

TRANSCRIPT OF PROCEEDINGS  
BUREAU OF LAND MANAGEMENT

National Vegetation Treatment Programmatic  
EIS and ER for the Western U.S. and Alaska

Pursuant to Notice, a public hearing on the  
National Vegetation Treatment EIS and  
Environmental Report, was held at the office of  
the Bureau of Land Management, Billings,  
Montana, on the 7th day of December, 2005,  
beginning at 7:00 p.m.

PRESENTER:

STUART LINDSEY PAULUS, Ph.D.  
Program Manager, Environmental  
Services  
ENSR International  
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Also present:

Gina Ramos, BLM  
Brain Amme, BLM  
Linda Mazzu, BLM  
Ken Fisher, ENSR

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## P R O C E E D I N G S

7:00 p.m.

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2  
3 MR. AMME: We welcome you to our  
4 seventh public hearing on the National  
5 Vegetation Treatment EIS and Environmental  
6 Report.

7 My name is Brian Amme. I'm the Project  
8 Manager for this project, along with my co-team  
9 lead Gina Ramos, Senior Lead Specialist from the  
10 Washington office, and Stuart Paulus from ENSR  
11 International, our contractor to help us do the  
12 toxicological risk assessments on the herbicides  
13 and write the EIS.

14 Our assistant from ENSR, Ken Fisher, is  
15 also here with us tonight.

16 We've been traveling all over. We've  
17 been traveling a city a day. Boise last night,  
18 and Grand Junction the night before.

19 We're in Billings tonight, Cheyenne  
20 tomorrow, and then we're going to finish up in  
21 Washington, D.C. and Las Vegas, Nevada next  
22 Tuesday, so it's been quite a hectic schedule  
23 for us.

24 But anyway, tonight Stuart will give a  
25 brief presentation on the purpose of this EIS

1 and Environmental Report, to kind of refresh our  
2 memories on what it is. And I'll just let him  
3 dive into that right now, and we'll get on with  
4 this.

5 MR. PAULUS: I want to thank you for  
6 coming to tonight's public hearing on the BLM's  
7 Vegetation Treatments Programmatic EIS and  
8 Environmental Report for the Western U.S. and  
9 Alaska.

10 The purpose of the hearing tonight is  
11 to help you understand the BLM's proposal to  
12 treat up to 6 million acres annually in the  
13 western U.S., including Alaska. We also hope  
14 to better explain the role of the EIS and the  
15 Environmental Report.

16 This proposal and supporting documents  
17 is a little different than some of the other  
18 ones the BLM has done, in that not only are we  
19 preparing an EIS, but we're also preparing an  
20 Environmental Report, and we'll discuss later on  
21 why we did that.

22 And finally, perhaps the most important  
23 reason for the meeting tonight, is to solicit  
24 public comments on issues and concerns that you  
25 felt should have been addressed in the EIS,

1 maybe errors or omissions that we made in the  
2 document that you'd like to see clarified or  
3 fixed.

4 Also, if you have alternative proposals  
5 for treating vegetation that you thought the BLM  
6 should have considered or think we should  
7 consider for the final, we'd also like to know  
8 that as well.

9 The BLM was founded in 1946 with the  
10 goal of serving current and future publics and  
11 restoring and maintaining the health of the  
12 land. The agency administers nearly 262 million  
13 acres of surface lands, and about 700 million  
14 acres of subsurface mineral lands.

15 Nearly all the surface acreage is in  
16 Alaska and the western U.S. It's shown on this  
17 map, as you can see, the bulk of the acres for  
18 kind of the core central portion in the western  
19 U.S., but obviously a good chunk of land up here  
20 in Montana, Nevada, Wyoming, Idaho.

21 And although it's hard to tell from the  
22 scale of this map, Alaska actually has about 81  
23 million acres of BLM land, so about a third of  
24 the acres are in Alaska, even though it's kind  
25 of hard to tell from this map. So Alaska is a

1 very important state to consider in terms of  
2 vegetation treatments.

3 So what is the BLM proposing to do and  
4 why? Well, the first thing, and probably the  
5 most overarching goal, is to treat vegetation on  
6 up to 6 million acres annually in the western  
7 U.S. and Alaska, using five primary treatment  
8 methods.

9 The five primary methods are manual  
10 methods, mechanical methods, biological control  
11 methods, the use of prescribed fire, and the use  
12 of herbicides.

13 The way we came up with these 6 million  
14 acres is way back when this project began, which  
15 was actually in late 2001, after scoping  
16 meetings in 2002, we went out to all the  
17 different field offices for the BLM and asked  
18 each field office to give us a list of projects  
19 that they had proposed in the next zero to three  
20 years, and project what they foresaw out from  
21 about three to ten years into the future.

22 We asked them for an estimate of acres  
23 to be treated, types of vegetation to be  
24 treated, methods to be used, location where the  
25 treatments would occur, and a number of other

1 variables that we asked for information on.

2 This came back to Brian and Gina, the  
3 project managers, and using that information, we  
4 came up with an estimate of about 6 million  
5 acres would have to be treated annually to meet  
6 the goals that the BLM was proposing.

7 Basically, the goals that the BLM was  
8 trying, or the objective that the BLM was hoping  
9 to achieve from these treatments, was one, to  
10 reduce the hazardous fuel loads to reduce the  
11 list of wildfires.

12 As you well know, in this state, from  
13 the Yellowstone fires all the way up here to the  
14 current, there have been a lot of very large and  
15 severe fires in the last decade or two.  
16 Obviously there's been fires throughout history,  
17 but they seem to be more intense and more severe  
18 in the last decade or two.

19 So the BLM is trying to conduct  
20 vegetation treatments to reduce these risks,  
21 especially to people and property that are found  
22 in close proximity to public lands.

23 Another major goal is to reduce and  
24 control weeds. It's estimated the weed  
25 populations have grown about fourfold in the

1 last 15 years or so. So there's a hope that  
2 through this process and increasing the number  
3 of acres treated, that we can get a better  
4 handle on the weed populations.

5 A third major objective was to restore  
6 and rehabilitate lands that have been damaged,  
7 especially those damaged by fires. Obviously  
8 we've had a lot of fires and very severe fires  
9 in the last few decades.

10 There's a lot of damaged land out  
11 there, and a lot of this land is susceptible to  
12 weed infestations. So it's hoped that by  
13 treating these lands and controlling weed  
14 infestations and revegetating these lands, that  
15 we can get them back into a healthy condition  
16 much faster than just hoping that they'll do it  
17 on their own.

18 And finally, the overarching goal is to  
19 improve ecosystem health, which obviously would  
20 benefit a number of different resources  
21 including water quality and fish and wildlife  
22 habitat, but it also improves visual resources,  
23 cultural resources, especially vegetation used  
24 by Native Americans and Alaska Natives, and a  
25 lot of other natural and social resources.

1           One other thing I wanted to mention,  
2           that of those 6 million acres, about 3.5 million  
3           acres are primarily dedicated towards hazardous  
4           fuel reductions and weed control.

5           About 1.5 million acres is primarily  
6           dedicated towards fire rehab or rehabilitation  
7           of damaged lands, and about 1 million acres is  
8           spread among a number of BLM programs, including  
9           fish and wildlife habitat, watershed  
10          improvement, water quality improvement.  
11          Again, a whole number of different programs.

12          But keep in mind that if you rehab  
13          acreage or you reduce hazardous fuels, you will  
14          also benefit a lot of the other things such as  
15          wildlife, water quality and other resources.

16          A quick overview of the different  
17          methods. This is an example of the mechanical  
18          method. Again, the mechanical method generally  
19          involves the use of large equipment such as bush  
20          hogs, mowers, sometimes Caterpillar tractors,  
21          other types of large equipment, to remove or  
22          control vegetation.

23          And I'm also listing these in order of  
24          importance, so in terms of number of acres  
25          treated, the mechanical method is the most

1 common method used.

2 The second most common method used is  
3 the use of prescribed fire, using man-induced or  
4 man-ignited fire to control vegetation,  
5 especially to reduce hazardous fuels.

6 But in many situations, especially in  
7 Alaska, using natural fire to reduce or control  
8 vegetation or reduce hazardous fuels in areas  
9 where the BLM has identified sort of a fire  
10 management objective or plan, and then allowing  
11 natural fires to sort of achieve their  
12 objectives.

13 The third most common method is the use  
14 of herbicides. There's a couple different  
15 methods, using helicopters in the upper left,  
16 and ATV vehicles on the lower right.

17 The fourth most common method is the  
18 use of biological control methods. That can  
19 include using domestic livestock to contain  
20 vegetation such as these goats are trying to do  
21 here along this creek, or it may also involve  
22 using insects or pathogens that feed upon  
23 vegetation and either weaken or kill the  
24 vegetation and help to slow its growth and  
25 spread.

1           And finally, the least common method,  
2 but one that's also very important, is the use  
3 of manual labor, small hand tools, basically  
4 obviously here using a chainsaw, but hose and  
5 axes. Again, more use of hand tools to control  
6 vegetation.

7           Manual and mechanical treatments are  
8 especially important in an area which we call  
9 the wildland urban interface or the WUI, and  
10 that's basically the area that's in close  
11 proximity to areas where people and their  
12 property are.

13           Those are areas where maybe it's  
14 difficult to conduct herbicide treatment or set  
15 fires in a prescribed burning program for fear  
16 of perhaps causing damage to people or their  
17 property, or perhaps causing air quality impacts  
18 from the smoke to people, and impacting people  
19 with respiratory problems. So those are good  
20 areas for using mechanical treatment or manual  
21 treatments where you need a little more  
22 selective control.

23           In addition to evaluating what would  
24 result in treating 6 million acres, there were a  
25 couple of other things we tried to achieve in

1 the Environmental Report and the EIS.

2 In the EIS in particular, one of the  
3 things we also wanted to look at were the risks  
4 to humans and plants and animals from using  
5 several new herbicides, specifically  
6 Diflufenzapyr, Diquat, Fluridone, and Imazapic.  
7 Diquat and Fluridone are used in aquatic  
8 situations, while Diflufenzapyr and Imazapic are  
9 primarily used in terrestrial or upland  
10 situations.

11 So again, there were four new  
12 herbicides that the BLM wanted to use in the  
13 future, and thus they needed to look at what  
14 would be the risks of using these herbicides to  
15 people, and that also would include Native  
16 Americans and Alaska Natives, and also to plants  
17 and animals, and in particular, threatened and  
18 endangered species was of special concern.

19 As part of this process, we coordinated  
20 extensively and actually worked very closely  
21 with the Environmental Protection Agency, and  
22 also the U. S. Fish & Wildlife Service and the  
23 National Oceanic and Atmospheric Administration,  
24 National Marine Fishery Service, or what I will  
25 now call NOAA Fisheries.

1           These three agencies had obviously a  
2 very intense interest in the use of herbicides.  
3 EPA, not only from the perspective of risk to  
4 plants and animals, but I think maybe their  
5 interest was more the human risk, where the Fish  
6 & Wildlife Service and NOAA Fisheries were  
7 perhaps more concerned with the risk to plants  
8 and animals, and in particular, threatened and  
9 endangered species, especially for NOAA  
10 Fisheries, they were especially concerned about  
11 risks to salmonids in the Pacific Northwest and  
12 California.

13           So they worked with us. For about a  
14 year or so, we actually worked very closely with  
15 those agencies to develop a protocol, not only  
16 to evaluate the four new herbicides, but to  
17 develop a protocol that we could use in the  
18 future to evaluate new herbicides that the BLM  
19 might like to use sometime in the future.

20           So not only did we look at the risk  
21 from the new herbicides, but the next goal was  
22 to develop a protocol, which we did, in  
23 conjunction with working with the EPA, Fish &  
24 Wildlife Service and NOAA Fisheries.

25           Again, that process of just developing

1 the protocol took probably a good year, at  
2 least. Then it took another year or two just to  
3 do the risk assessments.

4 In addition to doing the risk  
5 assessments for the four new herbicides, we also  
6 went a step further. Risk assessments were done  
7 for a lot of the herbicides, or basically all  
8 the herbicides that the BLM is currently using,  
9 back in the late Eighties and Nineties.

10 But in developing the protocol, it  
11 became pretty obvious right from the get-go,  
12 that there were some issues associated with  
13 maybe the way they did some of the methods back  
14 then or maybe some of the methods that have  
15 become more refined since the late Eighties and  
16 early Nineties to today, as it relates to fish  
17 and wildlife.

18 So we ended up actually going back and  
19 looking at some of the other chemicals that the  
20 BLM currently uses and looking at the risk to  
21 fish and wildlife.

22 And for some other chemicals, looking  
23 at some risk assessments that the Forest Service  
24 has recently done the last five years or so, and  
25 taking their information, applying it to

1 situations that might be more relevant to the  
2 BLM treatments and looking at the risk to fish  
3 and wildlife from some of these other chemicals  
4 using risk assessments that the Forest Service  
5 used.

6 So again, now we've got another agency  
7 that we work closely with. We've got EPA, Fish  
8 & Wildlife Service, NOAA Fisheries, and also the  
9 Forest Service.

10 At the end of the day, we had developed  
11 a protocol among all these agencies. And again,  
12 the hope is to use this protocol in the future  
13 to try kind of streamline the process of  
14 evaluating future herbicides so it doesn't take  
15 four or five years like this process did.

16 Keep in mind that this would also have  
17 had to involve the NEPA process or the National  
18 Environmental Policy Act process, to ensure that  
19 the public had adequate input into the whole  
20 decision-making process for the use of  
21 herbicides in the future. So not only would we  
22 use the protocol, but we'd also use the needed  
23 procedures to make sure that there was adequate  
24 input by the public.

25 Federal agencies, under law, basically

1 under NEPA, are required to prepare an  
2 Environmental Impact Statement if a proposed  
3 action has the potential to cause significant  
4 environmental impacts.

5 For most people, when you think of the  
6 use of herbicides, you think of the bad horror  
7 stores in the past of what herbicides have done  
8 to people, plants or animals, so that  
9 immediately brings to mind that there could be a  
10 significant environmental impact from using  
11 herbicides, especially the new herbicides since  
12 they haven't been looked at.

13 Thus, the use of herbicides became  
14 really the primary issue or the primary issue of  
15 controversy that was identified and evaluated in  
16 the EIS. And in fact, it was also the primary  
17 issue of concern that was identified in earlier  
18 EIS's done by the BLM to evaluate vegetation  
19 treatments back in the Eighties and Nineties.  
20 We'll look at some of those EIS's a little  
21 later.

22 So again, we focus basically on  
23 herbicides in the EIS. Thus, the Programmatic  
24 EIS specifically analyzed the effects of the use  
25 of herbicides on the natural and social

1 resources on public lands administered by the  
2 BLM.

3 As part of the EIS process, we  
4 developed several alternatives, and basically  
5 these were developed by the public through  
6 scoping. These were different ways the public  
7 felt we could evaluate herbicides or different  
8 alternative uses of herbicides that they thought  
9 we should consider in this document.

10 The first one, as required in the EIS,  
11 is basically looking at the way things are today  
12 if you continue to do them into the future, or  
13 the no action alternative.

14 Under the no action alternative, the  
15 BLM would be able to treat vegetation in 14  
16 states, which is what they do now using  
17 herbicides. They would be able to use 20  
18 different herbicides. Right now they have 20  
19 herbicides that are currently available to them.

20 However, of those 20 herbicides, there  
21 are actually six of them that they rarely or  
22 haven't used in the last six or seven years,  
23 including Atrazine and Fosamine. So again,  
24 really they only have been using about 14  
25 herbicides to any great extent in the last five,

1 six, seven years.

2 Right now, the BLM treats about 2  
3 million acres annually. Of those 2 million  
4 acres, about 300,000 acres are treated using  
5 herbicides. So 14 states, 20 potential  
6 herbicides for use, and about 300,000 acres  
7 under alternative A. That's what they're doing  
8 today.

9 Then we move on to alternative B, which  
10 is the BLM's preferred alternative, and the one  
11 that the EIS primarily focuses on. Under this  
12 alternative, the BLM would be able to expand  
13 herbicide use.

14 First of all, we mentioned earlier that  
15 the BLM will treat up to 6 million acres. Of  
16 those 6 million acres, about 930,000 acres would  
17 be treated using herbicides. So a threefold  
18 increase in total acres, about a threefold  
19 increase in acres treated using herbicides.

20 The BLM would also be able to treat  
21 vegetation in 17 states versus 14 under  
22 alternative A. We'd pick up three new states,  
23 Texas, Nebraska and Alaska's 81 million acres.  
24 The reason we are picking those states up is  
25 they were not evaluated earlier in the late

1 Eighties or early Nineties. Not sure why, but  
2 they weren't. Texas, Nebraska don't have a lot  
3 of acres, but obviously Alaska does.

4 At this time, Alaska doesn't propose to  
5 do any herbicide treatments in that state but  
6 they would like the option to do them in the  
7 future. They are slowly but surely starting to  
8 see more and more weeds up there so it may be  
9 something they will use in the future.

10 The other thing is that under  
11 alternatives B, D and E, the BLM would only be  
12 able to use 14 herbicides. Basically, we  
13 decided not to worry about the six that I  
14 mentioned earlier that really aren't being used  
15 much at all.

16 If there ever is a need to use them in  
17 the future, the BLM would have to do a risk  
18 assessment to kind of update information and see  
19 what the risks are of using those herbicides.

20 Some of those herbicides have risks  
21 that were identified in the late Eighties and  
22 early Nineties in those EIS's, and really before  
23 they would use them much more, they probably  
24 should update the information to see if those  
25 risks are worth taking or have they become

1 greater than maybe they were back in the  
2 Eighties and Nineties.

3 So right now, we've basically put those  
4 six chemicals to the side. We're going to focus  
5 on the 14 that the BLM is currently using and  
6 then add in the four new herbicides that we  
7 evaluate in the EIS. And now that brings us up  
8 to 14 plus 4, or 18 potential herbicides.

9 Under alternative C, a lot of the folks  
10 in the public asked that we not use herbicides  
11 at all, so we looked at an alternative that does  
12 not involve the use of herbicides. It just  
13 basically looks at what are the impacts from not  
14 using herbicides and replacing those treatments  
15 with prescribed fire and the manual and  
16 mechanical and biological control methods.

17 The fourth alternative is not  
18 conducting treatments or herbicide treatments  
19 from the air, so not using helicopters and  
20 aircraft and airplanes.

21 The concern there is for some folks  
22 that when you spray from the air, some of the  
23 herbicide has the potential to drift from the  
24 target area to a nontarget area, or off public  
25 lands onto private lands, let's say, so if you

1 don't spray from the air, that risk becomes much  
2 less.

3 And finally, the last alternative is  
4 alternative E. This alternative was developed  
5 by a coalition of environmental groups, and it  
6 has a number of different components, one of  
7 which is they recommended that we not use  
8 acetolactate synthase inhibiting herbicides.

9 These are herbicides that have been  
10 shown that when they drift or get off the target  
11 area and go to a nontarget area, they have the  
12 potential to cause harm to nontarget vegetation,  
13 including agricultural crops if they drift onto  
14 those.

15 So they suggested that we avoid using  
16 these types of herbicides, specifically  
17 Chlorsulfuron, Imazethapyr, Metsulfuron-Methyl  
18 and Sulfometuron-Methyl.

19 If the four new herbicides are  
20 accepted, one of the four new ones is Imazapic,  
21 so there are potentially five herbicides that  
22 would not be available out of the 18 that we've  
23 looked at under alternative B under this  
24 alternative.

25 There are other components of the

1 alternative, it's an appendix. The entire  
2 document that the coalition gave us is in the  
3 appendix of Volume II of the EIS. It's about 21  
4 pages in length.

5 Some other components include they  
6 would like the BLM to stress more passive  
7 restoration. Instead of actively going out  
8 there and treating vegetation using our five  
9 methods, basically let mother nature do a lot of  
10 the restoration, perhaps removing livestock or  
11 other causes that maybe lead to weed populations  
12 or degraded lands.

13 They would not like the BLM to spray,  
14 use herbicides or spray in areas where  
15 amphibians may be found. They would like to see  
16 maybe a 500-foot buffer between treatment areas  
17 and areas with threatened and endangered  
18 species.

19 There are also other components that  
20 include the other treatment methods. Right here  
21 we're just focusing basically on the herbicide  
22 issues. So again, if you're interested, it's  
23 one of the appendices towards the back of Volume  
24 II of the EIS.

25 Well, some of you, especially those of

1 you with the BLM, are probably asking well, the  
2 BLM treats vegetation, I believe they prepared,  
3 and I mentioned they prepared EIS's back in the  
4 Eighties and Nineties, so why are we doing this  
5 all over again. Well, there are several reasons  
6 why we are preparing another Programmatic EIS.

7 First of all, the EIS's done in the  
8 late Eighties and early Nineties were more  
9 regionally focused, except for perhaps the one  
10 on the upper right there, which was the 13-state  
11 EIS, in fact, covered 13 of the 14 states.

12 The other three were more regionally  
13 focused, one on the Pacific Northwest, one on  
14 western Oregon, and one specific to California.  
15 So they pretty much focused on issues in those  
16 states.

17 Again, the 13 states cover 13 of our 17  
18 states, so there's quite a bit of overlap there  
19 in terms of areas covered, but the other ones  
20 are much more specific.

21 As I mentioned earlier, under those  
22 EIS's, in fact, under the EIS specifically, the  
23 BLM was only allowed to treat about 500,000  
24 acres annually. As I mentioned, however, we're  
25 up to about 2 million acres annually, and that's

1 the result of a number of policies of BLM and  
2 other Congressional actions that have allowed  
3 the BLM to increase the number of acres treated  
4 up to about 2 million acres.

5 Most of those acres are related to  
6 reducing hazardous fuel and fire-related or  
7 haz fuel weed treatments that have allowed the  
8 BLM to increase those acres up to about 2  
9 million. But again, we're at the cap there  
10 where we can't go much higher than that.

11 The EIS's obviously, as we discussed  
12 earlier, did not cover Alaska, Nebraska or  
13 Texas. They do not include the herbicides that  
14 we are looking at, and those EIS's do not  
15 develop a protocol. They did obviously describe  
16 the methods that they used to evaluate the risk  
17 to the herbicides that they looked at.

18 But as I mentioned earlier, some of the  
19 methodology has changed quite a bit since the  
20 late Eighties, early Nineties, especially as it  
21 relates to fish and wildlife, and in particular,  
22 salmonids and some of the fish group.

23 So our protocol helps bring that  
24 science kind of up to date and it's something  
25 that the BLM can then carry forward to use in

1 the future.

2 As I mentioned way back in the  
3 beginning, we also prepare a Programmatic  
4 Environmental Report. As I mentioned, the EIS  
5 focuses on herbicides. That was the primary  
6 issue identified during scoping.

7 We also wanted to look at the impacts  
8 of the other treatment methods, manual,  
9 biological, prescribed fire and mechanical. And  
10 there were several reasons we needed to do that.

11 Although we were not making any  
12 decisions specific to those treatment methods as  
13 we are with herbicides, we still need to  
14 evaluate the issues and risks of using those  
15 different methods to plants and animals, humans  
16 and other social resources.

17 A couple reasons why we had to do that.  
18 One was to help us do our cumulative impact  
19 assessment as part of the EIS. A cumulative  
20 impact assessment is required to kind of look at  
21 what are the impacts of past, present and future  
22 actions with not only what the BLM is doing, but  
23 other types of actions that may occur that may  
24 sort of combine with BLM actions to perhaps  
25 cause a significant impact or other types of

1 impacts that may be greater than what would  
2 occur just under the BLM action.

3 Obviously we have one alternative that  
4 says we won't use herbicides, so for us to  
5 properly evaluate the risks of the other  
6 treatment methods for that alternative, we had  
7 to have some document that allowed us to look at  
8 those risks and those issues associated with  
9 those treatment methods.

10 So that's what we did in the ER, we  
11 looked at the issues associated with the other  
12 treatment methods, and specifically, I think one  
13 that really stands out are what the issues  
14 associated with using prescribed fires,  
15 especially as it relates to air quality.

16 You folks around here have probably had  
17 a lot of smoky air here in the past decade or  
18 so. I know I've traveled through here and could  
19 barely see the road at times it was so smoky.

20 So there's obviously a lot of concern  
21 about air quality issues associated with  
22 wildfires, but when you have a prescribed fire  
23 there's also smoke produced there, so what are  
24 the impacts to air quality from prescribed  
25 fires.

1           In addition, when we worked with the  
2 EPA and Fish & Wildlife Service and NOAA  
3 Fisheries, NOAA Fisheries and Fish & Wildlife  
4 Service were concerned not only what are the  
5 effects of herbicides on threatened and  
6 endangered species, but also, you know, they're  
7 looking at, okay, the BLM may treat an area with  
8 herbicides, but they may also treat that same  
9 ground with mechanical treatments or perhaps  
10 burn it.

11           They may use multiple treatments on a  
12 piece of ground. They may use different types  
13 of treatments, let's say along a watershed, and  
14 all these things can interact to impact  
15 threatened and endangered species, and  
16 especially salmonids, which is probably a lot of  
17 where their focus was, especially for NOAA  
18 Fisheries.

19           So they wanted to know not only what  
20 were the effects of using herbicides on  
21 threatened and endangered species, but how do  
22 the other treatment methods play into the mix.

23           How, if you did use less herbicides and  
24 burn more, what would that maybe do to  
25 threatened and endangered species, how might

1 that affect salmonids and other fish. So they  
2 were pretty adamant, I would say, about making  
3 sure that we looked at all the different  
4 treatment methods.

5 If you look over there, we printed a  
6 small number of hard copies of the biological,  
7 what we call biological assessment, which is the  
8 document that was given to those agencies to  
9 help them evaluate this proposal in terms of the  
10 risks for all the different treatment methods.

11 If you have the CD or if you want to  
12 get one before you leave tonight, the biological  
13 assessment is also on the CD, so that's another  
14 good place to find it.

15 This graph kind of gives you an  
16 overview of the importance of the different  
17 treatment methods in terms of percentage of  
18 acres treated under the current situation and  
19 then under the preferred alternative, and then  
20 it also gives you the numbers from Montana  
21 because they're a little different.

22 As you can see, the red and blue, red  
23 is mechanical, blue is prescribed fire. Under  
24 the preferred alternative, both increase a  
25 little bit in terms of percentage of acres

1 treated under the preferred alternative.

2 The use of herbicides stays fairly  
3 constant between what the BLM is treating now  
4 and what they would do in the future in terms of  
5 percentages. Well, the percentage of acres  
6 treated using manual and biological control  
7 would go down a little bit.

8 Keep in mind again, on the left we're  
9 looking at 2 million acres, on the right 6  
10 million acres, so even for biological control  
11 and manual treatments, the number of acres,  
12 actual number of acres treated will increase,  
13 again because we're treating threefold for  
14 acres.

15 If we look at Montana, right now  
16 Montana treats about 25% of its acreage using  
17 prescribed fire. This will actually drop to  
18 about 14%, is what they project in the future,  
19 so they're no where near what the rest of the  
20 west is doing in terms of projecting the amount  
21 of prescribed fire use.

22 Mechanical and manual are probably  
23 about 6 or 7% total, a very small number of  
24 acres.

25 Herbicides, right now about 13% of

1 acres are treated using herbicides, so somewhat  
2 similar to what occurs in the rest of the west.  
3 In the future that's going to bump up to about  
4 20%. For the west as a whole it's about 16%, so  
5 Montana is pretty much in line with that number.

6 The one that's substantially different  
7 than the west is the use of biological control  
8 agents, and the gentleman here, Hank McNeel, is  
9 probably one of the reasons that's the case.

10 Right now it's estimated that about 56%  
11 of the acres treated in Montana are treated  
12 using biological control agents. The only other  
13 state that has a number anywhere near as high is  
14 California.

15 Under the preferred alternative, that's  
16 basically going to hold about 58%, so it's not  
17 going to change a whole lot, but 58% in Montana  
18 versus, I'm going to say it looks like about 7%  
19 for the west as a whole. So again, Montana is  
20 spearheading that effort to use a lot of  
21 biological control treatments.

22 So where do we go from here? Key  
23 dates, we had the scoping meetings way back in  
24 January to March, 2002. And as I mentioned, we  
25 weren't goofing off, well, I didn't say that we

1 weren't goofing off, but we weren't goofing off  
2 during all those years in between.

3 About a year or so was spent putting  
4 together the protocol for the risk assessments  
5 and deciding how we were going to attack this  
6 problem. And then another year or two actually  
7 preparing the risk assessments.

8 If you're interested in them, they are  
9 not printed in a hard copy because there would  
10 be lots of hard copies. If you look on your CD,  
11 there are a lot of supporting documents, and  
12 that's basically what was done during that two  
13 or three-year period.

14 We did several air quality modeling  
15 reports in support of the ER, Environmental  
16 Report, to look at the effects of prescribed  
17 burning. But there's also the other treatment  
18 method in term of their emissions, dust and  
19 other types of emissions.

20 All of the risk assessments, or at  
21 least risk assessments for ten different  
22 chemicals that the BLM actually looked at, are  
23 on those CDs. Each of those risk assessments  
24 runs probably 300 pages or so when you add in  
25 all the different pages, the different

1 appendices and whatnot. So there's ten of  
2 those.

3 The other risk assessments were done by  
4 the Forest Service for chemicals the BLM is  
5 using. And if you look in the EIS or your CD,  
6 it will actually give you a link to the Forest  
7 Service risk assessment. You can go to their  
8 website and they have all theirs on the website.  
9 That's a good place to look at them.

10 There's also some reports that were  
11 done to look at the effects to cultural  
12 resources, and in particular, Native American  
13 resources, since obviously Native Americans are  
14 important users of vegetation. And their  
15 biological assessment, as I mentioned, is also  
16 on those CDs.

17 So a lot of the reports are on the CDs,  
18 and that's what took up the last several years,  
19 in addition to preparing the draft EIS, which  
20 has gotten us to where we are today.

21 The draft EIS came out on November 10th  
22 to the public. We are currently having our  
23 meetings, as Brian mentioned we are on meeting  
24 number seven. We go to Cheyenne tomorrow night,  
25 and then we do Las Vegas and Washington, D.C.

1 next Tuesday, and that will be the end of the  
2 public meetings.

3 We are accepting comments on the draft  
4 EIS through January 9th, so you have a little  
5 over a month still to send in your comments.  
6 That gives you plenty of time to read the  
7 documents over the holidays.

8 The final EIS is projected to be  
9 available in late spring 2006. That will then  
10 go out to public review for 30 days at least.  
11 That should occur again in early summer 2006.

12 Then it's anticipated that the Record  
13 of Decision, which is basically where the BLM  
14 will make a decision on which alternative or  
15 alternative components it will use to treat  
16 vegetation, they will make that decision  
17 sometime this summer, and right now they're  
18 hoping to have it done by July.

19 So what can you do to help? As I  
20 mentioned, the purpose of the meeting tonight is  
21 to discuss your issues with the document.

22 Now, as we've learned as we've gone  
23 through the west so far, most people have not  
24 read the document, it's only been out for a few  
25 weeks. So the first thing you would probably

1 want to do is review the documents.

2 Again, you have another month or so to  
3 read them and formulate your comments. There  
4 are several ways to review the documents. All  
5 the materials that have been prepared are on CDs  
6 over there.

7 Keep in mind it's a two CD set, so make  
8 sure you grab a pair of CDs. One is basically  
9 the EIS, and I think maybe the Environmental  
10 Report is on there, and then the other one are a  
11 lot of the supporting documents and whatnot, so  
12 make sure you get both EIS's. They both have  
13 different titles on the label so you'll be able  
14 to tell which one is which. That's one way to  
15 look at it.

16 Another way is to go on the website.  
17 You go to [www.blm.gov](http://www.blm.gov), click on that, it will  
18 take you to the BLM home page. Right there at  
19 the top of the home page, or the first bullet or  
20 whatever you want to call it, is the Vegetation  
21 Treatments EIS Project. Click on that and it  
22 will take you to another page that explains what  
23 we've done, how to use the website to find the  
24 materials you want. All the documents are  
25 listed there.

1           It's pretty nice layout that they did.  
2           Click on that, if you go to the EIS, for  
3           example, within the EIS you can click on it.  
4           It might say map 1-1, click on that it will take  
5           you right to the map so you don't have to jump  
6           around to find things. Just make clicks and it  
7           takes you where you want to go. So it should  
8           work out pretty well. So that's another option.

9           If you would like a paper copy, we  
10          printed a limited number of paper copies and we  
11          mailed them to those people that asked for them,  
12          but we have boxes and boxes still sitting  
13          around.

14          So Brian, especially as we get closer  
15          to January 9th, is going to want to be moving  
16          paper copies out of his office. So if you would  
17          like to get a copy, ask him for one. I'll give  
18          you that information in just a minute.

19          And finally, you can also go to the BLM  
20          field offices or the state office and they  
21          should have hard copies there and CDs. Again,  
22          we'll leave a bunch of CDs with the office  
23          tonight, so that's another good place to look at  
24          them.

25          If you're debating between the CD and

1 the website, I would suggest taking the CD just  
2 because some of these files are fairly large.  
3 We tried to make them as small as we could so  
4 they would download for people like me that have  
5 dial-up you know, the last three people that  
6 still do. You can download them in a reasonable  
7 amount of time, but obviously the CD is a lot  
8 quicker.

9           Once you've had a chance to look at the  
10 documents, we would appreciate it if you would  
11 provide your comments on issues you feel need to  
12 be addressed in the EIS or the Environmental  
13 Report.

14           Errors and omissions, you know there  
15 are errors in there, I hate to admit it, but  
16 there are. So hopefully you'll catch the ones  
17 that we've missed or didn't find already.  
18 That's important.

19           If there are any alternative methods or  
20 treatment options that you think should have  
21 been addressed in there, let us know that also.  
22 Again, it's an opportunity for you to let us  
23 know where the weaknesses are in the documents  
24 so that we can make sure that the final document  
25 is a much stronger document.

1           And also, let us know if you want to be  
2 placed on the mailing list. There are several  
3 ways to do this. At the front desk, you've got  
4 a form, and this one gives you several options.  
5 It gives you an opportunity to put yourself on  
6 the mailing list if you'd like to get the final  
7 EIS or be kept abreast of what's going on with  
8 this project as it kind of winds down.

9           It also gives you the opportunity to  
10 write your comments out on this form and either  
11 give it to us tonight or mail it to Brian or fax  
12 it to Brian.

13           Then also, if you want to receive the  
14 EIS, there's that form. And again, if you know  
15 what you want to say tonight, go ahead and fill  
16 that out or take one with you and just mail it  
17 back to Brian or fax it to him.

18           So where can you send your comments?  
19 As I mentioned, that form, that's one option,  
20 and that tells you where to mail or fax it to.  
21 Again, this is Brian's address. He's in Reno,  
22 and Brian's the project manager, co-project  
23 manager with Gina, but he has the duty of taking  
24 all these comments and making sense out of them,  
25 so send them to Brian.

1 Another option is to fax your comments  
2 to Brian, and again, you don't have to use this  
3 form. If you want to use a word processor, type  
4 it up, mail it to Brian or fax it to Brian,  
5 that's fine, or perhaps most of you, as has been  
6 the case so far, like to work on your word  
7 processor, attach it to an e-mail and send it  
8 off as an e-mail. And this is the e-mail  
9 address `vegeis@nv.blm.gov`. Go ahead and write  
10 your comments, attach it to your e-mail, send it  
11 off, boom, you're done.

12 As I mentioned earlier, comments need  
13 to be received by January 9th to be assured that  
14 they will be included in the EIS, the final EIS,  
15 so please try and do that.

16 This is a good time with the holidays  
17 coming up, probably don't have much going on in  
18 the next several weeks, so pull out the EIS, you  
19 know, especially after you have that Christmas  
20 dinner, you've got all those sweets in you,  
21 you're having a tough time falling asleep, pull  
22 the document out, and boom, you'll be asleep in  
23 no time.

24 If you get started now, you'll get lots  
25 of good sleep between now and January 9th, and

1 hopefully you'll finish the document in the  
2 meantime.

3 So that's all I have. Now I'll turn it  
4 over to Gina, who will conduct the public  
5 hearing, and I thank you for your attention.

6 MS. RAMOS: Good evening. My name is  
7 Gina Ramos, and I will be tonight's hearing  
8 officer, and I would like to call this hearing  
9 to order.

10 As stated earlier, the purpose of the  
11 hearing is to give the public an opportunity to  
12 provide comments on BLM's Environmental Impact  
13 Statement and Environmental Report.

14 All of the comments that we receive,  
15 either orally or written, will be compiled,  
16 analyzed, and considered as BLM prepares the  
17 final Environmental Impact Statement, and then  
18 final Environmental Report.

19 As people came in this evening, we  
20 asked them to sign up if they wanted to provide  
21 comments, but if you still want to provide  
22 comments and didn't sign up, you will still have  
23 that opportunity.

24 What we will do is we will ask those  
25 folks that are interested in providing comments

1 to come up to the microphone, state your name  
2 the organization you represent, if any, and  
3 provide your comments. If you have a copy of  
4 written comments, we'll also ask you to provide  
5 them as part of the hearing record.

6 We will initially start with about five  
7 minutes, and after you have reached one minute,  
8 we will hold up a sign saying that you have one  
9 minute left, and we'll ask you to summarize your  
10 comments. It doesn't look like we're going to  
11 have too many people tonight, so we'll probably  
12 be a little flexible about that.

13 Now, unlike the open house, we will not  
14 be entertaining any questions, but we will be  
15 around after the hearing has adjourned to answer  
16 any questions that you may have.

17 So, at this time I'd like to call Hank  
18 McNeel up to the microphone and have Hank  
19 provide his comments.

20 1 MR. McNEEL: This is Hank McNeel, weed  
21 scientist for over 40 years, in private industry  
22 right now, retired.

23 2 I would like to make a few comments  
24 like on the terminology on noxious weeds. I  
25 think the terminology that you used was for

2  
cont.

1 federal and state agency designated. One thing  
2 I think needs to be addressed is counties can  
3 also designate a noxious weed within their  
4 county. I would like to see that added.

3

5 I need to clarify on the use of  
6 pesticides on BLM lands. I see in the EIS it  
7 says restricted use pesticides, individuals must  
8 be certified. On the policy within the BLM, it  
9 is any pesticide used on BLM lands will be  
10 certified, the individuals will be certified.  
11 I'd like for that to be clarified.

14

12 One of the other things I would like to  
13 see is a greater emphasis on your integrated  
14 weed management, how the culmination of the  
15 integrated weed management practices would  
16 strengthen, and I think it would help you a  
17 great deal when it goes to the final for the  
18 people to accept it.

15

19 One thing that did concern me was the  
20 lack of time and public awareness some people  
21 had to review this document for this hearing  
22 tonight, because I do know that some of the  
23 county weed districts contacted me today, which  
24 I felt they should have contacted the BLM as to  
25 why they hadn't heard about it until the last

1 two or three days.

6 One other thing is I think would help  
3 you is -- and I haven't read this in detail, is  
4 what happens if the BLM doesn't use a herbicide  
5 or a combination of the integrated weed  
6 management. What happens to our native species  
7 or our threatened and endangered species.

7 Many people do not understand that  
9 these are useful tools also to save our native  
10 species and our threatened and endangered  
11 species. Sometimes the risk of the weed or the  
12 nonwanted plant is greater on eradicating a  
13 threatened and endangered species than the use  
14 of herbicides.

15 I would like to go on record to state  
8 that I strongly support the use of alternative  
16 B, the preferred alternative. The only thing I  
17 wish is that this would have been out five years  
18 ago.  
19

20 The other thing is I really like the  
9 way you people addressed how to develop the risk  
21 assessment and possibly approve new herbicides  
22 that have been proven to be safe out in the  
23 environment. That is one thing that has long  
24 been needed.  
25

10  
2 The last thing I would like to say is I  
3 would like to compliment the contractors and the  
4 BLM for their efforts in this EIS. I think  
5 you've done an extremely well job. Just keep it  
6 up, get it approved so the people on the ground  
7 can use it.

8 Thank you.

9 MS. RAMOS: Thank you, Hank.

10 Would anyone else in the audience like  
11 to come up and provide some comments tonight?

12 (No response.)

13 All right, if there aren't any other  
14 people that would like to comment, we will go  
15 ahead and conclude this hearing.

16 Before we adjourn, though, I highly  
17 encourage anyone that is attending tonight, if  
18 you know of anyone that was unable to attend and  
19 is interested in the EIS and the Environmental  
20 Report, to take any of the CDs and the  
21 frequently asked questions, and distribute them  
22 out to any coordinator of weed management areas  
23 or any other partners that the BLM has.

24 Thank you all for your time for coming  
25 in tonight. And this hearing is now adjourned.

(Whereupon, the hearing was concluded

1 at 7:45 p.m.)

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1 REPORTER'S CERTIFICATE

2  
3 TITLE: Public Hearing on Vegetation  
4 Treatments Programmatic EIS  
5 and ER for the Western U.S.  
6 And Alaska

7  
8 HEARING DATE: December 7, 2005

9 LOCATION: BLM Offices, Billings, Montana

10 I hereby certify that the proceedings  
11 herein are contained fully and accurately on the  
12 tapes and notes reported by me at the hearing in  
13 the above case before the Bureau of Land  
14 Management, and that this is a true and correct  
15 transcript of the same.

16 DATE: January 4, 2006

17  
18 Marilyn S. Niezwaag  
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21 Billings, Montana 59104  
22  
23  
24  
25

