters. There were two outfitters on it. At that time, there were issues between all of these groups so they created the counsel to work on those issues. Through that process they came up with an outfitter-sponsored license and program called Block Management. With that, if a client was booked with an outfitter he would get a license. In the past, they had had 17,000 non-resident licenses. That number was set in stone. Approximately one-third were used by outfitters for their clients. They took 5,500 and turned them into the outfitter-sponsored license. Those licenses were charged a higher rate and that's what funded the Block Management Project. It gave a landowner a stipend for allowing hunting on his private property. They got \$10 a day for each hunter. The MT sportsman got a place to hunt on private property. He believed the highest number of acres was 9 million acres in Block Management. So we've got 30 million acres of public land and 9 million acres of private that are available to access because of that program. The land owner got his stipend, sportsmen got their opportunity to hunt on private land, and the outfitter got a client.

The licenses were set up to be in five-year blocks, it started 15 years ago. It's the last year of the 3rd block. It's called a variable priced license. If they oversell it one year, then the price goes up and they try to target a lower number the next year. Over the five-year period, they try to average the 5,500 a year. It generates a consistent revenue stream for Block Management. The ballot initiative does away with those licenses. A similar initiative passed in Idaho with the assumption that they would make more money and they ended up with a shortfall. The outfitters industry thinks there are a lot of negatives. It destabilizes the outfitting industry; it will have an effect on the money that goes to the permitting agencies. It will have an impact on our profits which will decrease our ability to donate to other organizations.

Karolin Jappe-Loendorf asked if this initiative has been put to vote before. Russ answered that this is the fourth time they've tried to do this. David Hooks asked if this would have an impact on tourist industry. Russ answered that the outfitters industry brings a lot of tourists to Montana so it would definitely have an impact on them as well. Mack Long mentioned that there's a bigger impact to the non-residents coming to Montana, which impacts the BLM. Because in order to make up for the money lost to Block Management they're going to raise the cost of all non-resident licenses by \$200 - \$300. So, every nonresident who puts in to hunt in Montana is going to pay \$200 - \$300 more. If that happens, less people will be coming to Montana and that impacts a large number of businesses and organizations.

David Hooks said that it sounds like this will have a big impact on Montana and asked what was the situation like in Idaho when they passed similar legislation? Mack Long responded that in Idaho, the timing was really bad. The economy was down and they raised prices. Russ said that in Idaho they raised fees 14% thinking they would have a surplus and ended up with a shortfall instead. It trickled down into the economy and into the agencies. David Hooks asked how it affects agencies. He thought it would impact Fish and Wildlife but not the BLM. Russ answered that outfitters pay for use permits on BLM, Forest Service, and Montana state lands. David Hooks asked Tim how much money his field office gets from these use permits. He said that he didn't know the dollar amount but that it was 3% of the gross. It's the same for all special use permits. They pay for the time spent on public land. David Hooks asked how much that would be, if it would be around \$100 or \$100,000. Nancy answered that it's not much at the Missoula Field office because there isn't a lot of hunting on BLM land but in eastern Montana there's a lot more hunting.

Sam Samson asked what the argument from the proponents is, is it that the outfitters are buying out the ranches from under us (the residents) and also the non-residents. Russ answered that the argument is that because the license is available to an outfitter they have a guaranteed revenue stream so that they can

lease property. There was a study done that asked land owners if they had game on their property and if they allowed hunting and how do you treat your property. In regard to elk hunting, only 5% was involved in some type of leasing. David Schulz brought up a meeting that he attended where they discussed how there were too many whitetail deer in the valley. He may ask Russ to come over to make a pitch at the next meeting.

Russ concluded that he just wanted to bring the initiative to the RAC's attention and for them to treat it as an information session. He also felt that the RAC should start to consider ways to create incentives to land owners to open up their property for public access.

Miscellaneous

Russ asked Nancy, Rick, and Tim if the BLM offered money for private property use to benefit the public. Does the BLM have any grants or funding that can be used as incentives for land owners? Nancy answered that BLM doesn't have a grant program authority like the Forest Service has. The closest BLM has is the Fuels Mitigation funding, which is being cut back. Tim added that the Dept of Agriculture has a huge grant program through NRCS.

Forest Service Fee Proposal Formats presented by David Hooks:

Most of the forests haven't had a fee increase in the past 5 to 10 years. In anticipation of a large number of fee increases, in order to be more effective in deliberations and recommendations, the RAC needs to look at how the information is presented to us. David came up with three options:

1. The do-nothing option (aka status quo)
2. Status quo plus ground rules
3. Ground rules plus new format [Joni and I came up with this option]

Ground rules:

- a) Use visuals.
- b) Submit your backup material 2 to 3 weeks before the scheduled meeting. (Any earlier and the material will get forgotten about or lost.)
- c) Include maps so we know which area you're talking about.
- d) Stick to the agenda.
- e) Be straightforward.

The format that Joni and I came up with is:

1. Tell us what you're here for.
2. Tell us what the problem is that you're trying to solve with this fee increase.
3. Tell us what other options you considered in lieu of a fee increase?
4. Tell us the benefits to the public, including the community (if applicable).
5. Tell us the results of the meetings informing and asking the community and interest groups for support. What issues were raised and how were they resolved?

6. Tell us the financial information, the schedule for planned accomplishments/improvements.
7. Tell us what you recommend.
8. Make the request.

David Hooks recommended that the RAC implement Option 3 and start to require that presenters follow the aforementioned guidelines and format when addressing the RAC for fee increases. Russell Kipp thought that it would be nice if they followed a format because he felt that at past meetings the discussion was all over the place. David Schulz felt that by following these guidelines and format, the process would be streamlined and strongly encouraged it. Mitzi Rossillon felt that the Forest Service has done a good job in the past with providing all of that information in their presentations. She mentioned that she would go one step further. The backup information sent to the RAC prior to the meeting included all of the information listed in the format. Because of this there's no reason they should be presenting the same information for 30 minutes. Everyone should have read the information prior to the meeting. In the future she would like them to only come for 10 to 15 minutes in order to answer questions. It should not be a presentation. If the information is not in the packet she did not feel it should be considered. Mack Long said that when the RAC first started listening to them, it took up too much time and our direction to them was to make it more brief and streamlined. We left it to them to figure out what that meant and Joni worked on it but she may have cut out more than you would like to see. So, if we can give her some general direction and have a standard format, I don't see how that can go wrong. David Abrams asked if the RAC wanted to adopt this as the standard way the Forest Service, or any presenter, should present. Sam Samson agreed to it but wanted Mitzi Roussillon's part added so that they know they are only there to give a brief presentation. Mack Long summarized it by saying that if we ask for this information up front and Joni provides it in a timely manner, then the only reason for them to be here would be for questions or to present anything that has come up since they provided the information.

Francis Auld asked why the Forest Service was coming to the BLM's RAC committee. Rick answered that in the legislation that allows BLM to charge a fee, it states that either the Forest Service has to form their own RAC or they can use BLM's for fee increase. There was an agreement signed between the Secretary of the Interior and the Secretary of Agriculture that told the Forest Service in Montana to use the BLM resource advisory councils and the BLM is using Forest Service councils in other places. So, for the Forest Service to have a fee increase, it has to come to this RAC or some BLM RAC. They do have their own RACs they're just not designated to use for fee increases.

David Hooks summarized the discussion by saying that the RAC is going to send this to the Forest Service telling them the RAC would like the backup material in this format and then that they will have 5 to 10 minutes to talk to the group about it and to answer questions. Sam Samson made the motion to adopt the guidelines and format for fee increase proposals. Nate Finch seconded the motion. The remainder voted with thumbs up so the motion was carried.

Madison County presented by David Schulz

Some of the things going on Madison County -- Steve Flynn and I both sit on the four-county Forest Service RAC. Projects that can be funded through the RAC as it relates to the forest with the criteria and those designations are also dollars that can and do have a direct relationship to BLM. Weed control is an easy thing to get funded with RAC dollars. Truck traffic on Federal Highway 287 has been a high-profile and priority issue. One of the things that have been discussed locally is to put up a border stop or

inspection station somewhere near the border. BLM has a number of properties adjacent to or on the Madison River. The local public committee made the determination that 75 feet from the river on existing development property was appropriate. A month ago the planning board reviewed that and came back with a proposal requesting 500 feet on all new development. On the 6th of June there is a public hearing related to setbacks on the Madison River.

The Ruby Reservoir, last legislative session was awarded fund authority or utilization of alternative funds, land owner participation, etc. for about \$13 million dollars to reconstruct and recondition the Ruby Reservoir. The project was recently put on hold by the DNRC. The director of DNRC is suggesting this as a fund conservation decision. We were pushing this project because it's an incredible recreational resource and provides access to fishing and campsites. BLM has quite a few acres along the Ruby, particularly on the east side. It's a safety issue if it isn't managed or reconstructed appropriately.

Last session the legislature addressed access on petitioned county roads due to the fact that they wine glass in and created a legitimate and appropriate access into state or public waters. It did not address prescribing roads, which very often are only as wide as the traveled way. BLM across the state has a number of bridges that may be affected by this legislation.

Travel Management Implementation:

Dillon Travel Management: We inventoried roads for 2 years and included every faint two-track on public land. We came up with about 2,500 miles of roads on BLM. In our 2006 RMP Record of Decision we closed (approximately 42%) of our roads, which were user-created on the recommendation of a subgroup of this RAC. We sign roads open, everything else is closed. We have been signing our roads for 3 years. This is a continued process to sign and re-sign roads. One thing I will point out is that travel on public land behind private land that is closed to the public is prohibited. This was a decision in our RMP, so if a private land owner blocks public access then he can't drive on the public land roads either.

David Hooks asked how do we know if we are allowed to use private land to get to public land. Tim answered they are usually signed they you are traveling on private property. Karolin Jappe-Loendorf asked if there are signs indicating off highway vehicle trails. Tim responded, no because the RAC decided not to when we were developing the resource management plan. Sam Samson asked if there's a policy that says you have to have the same rules as the forest behind you. He said that there's a private road behind his house that they let everyone drive on. He said that there's a designated route but it keeps showing up on BLM maps. Tim said that when they did the travel management planning, they tried to coordinate with the Forest Service.

Jack Kirkley asked if the roads closed were closed to all motor vehicles or if they were still open to certain types of vehicles. Tim answered that it's a total closure but with the exception of snowmobile use. Generally they can go anywhere as long as there's enough snow so that the underlying resources aren't impacted.

Butte Travel Management: Rick added that a lot of Butte's travel management implementation is the same as Dillon's. We sign roads that are opened. If it's not signed, it's closed. We have the same thing in our RMP that says that if the road is open to the land owner then it's open to the public. We also have signs that say "travel management area, stay on designated route" and that includes the route that goes

over private land because we consider that to be a designated route. If the land owner wants to close that, then they have to put up a gate or something. That would also be the only place that we would put up a sign saying that the road is closed.

We do have OHV play areas in our RMP. We try to match the Forest Service snowmobile routes – you can go anywhere but we do have some areas where snowmobiles are restricted because it's a wildlife habitat or critical resource area.

The two things that are different from Dillon's RMP are:

1. We were not able to do travel planning across the whole field office. We still have four areas that we need to do. We will come and ask the RAC for input when we begin that process.
2. We have several travel planning areas that we've incorporated in. Those have route designations on them for different types of vehicle use. We have some areas that are full access.

David Schulz said that last year the state office hired a travel management specialist. Is that correct and is that position being utilized in this part of the state? Rick answered that there is a travel planning person in the state office. They're helping out a lot in eastern Montana but western Montana doesn't get a lot of use out of that position.

Jack Kirkley asked if there was any consideration of snowmobiles when there is low snow cover and the damage they cause to trees and plants. Rick said that that issue has been covered in Butte's RMP. We tell people that a snowmobile is only allowed access when there is plenty of snow coverage. If there is no snow coverage then it is treated the same as an off-road vehicle because you are causing resource damage and we can issue a citation. Tim added that when doing watershed assessments, we look at all resources out there and if we see some resource damage that's occurring, then we'll address that in the environmental assessment and will make a change to the travel management plan if needed.

Nate Finch asked Tim, if there was a different way to do signs so that you don't have to go back every year. He's seen steel posts and the sign slides over the top. He said that he noticed a lot of signs along the fiber optic line and they're all still there. Tim responded that that was a good point and that he would pass it along.

Tim brought up the fines for off road or travel management violations are \$200 currently. A few years ago it was \$50 and people laughed at that and that \$200 isn't being taken seriously either. He proposed for the RAC to consider developing a letter that advises the BLM to seek raising that fine through the magistrate that determines what the fee schedule is. He handed out a copy of a poll taken from a hunting magazine that asked what type of action should be taken for ATV violations. The most votes were given to option D) Confiscate the entire ATV, and loss of hunting privileges for a year. Tim recommended getting the fine raised to \$500 for a travel management violation. The majority of the violations occur during hunting season.

Mack Long asked if he was proposing this for today. Tim answered that he was willing to work on it and would like the group to work on it so that it was ready for the next meeting. Sam Samson said they should put various amounts on it and also suggested putting cameras out there to help enforce it. David Hooks mentioned that you can get a camera with GPS coordinates on it. Sam Samson said that Fish, Wildlife and Parks has the same problem. He said that if there's good signage, so they obviously know they're violating, we should sock it to 'em. Jack Kirkley asked if this was only restricted to ATVs. Tim said no, it should be for violating any travel management rules.

Sam Samson said that he would make the motion and be willing to work on the fine increase proposal. Tim said he could draw up a resolution. Jack Kirkley seconded the motion. David Hooks said that he would work on the sub group. Karolin Jappe-Loendorf agreed to be on the sub group. All showed their approval of the motion with thumbs up. The motion was passed – off road vehicle penalty recommendation to BLM was added to the next meeting's agenda.

Grizzly Bear Recovery Plan presented by Gayle Sitter:

Introduction by Mack Long: I've been working on grizzly bear recovery for over 20 years, we've come a long way and I need to make a separation here – a lot of what most people here are familiar with is the Yellowstone ecosystem and the Yellowstone grizzly bear recovery and that process went all the way through. Grizzly bears were delisted in the Yellowstone ecosystem, they were subsequently challenged in court, and the judge relisted the bears in Yellowstone. That's where they're currently at.

Meanwhile, for the past 20 years, we've been working on grizzly bear recovery in the NCDE (Northern Continental Divide Ecosystem) and that is basically Glacier Park, down Highway 200 through the Blackfoot to the East Front and back up to the Canadian border. It's about 6 million acres in total. In 2004, we did a population estimate by using DNA hair snagging, where you set up a barbed wire square, put an attractant (not a bait) in the middle of it. As the bear goes under the barbed wire, its hair gets snagged on the wire, then you pull that hair off on a routine basis, and submit the hair for DNA sampling. The DNA sampling will tell you if it's a black bear or a grizzly bear or a wolverine, male or female. The information you take from that, you can figure out a lineage and build a family tree history off the DNA evidence. The population estimate from this DNA snagging is 765 bears, which is more bears than the Yellowstone ecosystem. We've also been working on a trend study to see if that population has been going up, down, or flat. It's a little premature to say what that is but, generally it's a positive trend. So, that means the population is continuing to do pretty good.

Gayle: What we're trying to prepare now is a post delisting strategy. If we delist this population, what mechanisms are in place to ensure that this population will be able to survive and maintain itself? We're in these discussions now about what's the core, what's an exterior, how far out do we go and there's a discussion on how does this population connect with Yellowstone and what mechanisms do we have in place. In Yellowstone the main issues were food storage, livestock allotments, and motorized access. Now we're carrying those forward and looking at what we already have in place. You've already heard about the road access issues that we've already discussed in the RMPs and are already in place. In this strategy, we're just documenting what we already have, how consistent that is with all the particular agencies, how they're handling that, and where do we go from here --do we need to tweak some of these to make sure that we're consistent in all places, can we do that or do we go with the lowest common denominator? Same thing with livestock allotments – what do we have? Most of the concern is not really the livestock allotment as it is the sheep allotments because they seem to be more of an attractant to grizzly bears. We're sitting well with that because there are few sheep allotments in this area. Food storage has progressed naturally. Initially in Yellowstone, there were no food storage or food storage recommendations. Now, a lot of the forest and BLM districts have food storage requirements. We put them in all of our commercial contracts. Some of BLM areas, like campgrounds or hunting areas, have structures for food storage to get food out of the reach of bears. They do not specify grizzly bear, it's for bears. We're just trying to build and document what we have in place now, where do we go, how far out do we go, and what other kinds of things do we need to do. Yellowstone did not address anything on

vegetative management. One difference between the NCDE and Yellowstone, NCDE bears rely almost exclusively on berry crops. At Yellowstone, that was a minor part. Another thing not covered at Yellowstone was oil and gas. We have to decide if we want to discuss that. We wanted to bring this to you to tell you what we're discussing and to ask if there are other issues we're not thinking about and should we be addressing other things.

Jack Kirkley asked if there is a target number for the population that once reached, they'll be delisted. Gayle said that there isn't a particular number but it's basically when they are socially acceptable. Mack Long added that originally it was thought that between 200 – 400 bears would be required to maintain genetic diversity and have a recovered population but that was never a solid number. Because we're at 765 and increasing, that demonstrates that we're probably at a recovered level. Mack Long said that the ranchers are learning to live with the bears and that with removal of problem bears, they're starting to do pretty good. Wolves are a bigger impact than the bears are. Francis Auld asked if there was a process on what happens to the bear's remains after it has died or been destroyed and if the tribe can request to have the hide, etc. Mack Long said that they go to the state lab and preserved and then distributed to educational institutions. The tribes can request to have them for tribal use, especially if it is for educational purposes.

Gayle said that bears that are removed for management purposes are entered into a formula to check to see if the population will be able to be maintained. There's been a lot of adapting going on by the ranchers and so bears are more socially acceptable in some areas than others. He added that they're just trying to document what's currently in place and ask if they were delisted today, would the population be maintained. Jack Kirkley asked how are they delisted, what's the trigger? Gayle answered that Fish, Wildlife and Parks looks at the area and will make the determination on whether or not they will be delisted. But in order to do that, they have to have a post conservation strategy plan. So, their thought is that in 2013 the plan will be in place and they can petition for delisting.

Sam Samson asked what's the difference in the food supply of the NCDE versus Yellowstone. Mack Long answered that white bark pine is big in Yellowstone but they're dying so that's been an issue. So, they've been looking at what food sources they've been switching to. All bears are carnivores so they're hitting elk, calves, and mountain lions. In the NCDE, the berry crops are big. They'll also eat mountain ash, rose hip, biscuit root. All bears are opportunistic so they can switch.

Tim said that there are good white pine nut years and bad white pine nut years so they adapt. But exacerbating the Yellowstone situation is also the cutthroat trout situation at Yellowstone Lake. Another major food source they tend to get into a certain time of year is cutworm moths.

Nate Finch asked if after delisting would there be a different management plan for inside and outside of the boundaries. Mack Long said yes and that's what we're working on trying to identify. We're trying to take a snapshot of what the conditions were like in 2004, what was in place, how many campgrounds, highways, etc. and that becomes a pivot point so you know that with x amount of activity bears were still doing well so you can monitor that in the future. In Yellowstone, after delisting there was a primary conservation area (PCA) and in that PCA there was a certain set of guidelines. The area outside of that should have a lesser degree of impact and restriction but there would still be some basic habitat requirements.

On the bears, we think that the level that it's at now is probably a reasonable level for it to remain. It may vary some or go up some, and if it keeps going up we may have to increase harvest or mortality to keep it at the socially acceptable level, not to double the bear population. To tie that into the wolf population, we

feel that the wolf population is over what it should be. There are more wolves on the ground than are needed for recovery. It's currently tied up in court and the wolves have been recovered for about six years now. We think that we need to get back to a number that is realistic and socially acceptable and minimize impact on ranching and on other wildlife populations.

With the use of GPS collars you can track the bears and know the exact location and elevation that they're at. You can get a movement every 30 minutes or hour. It was interesting because they will be moving and then they will stop for 3 to 4 days and start moving again. We noticed that for some reason the males will get up one morning and travel for 70 or 90 miles. They may stay there for a week and then they go back. So, we think the possibility for linkage with Yellowstone bears is there.

Agenda Items for the Next Meeting:

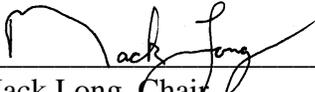
1. Land Water Conservation Fund/Baca bill--how BLM acquires land
2. Presentation on current EA. Discuss comments (if made/unresolvable) received on EA.
(Instruction memorandum at winter meeting)
3. Presentation on off-road vehicle (ORV) group's findings for letter to magistrate.

Tim mentioned that we should get the other RAC's involved with the fee increase on travel management violations as well. Michael Gibson asked if this would be statewide, not field office to field office. Tim said that the magistrate that we deal with is the Missoula magistrate. Rick added that it would have more force if all RACs in the state were in agreement with the fee increase. Jack Kirkley asked if the other RACs needed a heads up on what we're working on. Rick answered that David Abrams can contact the other RAC coordinators and let them know that once this resolution is finalized; it will be passed on to the other RACs. Rick thought that it would also be a good idea to let the other RACs know that we're going to be looking at the oil and gas lease process and places the RAC can contribute to since they'll be doing the same process.

Next Meeting:

September 15, 2010 (Dillon) - starting at 9 am.

Nate Finch will be chairing the next meeting as Mack Long will not be attending.


Mack Long, Chair

7/16/2010

Date:

Western Montana RAC Meeting Notes September 16, 2010 9:00 A.M.

<u>Attendees</u>	<u>Titles</u>
Nate Finch	
Rick Hotaling	BLM, Western District Manager
Rich Torquemada	BLM, Missoula Field Office Manager
Jack Kirkley	
David Schulz	Madison County Commissioner
Karoline Jappe-Loendorf	
David Hooks	
Francis Auld	
Russell Kipp	
Sam Samson	
Wayne Farley	
Mitzi Rossillon	
Steve Flynn	
O. Alan Weltzien	
Mike Nedd	BLM, Acting State Director
Tim Bozorth	BLM, Dillon Field Office Manager

Introduction by David Abrams.

Full quorum for meeting.

New RAC members will be at the next meeting.

There was a view of last meeting's Action Items:

1. Post Ground Rules at meetings.
2. Timeline for the Oil and Gas EA. There was a discussion about the difference between the IM and the EA. The IM was to initiate the EA. It discussed the policy for the EA. Will check the last meeting's minutes to correct reference to the IM/EA.
3. The ground rules were sent to the USFS on format content for the fee request, as well as to other RACs.
4. Review Action Items at the end of the meeting.

Rick Hotaling introduced Rich Torquemada, Missoula Field Office Manager, and Mike Nedd, the Acting Montana State Director.

Mike Nedd: Gave an overview of his responsibilities at the Washington Office. He expressed his appreciation of the passion and dedication of the RACs he has met while on his detail to Montana.

Rick Hotaling introduced Nate Finch as the new RAC Chairman.

Tim Bozorth: Gave an update on the MSTI powerline with a PowerPoint presentation. Not much has changed since the last meeting. Judge Molloy has determined that MTDEQ must consult with Jefferson County. Still waiting on the court order to see just what that will involve.

The BLM is required to consider any proposal, like MSTI, that is in compliance with the BLM's land use plan. We are reacting to a right-of-way proposal. It is in conformance with the land use plan so

the BLM is considering it as part of the NEPA process. Working on the draft EIS. There have been a number of meetings both with counties and the public this summer to provide information on the project and process. The EIS is on hold while waiting on the court action.

There were scoping meetings held as early as 2008 when the Notice of Intent was published. A lot of the issues that were brought out during scoping are the same as today; visual impacts, wildlife, public health and safety, property values, residence, agriculture, socio-economic issues.

The project has been broken into six zones of analysis.

Zone 1: Northern Zone Townsend to Mill Creek and Butte.

Issues include: private property, constraints on public land routes through Wilderness Study Areas, Wilderness, etc., visuals, wildlife, air quality

Zone2: Twin Bridges, Whitehall, Apex

Mostly on public land. The company is required to identify their preferred route along with two additional routes. The BLM will then take that input and public input and incorporate it into the EIS to determine alternatives for analysis.

Same sort of issues as in Zone 1. Trying to keep the route on public land as much as possible but there are a number of constraints on the public land.

Question regarding Eminent Domain. It would be the last choice by the company.

Zone 3: Apex to Idaho

Will try to be kept to as much public land as possible. Issues include sage grouse, private property, visual resources

Routes are limited by the issues, the airport at Dell, irrigation systems. Not a lot of differentiation in routes from just north of Dell to Monida.

Question: Once completed will there be more access to public land? There will be some new roading, but they will not be open routes. Roads to towers will not be open to travel.

Question: In May the preferred alternative to Mill Creek was out of consideration. Will it be considered again? Yes, if there is a desire to get to Mill Creek eventually it will be considered. The presumption is to minimize resource impact and the route to Mill Creek would exacerbate that.

Question: When does the RAC formally discuss and provide input on MSTI? After the draft EIS comes out there will be a three-month review period that will be open for comments. Then if the RAC wants to form a subcommittee to address the issue they may do so. The draft EIS is on hold until the Jefferson County court order decision is determined. The draft EIS may come out later this fall or after the first of the year. Would like time at next meeting to discuss MSTI.

Question: Who proposed the route on public land in Zone 3? It looks like it goes through Bannack and main sage grouse habitat. Proposed by DEQ as a way to avoid private property.

Question: Clarify the term "preferred alternative". It is required to identify to the public what the agencies are currently thinking so they can have a better ability to differentiate between alternatives and provide their comments on the draft. A No Action alternative could be chosen. In this case the No Action alternative would be to not approve the permit. If the impacts can be mitigated the project will be approved. That is part of the process.

Nate Finch asked what is wanted from the RAC. Tim said to wait to review the draft EIS. If the RAC wants to be involved in the process the BLM can facilitate that. There was a discussion on how and if a subgroup of the RAC would be formed to address the MSTI issue. The optimal size of the subgroup would be 8-10 people, they would not necessarily need to be RAC members.

Subcommittee meetings could be public if the public was notified, but the public cannot participate. The subcommittee will be in place before the draft EIS comes out. Any RAC member can attend the subcommittee meetings. The subcommittee will make a recommendation to the full RAC. There would need to be agency, Northwest Energy, a facilitator and three categories equally represented. Monthly meetings would be needed. Tim Bozorth will work with the RAC to get the subcommittee formed properly.

Alan, Dave and Karoline will be the three RAC members on the subcommittee.

Mitzi Rossillon made a motion to form a subcommittee to address the MSTI draft EIS. Sam Samson seconded the motion. The motion passed unanimously.

The motion was modified: To form a subgroup to address the MSTI draft EIS with Alan, Dave and Karoline, plus three additional members of the RAC, with three or more additional members of the subgroup to be decided on by Tim Bozorth and Nate Finch to make sure it was balanced according to the RAC bylaws.

The motion passed.

Off Road Vehicle (ORV) Violations Update:

Tim Bozorth: At the previous meeting, there was a discussion about the option of increasing fines for ORV violations. Tim worked with Karoline, Dave Hooks and Sam via email. Tim's interpretation, after talking with the head law enforcement officer in Billings, is that currently the agency has no authority to issue citations for over \$250. Actually the BLM does have the authority, it's just that there is a federal judge in Missoula that doesn't like them. Tickets can be written for up to \$500 for travel management tickets. After discussion with the group, decided that writing the tickets for \$500 wasn't enough, but since that is the limit and the judge doesn't like them over \$250 it was the feeling of the group that we should write the tickets for \$500 and deal with the judge.

Question: What are the closed road requirements? Designated routes are signed "open." Citations are not issued if there are any questions with the signage or confusion with the map. This is the 4th year that the decisions were made on travel management and the DFO is fully expecting the public to comply with the rules. Signage is to be the same throughout the Western District and on the Forest Service's and State lands. Though not all the roads on Forest Service lands have been signed.

Question: What are the fines that can be issued for ORV violations? Can fishing and hunting rights be taken away? Can ATVs be taken away? Fines of up to \$500 can be issued. Fishing and hunting rights cannot be taken away for ORV violations on BLM lands. Confiscating ATVs can be problematic.

Question: If it becomes the policy for the BLM to issue tickets for the maximum fines will that become the policy of the Forest Service and State Lands: The BLM cannot speak for other agencies in this regard. BLM officers have the discretion to write the ticket for the appropriate amount. Amount

can depend on the situation; whether a traveler is actually lost, or if it is a hunter willfully traveling cross-country to retrieve game.

Question: Does this require a motion from the RAC? The BLM would like to have a motion from the RAC for emphasis for the judge and to reinforce the issuing of citations as being consistent throughout the Western BLM District.

Sam Samson presented the motion: To encourage and approve fines up to \$500 for ORV violations. Alan Weltzien seconded the motion. The motion passed unanimously.

BLM Office Updates.

Tim Bozorth: The Dillon Field Office (DFO) completed a lot of projects this summer. We had 27 seasonal employees that included two labor crews. Completed 2.6 million dollars worth of ARRA projects that included recreation site projects in the Madison \$600,000 worth of habitat restoration projects throughout the field office (juniper reduction, spring and wetland fencing, etc.), removed 20+ miles of fence that was a wildlife hazard and the usual cattleguard and culvert replacement and other projects.

The Hagenbarth Land Exchange in the Big Hole upstream from the Notch is being appraised and we hope to close on that by the end of the year.

The Shale Creek Timber Sale, near Polaris, for 950,000 board feet, has been sold and work should start as early as next week. The Price of Beans Timber Sale, is a resale of a sale in Price Creek, for 2.5 million board feet, bid opening is next week. Have been trying to accomplish this sale for a number of years.

The Buhler School restoration, near Glen, is being restored to the early 20th century. It is a one-room schoolhouse. The roof is being replaced in preparation for restoring the interior.

Restoration of the Sunset Cabin up Barton Gulch, of a depression era cabin, includes replacing the foundation and the sill logs.

Restoration of the Nye Ranch, near Henneberry, an 1883 cabin, includes replacing the roof. The DFO is also working with the Montana Preservation Alliance to preserve the 1905 house, to assess replacing the foundation and sill logs.

The Madison Dam issue; the BLM is working with PPL to remove a bus-sized rock that fell on the dam. Along with another similar sized rock that is hanging over the dam and needs to come down. Will need a barge and crane to do the work.

The Sheep Experiment Station was working on an EA but decided an EIS was needed. With more grizzlies in the area the issues are more complicated. The Tom Creek allotment is no longer being grazed because it is in grizzly habitat. There was a mauling of a hunter by a presumed grizzly in the Gravelies. With more grizzly bears in the area sheep grazing will be more complicated. The DFO is concerned with recreation and wildlife issues of the Sheep Station EA and EIS. Tim has commented on the EA and EIS concerning the east-west migratory corridor for bears. Federal agencies grazing sheep in grizzly habitat is no longer appropriate and many sheep permits have been discontinued in

primary grizzly bear conservation areas. Grizzlies are still listed as threatened and endangered and need protection.

Question: Is private land adjacent to the Sheep Station affected? There is no private land adjacent to the Sheep Station. The retirement of grazing permits has been voluntary.

Rich Torquemada, Missoula FO: (These notes were provided by Rich)

Rich Torquemada, the new Missoula Field Office Manager is now on duty. His background includes extensive experience in land management issues working with the US Fish and Wildlife Service and Forest Service throughout the western United States over a 30-year federal career. He looks forward to continuing to serve the public in the Western District of the BLM.

Resource Management Plan (RMP) Revision

The draft Prep Plan for our RMP revision was sent to the state office for review and comment. Resource staff will be working on addressing those comments this fall, with anticipated submission to Washington by late November. We won't be funded to begin the RMP in 2011, possibly may start in 2012, depending on BLM funding priorities. Missoula will continue to collect necessary data in preparation for an anticipated start in 2012.

Marcum Mountain Watershed Assessment

- DR and FONSI signed 9/14/2010 – with the exception of certain planned timber sales, the decision is open for a 15-day Protest period
- Joint EA - BLM Missoula Field Office (12,917 acres) & FWS Benton Lake Wetland Mgt Dist (3,896 ac)
- Lands located in Powell and Lewis and Clark Counties, between Ovando & Lincoln, Montana
BLM Completed a landscape-level assessment on approximately 80,000 acres of land last March

Resource Objectives: Most of the BLM lands within this planning area were former commercial timber cutting units. As such, our management focus is on improving resource conditions (wildlife habitat, quaking aspen stands, historic forest communities; rangeland health; riparian areas and stream habitat; reduce wild fire risk; water quality; erosion hazards from existing roads; public access for recreation opportunities; enhanced recreational values; public safety and protection of cultural resources.)

Actions Proposed:

- Tree harvest, thinning, mastication, planting
- Prescribed burning
- Recreation improvements (meat poles in dispersed hunting camps; relocation of Highway 200 pullout)
- Protection of aquatic habitats (grazing exclosures on Arrastra/Ward Creeks)
- Protection of cultural resources (Carbaryl spraying; thinning/underburning culturally-significant large-diameter ponderosa pine)
- Decommissioning of redundant/old spur roads

Grazing Management

Ram Mtn - Final Decision issued June 18, 2010; Western Watersheds Project (WWP) appealed the decision with a Petition for Stay on July 21, 2010. The petition was enjoined by the grazing lessee, who filed a Motion to Dismiss for lack of standing. BLM filed a response in early August. Judge Sweitzer denied WWP's Petition for Stay and Lessee's Motion to Dismiss on September 2. BLM is preparing a response to the appeal.

21 Grazing Lease EA – This EA was delayed due to the Ram Mountain EA litigation. The Proposed Action is to renew 21 term grazing leases with new and/or revised terms and conditions. EA expected to be released for public review by the end of September.

Forest Management

Bear Creek Flat Stewardship Project –The project will treat about 215 acres by removing some of the understory and ladder fuels. Bear Creek Flat is designated as an Area of Critical Environmental Concern. Contract for 331 thousand board feet was awarded to Johnson Brothers Forest Resources (Missoula). Pre-work conference held September 1. Road work expected to begin next month.

North Hoodoos Timber Salvage Sale – 10 MMBF Contract awarded on August 12 to Sun Mountain Logging (Deer Lodge). Expected to begin in early 2011.

Copper Creek – 583 MBF contract awarded on June 11 to Dave Sheets Contracting (Drummond). Work expected to begin soon, 134 acres.

Ram Mountain Timber Sale – 282 MBF contract awarded on June 11 to Pearson Logging (Stevensville). The sale is in progress, 69 acres. We may add more volume due to recent bug kill within the sale area.

South Hoodoos Timber Sale – 7 MMBF contract being prepared . Easement acquisition delays due to pending private lands sale. Sale will be postponed until end of November to accommodate hunting season road closures. Anticipated sale date mid to late December.

Prescribed Burning

We completed 115 acres of spring burning and have approximately 200 acres remaining in Murray Douglas for possible fall burning if we get a window.

Garnet Ghost Town

Garnet Stewardship Project –Trail work is complete. New signs will be ordered this fall and installed in the spring.

Garnet Listed on National Historic Register – The listing status will increase the availability of funds to protect and preserve Garnet.

Coloma Ghost Town Management Plan

We are in the last stages of finalizing the Coloma Management Plan and are starting to write the EA. The plan calls for installing an interpretive kiosk and building a small parking lot outside of Coloma. In addition, a gate would be installed to prevent people from driving into Coloma. The EA should be finished this fall and work may start next summer depending on funding.

Limestone Cliffs Area of Critical Environment Concern (ACEC)

The Garnet RMP designated the Limestone Cliff ACEC in 1986 and recommended the 20-acre area be withdrawn from mineral entry. The area was withdrawn June 6, 1991 for 20 years (maximum allowed time). We are requesting an extension of the withdrawal for an additional 20 years with no changes. The Notice has been listed in the Federal Register.

Recreation and Public Purpose Act Proposal

The Town of Philipsburg has applied to acquire two parcels of public land in Philipsburg for a park under the Recreation and Public Purpose Act (R&PP). Along with the R&PP conveyance they have inquired about a direct purchase of four additional parcels in the same area. The Town of Philipsburg proposes to create an open space park on approximately 10 acres of BLM land. The proposed plan is to construct a walking trail and a parking lot for park use. In the future, trees may be planted, and picnic tables placed around the site as funding becomes available. The four small parcels for direct sale total less than 6 acres and are adjacent to land owned by the Town of Philipsburg.

Butte Field Office Update

Rick Hotaling: Rick is transitioning to the District Manager position. A new field manager may be in place by the next RAC meeting.

There were three fires being dealt with. One was from rehab, one was from last year, and the other was by Holter Lake Campground. Most of the rehab for the Holter Lake is continuing on. First part of rehab after a fire is dealing with immediate dangers; telephone poles that are burnt off, huge debris flows, bridge safety, hazard trees, etc. Then a more pro-active, long-range rehab of the land; pine cone collection for seeds and so on. This year they are working on rehabbing two fires. The Lakeside fire burned the Marshall property that was acquired in a land exchange. The cabin on the property was burned. They are trying to decide if they want to rebuild the cabin and rent it. The Davis Fire was a Forest Service fire by Helena that burned onto the BLM. The BLM land damage was minimal because the area had burned in the 1980s and was mostly grass.

Shortly after the Davis Fire there was a massive rainstorm in the Indian Trails area that flooded a private cabin. The fire was so hot that the soil could not absorb any water and the rain water just ran off and caused a hydrophilic action. There was no way the BLM could have stopped it with any type of rehab.

Still working on an egress project in subdivisions with Lewis and Clark County. They are identifying major evacuations routes should there be a fire. Working on an EA to address clearing trees from along the egress routes. Still haven't decided if the trees will be cut and left along the roads or removed as saleable timber.

Work will begin at the Great Divide Sand Tailings to remove the tailings as an abandoned mines project by next year.

In the Wise River drainage they have finished work on the north side of the river and are now beginning a watershed assessment on the south side that will look at travel management in the area as well as other issues. The Butte FO is working with the Forest Service on the assessment.

The fuels reduction project in the Scratch Gravelly Hills may have prevented a large wildfire from happening. The rural fire district put out a fire in an area where most of the trees had been removed

and were able to work on a single burned tree. If all the dead trees had been left the fire could have been much larger. With all the subdivisions in the area the BLM is happy to see the success of the fuels reduction.

In the Wise River area the weed mapping project is going well. They are working with the Rocky Mountain Elk Foundation (RMEF) to have the weeds mapped. They now know where all the areas needing treatment are and can now go in and treat those areas and monitor how well it is working. The RMEF liked the project so well they want to do it again. RMEF awarded a contract for the mapping to be done and will manage the contract, plus, have provided a lot of volunteer time to do the project.

Question: The fuels reduction being done along the roads in Wise River involves mastication. Does the contract include clearing off the roads? The big chunks are to be removed from the roads. The roads are to be left in the same or similar condition as when the contractor went in there. Some of the chunks are from firewood cutting. If roads or trails are closed leaving the masticated wood on them does a good job of closing the road/trail.

Question: The Forest Service is letting contracts to clear along the roads. Is the BLM doing the same? Yes, the egress project in the Scratch Gravelly Hills is one of them. Some of the projects in the Wise River EA are being modeled on the Forest Service contract.

The Maiden Rock contract has been issued and a contractor hired to rehab an old phosphate mine. Will be trying different methods. Some activity may be seen from I-15.

Martian landing update: turned out to be Russians (naturalized US citizens) re-enacting war games, using blank ammo, wearing uniforms, had units, etc. It was explained they need to talk to the BLM before they have their war games.

Public Comment Period

MSTI

Logan General, Silver Star, MT: He is concerned with cultural issues. There are a series of petroglyphs in the corridor along the Lewis and Clark Historic Trail. Some are known and others aren't. The powerline will go right over the top of an unknown site behind Silver Star. He would like them included in the EIS. MSTI will affect the whole Lewis and Clark Historic Trail. *Tim Bozorth asked him to provide contact information so the DFO archaeologist to make sure the location is known and can be addressed in the EIS.* He expressed concern that if people know about it, the site will be damaged.

Rob Thomas, professor of ecology at U of M Western, spokesperson of Keep it Rural: Keep it Rural is an organization formed in Dillon, MT to oppose MSTI as it is proposed. Keep it Rural is a non-partisan organization. It is probably the most diverse collection of human beings that ever existed in one room in Dillon, MT in history. Ranges from far left to far right. Mr. Thomas handed out factual information on MSTI and another handout on the effects of electromagnetic fields (EMF) on health associated with the line. There are many other organizations in that oppose MSTI; a minimum of five county organizations collectively grouped together in a group called Concerned Citizens of Montana (CCM) that represent thousands of individuals. One of those people is Dr. Linda Rogers, from Butte, who is the most knowledgeable person in the state of Montana on EMF. The negative aspects of MSTI

are too great to go into detail today. They range from eminent domain and people losing their land, which will occur as Northwest Energy has said that is an option they will use, to something that hits home to him; the line goes through several mapping projects for geology field camps and the geology field camp directors have said they will not come if the line goes through those areas. That is a million-dollar business every summer that the community of Dillon will lose. The campus gets 80% of their summer business from the field camps. That is one economic impact of MSTI. He would be happy to outline that for anybody at a time when there is more time. He told the story involving a phone call from a rancher who is a lot more comfortable in alfalfa than talking with people on the phone. He asked if he should go to the meeting in Whitehall to express his concerns. Rob told him yes. Then the rancher began choking up as he told Rob he had a two-year old granddaughter that had a heart ailment and had a pacemaker. The girl is doing really well, but his concern is that they are right in the path of the line. Even Northwest Energy doesn't deny that EMF affects pacemakers. Having the rancher choking up while talking about his granddaughter hit Rob in the gut. MSTI isn't about property rights, this is not about economics, and this is not about economic loss. It is about human decency and doing the right thing for people and peoples' quality of life that are in the path of this line. Mr. Thomas asked the RAC to go on record as opposing MSTI. And also asked that the subgroup being formed come to the RAC with a preliminary decision prior to the release of the EIS. Because if sheep grazing isn't appropriate, and the BLM can be at odds with the Sheep Station over it, why can't it disagree with the DEQ? Why cannot the preferred alternative be that it is not preferred? It seems to him that the BLM ought to be able to say that it is not preferred. And so if that is the decision of the subgroup he would like that be in preliminary form prior to the EIS. Because once the EIS is released, even in draft form, that is in some degree a decision by the BLM and DEQ. *Tim Bozorth noted that it was not a decision. It is a disclosure document to allow the public to know what we have found to be the environmental impacts of the proposal. The preferred alternative is a requirement, it is not a preferred decision it is a route that we are required to indicate to the public what agencies are thinking. Since we are doing a joint EIS it is not appropriate for us to have a difference of opinion from our co-lead on the EIS. We have to come together and indicate to the public what we are thinking. There was a discussion about BLM/DEQ and the preferred alternative.*

Norma Duffy, Dillon, MT: She is concerned about the electromagnetic fields and how they will effect humans and animals. Fish that use migratory spawning, such as trout, will be affected. In tests done in Saudi Arabia, EMFs disrupted fish to such a point, that four weeks of exposure to 60hz causes irreparable to a cyclidid (fish used in testing). Causing 30% less chance of obtaining oxygen in the gills, it disrupts the nervous system, the muscle systems after four weeks of being in a tank with EMF. When taken out of the tanks and placed in an EMF-free tank, after four weeks there was irreparable damage. When the fish were cut open, four weeks later, they had 180% more problems than if they hadn't been exposed to EMFs. That means there will be more problems with diseases, whirling disease, blood diseases. And that is just fish. Any type of migratory animal; insects, bees, monarch butterflies, sage grouse, ducks, swans. They go by migratory paths. MSTI is going to disrupt the migratory paths these animals, which deal with EMF of the earth in order to set their gyration pattern from south to north. I heavily suggest that since there have not been enough studies that are out there, but the studies that are out there do show inclusive evidence that this disrupts these. We're going to end up destroying our environment if we don't have extra studies done on these particular animals, and riparian areas and our fisheries areas, and any areas we take pride in as a State. We could ruin the State. We really need to sit down and think about it. This is the last great part of the West. She'd appreciate it if the RAC would dive a little bit more into that.

Secondly, she wanted to say is the National Park Service (NPS) has been working on their own EIS in regards to putting corridors through the United States so people can go back and check the history of the Lewis and Clark Historic Trail. We'd like to see that stay open for our grandchildren and

grandchildren's grandchildren. We'd like to make sure that Montana, where the majority of the great things that happened happened in Beaverhead County; Sacajawea found her brother, Camp Fortunate, there are rock paintings, we have camp Shoshone, Lemhi Pass, the Bitterroot Mountains. We have the majority of what was written in those journals, right from the Notch, which makes this area so great. Signatures by Clark have already been wiped out by I-90 near Whitehall. We need to try not to wipe out anymore history than we have to. We have to sit down and figure out what this will mean to future generations. It is not just the people who are ranchers, which she really feels sorry for because they are going to end up losing their property to eminent domain, because this company says flat out they will use it. They will not give anybody an option. Her last point is: no sellers no buyers. Why is this line being put together? After a year of open season and no one wants to touch this line because it is a dirty, ugly line. It has been stated in newspapers that Northwest says it is not a clean line. Why take clean property, pristine land and make it a dirty business?

Steve Jennings, Beaverhead Outdoors Association: He is all about what is happening to our wildlife. He agrees with Norma. We are going to lose a lot of habitat with this line. They originally started on this as a green line. Wind energy is inefficient, unreliable and expensive as soon as the subsidy goes away. We had an alcohol plant in Dillon. As soon as the federal subsidy went away, it closed its doors. The same thing is going to happen with wind. As soon as the subsidy goes away the windmills will be shut off. The "green" thing is a non-starter. That brings us back to Anaconda. There's a plant being built in Anaconda. That's a gas generation plant. That's the Mill Creek site they are talking about. If we have to have this thing shoved down our throat, what aren't we taking the preferred route as being from Anaconda down the existing utility corridor. There's three powerlines; high transmission lines, between Butte and Melrose. Follow that route, turn at Melrose and follow the two lines that head towards Idaho. That's something that has to be out there. This is a dirty line so you may as well take the line to the dirty source which is the natural gas plant. If any wind energy is put on this line it has to have base load firming power behind it. Colstrip, natural gas; it has to have something they can just turn up the burner between wind flow sources. The line will be dirty, start to finish. But, do we need it? There's currently a large solar facility going in near Tucson. There's another solar facility at Henderson. And there are lots of wind sources on the high deserts of California. And right now they have run out transmission lines and are fighting over the protection of the desert sheep. They are trying to push transmission lines from these wind generators to LA and tear up habitat. So why are we destroying habitat for our game, our birds, our fish because California has standards and they are not letting the lines be built across California? We are going to lose our outdoor heritage for things we come to Montana for because California has standards. I don't think so.

Roberta Rafferty, landowner at the Notch Bottom: We are fortunate to live right on the beautiful river. We are also fortunate to see how many other people use that area on a daily basis. In the summer time they watch people floating down the river, fishing, knocking on their door to come fish on their place. In the fall all the hunters, and the traffic that is up and down that area. In the spring... it happens all year long. People come to their place from Wisconsin, from all over the country to be here. As you all know there is a reason why they come. She also wanted to talk about the fact that this line is not going to go on her property because the route is going to try to take advantage of public land. It is going to go on BLM/State land that is right adjacent to her property. She's going to be completely impacted by the fact that it's next to her ranch; even though it's technically on public lands. So when she tries to sell her ranch for any reason, she's toast. Her ranch is valued as recreational property. She will never be able to sell it a recreation values. She's telling this, not because she wants you to think about her, but because there are other people who are butted up against public land, who are going to be impacted. So when she hears Northwest Energy, and she has been to many of their meetings, say "We're really working to keep this on public land." That's misleading because people are going to be impacted by this who are next to public land. She thinks it's a shame. Her place is a

beautiful place, that's unique, it's completely surrounded by public and State land and it is going to be trashed because of this. She will not get her money out of the place. She has no intention of leaving that kind of a legacy to her children, who happen to be the minority of children who want to take on the family ranch and not get out of it. At this point she wants to say, to her children, "Get the heck out of here and go someplace else." Having to look at this monstrosity every single day; she just can't encourage them to do that, to lead that kind of lifestyle and sacrifice that much. Northwestern Energy says that this is good for economic growth. Economic growth for who? We really have to look at that. She could swallow this monstrosity if she could see one reason that it would really benefit us in the long run. In talking with people, no one wants this. So, economic growth for who? Certainly not for us. She resents the fact that we have to build this and have to have money made off of our backs for the sake of the shareholders of Northwestern Energy. Please think about that when you get involved with this decision.

Anelise Ripley, speaking as a private citizen: She has worked as an environmental consultant so is somewhat familiar with the environmental assessment processes, review, and language and terms the rhetoric. She understands there are certain procedures that have to be followed and the turn-out is part of that. She appreciates the discussion earlier today that demonstrated taking on this issue as a very serious issue. She also appreciates Mr. Samson's comments about "need." She thinks need is very important thing to be thinking about. There are a lot of issues related to this line; ultimately do we need it? Why are we doing this? What is the real benefit to the citizenry, both locally, regionally, and nationally. But also, as a group that represents an agency, and understanding that you have a certain task before you, and the agency has a big task before it, in terms of whether it can truly mitigate the impacts of this line. She would like the RAC, as a committee or a council, to really think about that. Can you mitigate the impacts of this line, in terms of its impact on the landscape, the viewshed. We are talking about miles and miles of towers that are 140' to 180' high. How can you mitigate that impact? Her message today is, please, focus on what is mitigatable. How do you reduce the impact of this monstrosity?

Eric Kelsoe, rancher near Glen: While the current proposed route directly pass over his place, Northwestern Energy also misses it. However, he would have to look at it more frequently. And that's what it comes down to. His property values will decrease. He doesn't know if that will be reflected in his taxes. That is neither here nor there. His biggest issue is how it will affect his neighbors, the people he has known for years, the people who come to recreate here and the wildlife, and possibly the livestock. Though he is not sure about the livestock. He is not well read on EMF issues. He has had BLM grazing leases for years and have worked diligently since the '50s to maintain them. They have plots to improve grasses. They have a 100-year grazing plan on file with their corporation saying this is what they are trying to achieve. They are trying to bring the grassland back to where it was when his great-grandfather got here. And to deal with the over grazing issues that happened in the first 40-50 years on the place. For him to put in that kind of effort and to have it washed away by this is tough to stomach.

Koy Holland, local rancher: The number one proposed route that MSTI was to address was a route that was supposed to follow about 800' from his house, and two miles across his land, and adjacent with two center pivots that have power poles of 161 line. So, in looking to the whole thing, he would be happy just getting it away from him. He is not strictly opposed to MSTI, because he believes if it's now, 10 years from now, or 20 years from now, the agencies involved in this need to come up with a corridor that goes south. Because somewhere in the works, whether it is this governor, or another governor somewhere down the line, there is going to be something happening. Because eminent domain is a deal. Because the current 161 line was put on their property by eminent domain. It can happen, it will happen. The question is when. So, if this line doesn't go, at least set up a corridor in

which this can happen. He has a real hard time looking at a map and seeing it go much further east because of Yellowstone and going much west because of the mountainous terrain that Idaho has. It is a double-edged sword, but, he'd rather live with a little bit of loss of wildlife and habitat rather than the opportunity for his kids to be endangered.

Chuck Whiteman, from Whitehall: Redirected the attention back to the West Wide Energy Corridor Study, in which there were several statements directly affecting MSTI. First of all, in that document, that was agreed to by BLM and Forest Service, the statement is; they have looked at all the environmental impacts for powerlines. So why are there further expenditures of his tax dollars for people to repeat something that is already been done. The taxpayer is a little bit insulted that they have to do this all over again.

Maryann Nicholson, has land under the line: Personally she does not like the line, at all. There is a great benefit to the Northwest shareholders and not to the taxpayers of Montana. We are not going to benefit from the energy cost reduction. The politics of green energy has muddied the issue greatly. She would like people to consider all the wildlife/habitat impacts, but, the piece of ground she lives on is just as important to her as this arbitrary wilderness area you've designated. That's not more important to the people that live on and take care of the ranchland and farmland. There is just an arbitrary decision. It is easy to sacrifice the home grounds because no one has to pay for that. There is a cost there. She'd like it to be considered.

John Dillon, Dillon resident, PHD student in American Indian Studies: He lives in the center of Dillon and thinks the line will affect his property value. It will be much less attractive for people to move here or buy property anywhere in the general area. He thinks it's ridiculous that the State, DEQ, BLM would be looking at, and have to spend the resources, people's time and money to look at environmental impacts of such projects. There are lots of studies of health effects of EMFs, the environmental impacts. But mostly the big picture of our energy policy. You hear a lot of things from the highest level of federal government that we're going to try to become more green. He urged the RAC to look at the real reasons of what is driving this line. Who is deciding that this is a good thing to do. To transport huge amounts of power, which is a very inefficient means, to an area where there is a lot of solar capabilities. We could use a lot less energy in those places, and even locally. We need to localize and use more renewable energy resources. It is not about green energy, it is about a perpetuation of coal. Warren Buffet did not buy the Burlington-Northern railroad for the transport of people, or wind or solar or anything else. It's about money, it's about coal. Schweitzer passed the Powder River Coal Project. There are going to be a lot of connections and this is going to be another piece of a very powerful money hungry system that is going the wrong way. There is a lot of talk and a lot of facts about climate change, and he doesn't think that we should be the victim. The environment, our way of life, why we are here in a place that is relatively environmentally clean and healthy for this to go on. He thinks that from a big picture standpoint that if we are going to do an EIS look at all the impacts on the large and small scale.

Kate Ord, business person with Great Harvest Franchising: Recently Great Harvest was named one of the best companies in the country because of the quality of life here in Dillon. Which they are really proud of. They have to attract employees, they need to retain employees, they bring people here for training. Companies like Great Harvest do not have to be in Dillon, Montana, it is a choice. Our shareholders, our CEO, he lives in North Carolina. It's a big commute for him to come to Dillon. It has been a change of lifestyle for many employees to work for the company, but we are willing to do so because Dillon, Montana is a very special place. She can see where people looking to relocate to Dillon will be looking at aesthetics, quality of life. This community depends heavily on tourism. It also supports agriculture. There are businesses that support those areas. What is going to happen to

the town and its economy is higher rates, taxes, and higher energy rates. Right now we have pretty reasonable rates. But if we are going to be paying California rates, if the company is going to be bought out as part of this project if the EIS is approved and it becomes an asset and Northwest Energy is bought out. We will be vulnerable to rates going way up. That will hurt the economy. Not just of Dillon but the entire state of Montana. The thing that floors her about the project is that we're talking about this huge project and there's no contracts; with California, Arizona, Nevada. These are the towers to nowhere. They aren't even connected through other states to the markets they want to serve. It seems insane to her that we are even talking about it. Where's the need? Has that been shown? Also, talking about energy policy; is this a responsible way for us to be transmitting energy? Estimates show you lose up to 30% in transmission. Is that smart? Also if 65% of the energy on that line is coal powered that is a lot of CO₂ emissions. Right now Montana has tons of emissions that come out of Colstrip. MSTI will do nothing to mitigate that. Need to look at the economy, the special place we call home, our neighbors, the businesses and why they are here, the retirees that come here for a reason. Please consider all of them. This is a huge project, a huge undertaking. And there are so many holes in the proposal.

Stephen Elliot, Whitehall: (received via email September 16, 2010, 7:45 am) I am an absentee landowner of a parcel in Whitehall, MT. MSTI is identified to traverse my property along the Rt. 41 corridor. I am unable to attend the Dillon meeting but want my opinion o MSTI to be conveyed. I hope this correspondence is acceptable.

I oppose the taking of private land for MSTI construction. I oppose establishing a new energy corridor through Jefferson County, along Rt 41. I strongly believe in the thought that MSTI should be placed within an existing designated energy corridor and within public land. I side with the recent court ruling that favors Jefferson County Commissioners and citizens in regard to the EIS and siting process. Jefferson County has a rule/law that limits placements of new transmission lines, exporting energy, onto public land and away from private lands. Leaving Jefferson County Commissioners out of the siting process was incorrect.

President Obama himself recognized the importance of public land to the future of transmission line development. In Oct 2009, he lessened the bureaucratic red tape within 9 Federal Agencies easing new line development on public lands.

I have deep concerns on the necessity of the project to meet both today's energy needs and future demands. The transportation of energy over long distances is an antiquated thought.

My concerns go much broader and deeper than the short statement above. For the sake of brevity I will end it here. Thank you for this opportunity to comment on MSTI.

The public comment period was closed.

Oil and Gas Leasing

Rick Hotaling: Asked if the RAC wanted to make comments on the Oil and Gas Leasing EA (O&G EA). The public comment period has just ended. Would the RAC like him to talk about the public comments that were received?

Trout Unlimited (TU) had many comments with the O&G EA. The Butte FO talked with TU to address their comments. Only one comment was not resolved. There was no stipulation address Westslope Cutthroat trout (WCT) historical habitat because there is no way of knowing what is historical. There is a stipulation that applies to WCT and Yellowstone cutthroat trout that 90% to

100% genetic purity. There is a stipulation for reintroduction if there is a stream the BLM is considering reintroduction in. There is one for conservation if there are trout in the stream that may or may not be genetically pure. TU was pleased with those stipulations.

Tim Bozorth: The Dillon FO received similar comments and contacted TU directly about their comments. Our fisheries biologist explained there is no continuity in the area that favors WCT. The BLM protects occupied habitat and are actively working to remove brook trout and creek barriers and to reintroduce WCT where there are opportunities.

Question: Does the Dillon FO do basically the same thing as the FS? No, we are actually removing brook trout. The FS does not do that.

Brooks pointed out that the FS has installed a culvert in Brays Canyon to keep the brook trout out of the creek and is having success. Tim said that was the first he had heard of the FS doing something like that.

Hotaling: We are not sure we have resolved all of TU's comments, but probably 90% were resolved.

Tim Bozorth: Do have a proposal that is separate from the EA to develop a master leasing plan that has been forwarded to the Washington Office. It includes the Centennial area, upstream from Clark Canyon Reservoir; an estimated 650,000 acres. The plan looks at priority areas, stipulations in areas to change development that meet a number of criteria; such as there has been a discovery in the area with interest from the industry. All the criteria have to be met to qualify for the master leasing plan. In most of the area in southwest Montana, which has been nominated for leasing, there are scattered areas of moderate oil and gas potential as identified in Dillon's Resource Management Plan (RMP). There is very limited interest by industry. Some leasing has been done, but the interest is not serious.

Rick Hotaling: The Butte FO had more comments than the Dillon FO. The Wilderness Society commented. They want to expand the Sleeping Giant Wilderness. The Butte RMP addressed the expansion but it did not meet the wilderness criteria, due to roads and powerlines. The O&G leases are outside the wilderness boundary but inside the expanded boundary. The Wilderness Society wants to go to the Senators office and request a wilderness bill to include the Sleeping Giant the Sheep Creek and all BLM land to the west. That actually gets into the Medicine Rock area. In the EA that comment was addressed and the area is still open to leasing. Since the area is next to a Wilderness Study Area extra stipulations were set up with timing limits and controlled surface use that deal with, among other things, grizzly bears, such as; no drilling in the winter. The areas are not open to standard lease terms, they all have stipulations.

Timing Limits: no drilling in winter – grizzly protection, keep out of areas during elk calving, etc.
Controlled Surface Use: would move operations away from sensitive areas.

The majority of the comments centered on having no leases in Sleeping Giant and Sheep Creek areas because of the values of the area. They thought it would put undue pressure on a declining bighorn sheep population. The BLM answer was that some of the timing limits and controlled surface use stipulations dealt with bighorn sheep as part of the big game stipulations. They said the area deserved to have wilderness designation and no O&G drilling. They don't think O&G outweigh the value of habitat. They also think we need to look at greenhouse gas effects.

The Western Environmental Law Center gave comments via email on all O&G EAs in Montana that generally objected to O&G leasing.

Question: Don't roads negate wilderness designation? Agreed, though Congress could still make an area with roads a wilderness.

These are low probability areas for development. There has been no well drilled in the last 20 years in the Butte FO that has produced oil.

Alan Weltzien: For the population of the Prickly Pear Valley this is their secret backyard. The people from Helena have a sense of ownership of the area, and for the most part, are not interested in O&G leasing in the area. The visual qualities weigh against drilling.

Rick Hotaling: We did get comments on visuals. Oil wells would probably be out of view; there would not be one on the Sleeping Giant's chest. The BLM did a visual quality study.

Does the RAC have advise on the comments?

Alan Weltzien: If the stipulations have teeth he would not be opposed to leasing.

Question: Why were the EAs prepared?

Rick Hotaling: They were prepared in response to an appeal of previous sales that did not adequately address greenhouse gases. Seven leases on the Dillon FO were appealed and set aside. All the field offices prepared EAs to address that issue. There will be leases offered in November after decisions have been made on the EAs.

Question: Since no wells have been drilled around here have we learned any lessons? The BLM has learned lessons from the drilling that is going on in eastern Montana and the Dakotas. Just because there is a lease does not mean that wells will be drilled. Just because someone has a lease it does not mean a permit to drill will be granted. At that time a closer look and a site specific NEPA would be needed. Sometimes a geophysical study will be done under a special permit before leasing. After the studies sites can be nominated for leasing. There were sites nominated in the 1990s for leasing.

Question: They did seismic studies in the 1990s and now they are interested in leasing, using 20 year old technology? At that time the RMP hadn't addressed O&G leasing adequately to make a leasing decision so they were deferred until the new RMP. The parcels were nominated and stayed in the system until the issues were addressed.

Mitzi Rossillon: It sounds like the O&G issue has been addressed sufficiently and no further action from the RAC is needed.

Rick Hotaling: There is a low likelihood that anyone will drill a well in the area. But the field offices are preparing as if it could happen.

Question: Extensive time by the BLM personnel. Do you use other O&G receipts to offset the cost? We receive money from O&G for doing things like leasing, permit reviews and inspections. The costs were funded by other subactivity functions; wildlife, fisheries, etc. also contribute. It is all part of multiple use.

Tim Bozorth: The DFO received five comments. The TU on WCT had a concern on a specific drainage. Our fisheries biologist explained there was no connectivity between that drainage and the

lease area. Two comments were received from the industry and one from an individual supporting the EA. The Western Environmental Law Center comments were also submitted on behalf of Montana Environmental Information Center, Earth Works, Oil and Gas Accountability Project. There were 11 PDF files ranging from a few pages to 200 pages. There is a team from the State Office and the Field Office working on response to the comments.

Rick Hotaling: Wanted to note that the recent Butte FO RMP developed stipulations for O&G. They received very few comments on them, other than folks were very happy with the stipulations. The RMP didn't address the WCT conservation populations correctly and the Butte FO has taken steps to correct that in the O&G EA.

Land and Water Conservation Fund

Janné Joy, Access Program Manager from the Montana State Office, gave a presentation on the Land and Water Conservation Fund (LWCF). It was created by Congress in 1965 and will expire in 2015. There is a movement to make it a permanent fund. Congress has authorized \$900 million to be appropriated annually for LWCF. Typically only \$200-300 million has been appropriated annually. The source of funding for LWCF is primarily from oil and gas royalties from the outer continental shelf. In a lesser way the Federal Motorboat Fuel Tax contributes about \$1 million. When GSA sells off surplus property those proceeds also go into the fund. The funds are to be used to protect other natural resources.

LWCF is eligible to be applied to the four major land conservation agencies; USDA Forest Service, DOI's BLM, NPS and FWS. These agencies are nominating projects annually. The nominations go from the local to district to state and national levels. At the national level they are all looked at with all the projects competing for the same money. Two key attributes that are looked at are open space and recreation. Other attributes are fish and wildlife habitat, threatened and endangered species, and historical resources. Under the current administration the Secretary is promoting public access, wildlife corridors, and connectivity between other federally and state managed areas.

The BLM focuses attention on about 2,300 units of special designation areas. The NPS, in comparison, has 385. The BLM is focusing on units of the National Landscape Conservation System (NLCS): Scenic and Historic Trails, Wild and Scenic Rivers, National Monuments, and Wilderness, plus special planning designations like ACECs and Special Recreation Management Areas.

The LWCF funds are used sparingly in Montana to purchase lands. But it is where the BLM can compete to get the millions of dollars when needed to purchase lands meeting the LWCF criteria. In the competitive process it is sometimes easier to get smaller amounts of money (.25M vs. 1M). Only one or two projects a year in Montana are actual purchases.

In Montana most of the purchases are in the Western District. An example is the Blackfoot River, a special recreation management area. The Lewis and Clark National Historic Trail and the Chain of Lakes have also received LWCF funding.

85% of the BLM projects are facilitated through third parties, such as The Nature Conservancy, the Rocky Mountain Elk Foundation, and The Conservation Fund. These entities can secure properties and provide bridge funding until appropriations and phased purchases can be done by the government.

Montana has done very well, historically, competing for LWCF funds, having one project per year for a number of years.

As a result of the Gulf oil spill there is a bigger push to have more of the LWCF appropriated for conservation of special places.

There are different sources of money that can be used to reach goals; matching funds, RMEF funds etc.

Rich Torquemada: There may be a potential for \$20M LWCF funds for the Blackfoot Challenge in 2012, and to link it to the Crown of the Continent.

Response: From the Blackfoot River connecting to Glacier NP, is a LWCF project which is called the Crown of the Continent. When Plum Creek put their lands up for sale the environmental communities and local residents worked with the land trusts to purchase the timber lands. And now the federal agencies are making LWCF requests, as Rich mentioned in large amounts (\$20 million).

Another pot of money that has been used for the past 10 years is the Federal Land Transaction Facilitation Act (FLTA), Title 2 of Baca Bill Valles Caldera National Preserve and Trust. It expired on July 25, 2010. The money was generated from the sales of BLM-administered public lands. There were conditions; there needed to be plans in place prior to enactment of the Bill, identifying disposal tracts. There has been a 1-year extension of the Bill. It may be made permanent. All the money in the account has been put into limbo. There was about \$50M in the fund when it expired. If the Act is extended, it will help projects that were in the middle of a sale.

The Lyons property by Hauser Lake, that was surrounded by public land, was purchased with FLTA funds before the Act expired. Some of the MT FLTFA funding went to the FWS at the Red Rock Lakes National Wildlife Refuge. Montana did not do a lot of land sales but did snag a lot of the money.

Question: Why does it cost to go to Pompey's Pillar? Response: Because of the interpretative visitor center and basic amenities (water, restrooms, roads etc) a fee is charged. If it was just the signature there would be no fees.

Question: If LWCF funds are used to acquire private land that land is taken out of production and there is a loss of taxes. What does the acquisition do to local government revenue? Response: There is a payment in lieu of taxes to offset losses. There are also eco-revenues from additional recreation use: recreation dollars, hunting and fishing, and retail sales. (Provided a fact sheet on the Economic Benefits of the LWCF regarding recreational revenues.)

Tim Bozorth: The Dillon FO lost 25,000 acres through land exchanges to private ownership. That land is now taxed. The Dillon FO administers about 900,000 acres and the acquisitions have been small.

Closing Remarks

Action Items:

* David Abrams will determine whether or not the FS ground rules that were decided upon by the RAC at the last meeting are signed by RAC chairman. He will inform the RAC if they are.

* David Abrams will inform the other Montana RAC coordinators of the ORV fine proposal.

*Tim Bozorth will coordinate to get the three extra people assigned to the MSTI subcommittee and the meeting times.

Agenda Items:

Landscape Conservation Cooperatives Initiative

Access Program

Report by the MSTI subgroup

FS Fee Proposals

Oil and Gas Leasing Reform

ORV Fine Report (Tim Bozorth)

Next meeting:

Thursday, December 9, 2010, at the Butte FO, from 9:00 – 3:00

It was Jack Kirkley's last meeting today and would have been Mack Long's last meeting (if he'd been able to make the meeting).

Meeting adjourned at 3:05 PM

NATE FINCH, RAC Chairman