

Western Montana Resource Advisory Council
Minutes
September 10, 2003
Search & Rescue Building, Dillon, Montana

Members Present: Sue Marxer (Chair), Dick Young, Susan Lenard, Doug Abelin, Donna Tate McDonald, Pat Flowers, Ben Deeble, Dennis Phillippi, Garry Williams, and Ted Coffman.

Members Absent: Roger Peters, Robin McCulloch, Robin Urban, Robin Cunningham and Mel Montgomery.

BLM: Rick Hotaling (Butte Field Manager), Scott Lieurance (Missoula Asst. Field Manager), Tim Bozorth (Dillon Field Manager), Marilyn Krause (Facilitator) and Cheryl Atkins (Notes).

Guests: **BLM:** Marty Ott (Montana BLM State Director), Bill McIlvain (Montana State Office), Dave Pacioretty (Butte Field Office), Pat Fosse (Dillon Field Office) and Mark Goeden (Dillon Field Office). **Members of the public:** Debbie Barrett (Montana State House Representative), Jules Marchesseault, Patti Rowland and Ray Marxer.

The council convened at 10:00 a.m. with the facilitator covering introductions, ground rules, and agenda review.

Addition to Agenda: Sage Grouse Comments.

Update: RAC appointments are still on-track. We anticipate announcements sometime next week.

FIELD OFFICE OVERVIEWS:

Dillon Field Office (Tim Bozorth):

- **Watershed Assessments:** We accomplished Watershed Assessment of the Ruby/Gravelly Watershed 29,565 acres in 10 allotments and the Highlands Watershed 78,316 acres in 12 allotments. Watershed Assessments will be complete in November and Environmental Assessments prepared for these two watersheds this winter.
- Upper Horse Prairie was final on June 12. There were no appeals, three decisions on 25 allotments including 3,400 acres of conifer encroachment that will be treated. In 2004, we will conduct watershed assessments on the Big Sheep Creek and Centennial Watersheds.
- **Fuels Projects:** We have completed the Virginia City Wildland Urban Interface risk assessment; there will be a public meeting on September 19 in Virginia City. We will complete the mitigation plan in October.
- The Winslow Fire is 85 percent contained. We are looking at salvage of timber in area outside the Wilderness Study Area.
- The Centennial Fire History Study was finished and we are working on the report.
- West Grasshopper fuels treatment is behind due to the Hidden Lake fire. East Grasshopper behind due to a logging delay over volume. We will burn next spring.

- Stock Driveway withdrawal will expire at the end of February. BLM will send out a letter to see level of concern over withdrawal expiring.
- BLM National Sage Grouse Strategy handed out and asked RAC to consider providing comments.
- Dillon OHV Priority Setting dealt with in Dillon RMP.

Missoula Field Office (Scott Lieurance):

- **Personnel:** Scott Lieurance, Assistant Field Manager for Renewable Resources, has accepted a position in Washington, D.C. His position is advertised (closes the end of the month).
- **Fuels:** Missoula was surrounded by forest fires this season. Fortunately, no BLM lands under our jurisdiction were affected. We've been under Stage II fire restrictions since July 28, 2003 and expect to remain until we get significant precipitation.
- We are continuing to work on our watershed assessments. No new information since our last July meeting.
- We had a site tour for the Linton Mine reclamation project on August 26, 2003. Seventeen potential bidders attended. If we have a successful bidder, work should start later this year.
- We are currently advertising two timber sales in the Lower Blackfoot Corridor. Sealed bids will be accepted through September 25, 2003. The sale was previously offered and went "no bid".
- We are preparing an additional timber sale in the Murray-Douglas area. This sale will be offered next fiscal year.
- With the completion of the Murray-Douglas WA and subsequent EA, we will be issuing the Grazing Decision for the 5 leases in the area shortly and reissue new 10-year leases.
- The recent ROD for OHV in Montana, doesn't affect the Missoula Field Office. OHV use in the Missoula Field Office is directed by our Travel Management Plan.
- We selected bids on 3 fuels projects. 1,500 acres of thinning/slashing; under appraised and awarded. Two chipping contracts, 250 acres; 1 slightly over and awarded and 1 significantly over and not awarded. Work will start this fall.
- The Dunnigan Prescribed burn which wasn't done this spring is scheduled for this fall (500 acres).

Butte Field Office (Rick Hotaling):

- **Limestone Hills Withdrawal:** The Notice of Intent to process the withdrawal was published on September 4, 2003. The scoping period begins with the publication of the NOI and runs for 60 days. There will be public scoping meetings in Townsend and Helena the end of September.
- **Butte RMP:** The contract has been awarded to Tetra Tech from Helena. We are planning an internal kickoff meeting for the revision on September 17 and 18. We are working on the NOI and will be holding scoping meetings in Butte, Helena, Townsend, Bozeman, Boulder, and Wise River near the end of October or the first part of November.

- **Whitetail-Pipestone Travel Management Plan:** Is being implemented. We are having good success with groups helping on improving and closing trails. So far, we have fairly good compliance with the travel restrictions.
- **Sleeping Giant Travel Management Plan:** We are proceeding with the plan and have completed a draft EA. We hope to have a final decision sometime in the fall. This will be our last travel management plan outside the RMP revision process. All future travel management decisions will be considered thru the RMP revision. Our OHV priority areas will be established in the revision.
- **Clancy fuel treatment projects and timber sale:** We published the notice of sale on August 26, 2003. The protest period ends September 10. Barring any protests, we hope to start implementation of this project this fall.
- **Helena Valley Risk Assessment:** We are nearing the completion of the Helena valley risk assessment. We are planning a public meeting in Helena and Clancy on September 15 and 16. The risk assessment will help us determine where to start our fuel treatment projects.
- **Rangeland Health Assessments:** We are in the process of completing 18 assessments on our allotments. We will have the results of those assessments available at our winter RAC meeting.
- **Whitetail Basin Research Project:** We are working on a co-operative research project with the Jefferson River Watershed Council, MSU, and Montana Bureau of Mines & Geology. This project is a continuation of a research project conducted in the Missouri Breaks. The project will evaluate the impacts of vegetation projects, such as fuel reduction projects, on ground water quality.
- **Bighole Fire History Project:** We are working with the Missoula Fire Science group on a study of fire history in the Bighole River area.
- **Elkhorns Initiative:** The Elkhorn Mountains are cooperatively managed by the USFS, BLM and MDFW&P. To assist the agencies in this cooperative effort, the Rocky Mountain Elk Foundation has entered into an agreement with the agencies to provide funding and support for land acquisitions, easements, and habitat projects. The RMEF is hoping to raise over \$200,000 for this project over the next several years.

Sustaining Working Landscapes (Bill McIlvain):

The following presentation was presented to the RAC:

1. SUSTAINING WORKING LANDSCAPES (SWL)

Sustainable Rangelands:

FLPMA provided for multiple-use, sustained yields and the 1995 regulations provided for Standards for Rangeland Health that applied to all uses.

Sustainable Ranching:

The Taylor Grazing Act emphasized the stabilization of the livestock industry and the current grazing regulations also contain language supporting the grazing industry.

In State Director Ott's letter to the RACs, he indicated that BLM is considering new management approaches intended to promote better partnerships with grazing permittees, advance the long term health of the public lands and provided for sustainable ranches.

2. WORKING LANDSCAPE?

Landscape is simply a View of the Land.

The scope of this RAC is a view of the lands in Dillon, Butte and Missoula Field Office boundaries. It is a inter mix of the lands, public and private, and the many uses that are dependent on each other. We have a community, farm lands, the ranch, some wildlife, some forest, some mining, some oil and gas and recreation.

Working Landscape is ability of those to co-exist with each other.

The Sustaining part is keeping the industry intact, on the land, in lieu of subdivision, or other disruptions, while ensuring the competing uses, share in the balanced use of the resource.

3. SWL PHILOSOPHY:

The Secretary and the Director are asking you to provide advice and recommendations on the four policy concepts or tools to promote new and better partnerships with public land ranchers and advance the health of the land.

Their charge is to do what we can to keep the ranches and communities a part of the landscape. If competition becomes too tough and fragmentation occurs, the landscape will change.

4. WHY ARE CHANGES SUGGESTED?

If we look back to 1957, the ranch competition was drought, fire, the market, and maybe an occasional hunter, fisherman, logger or miner.

Today, that picture is much more complicated, we have the rancher, he is still in competition with drought, fire and the market, but now his margin is affected by more recreation (hunter, fisherman, off-road vehicle, wildlife interest, T&E interest, rock hunter), mining interests as well as logging or coal, oil and gas development.

With these thoughts in mind, BLM is proposing some new tools to help management.

5. TWO-PRONGED APPROACH:

Regulations:

In March, BLM started to work on proposed changes to the current 1995 regulations. We have had scoping meetings on some of the proposed changes, teams are working on an Environmental Statement and in December or January, the proposed regulations will be rolled out and the public and RACs will be asked for their comments and recommendations. That effort has yet to come!

Policy:

Policies are opportunities or tools to encourage flexibility, new partnerships or management practices that can work.

Even if not written, BLM managers have the flexibility to adjust or do things if they are not prohibited.

A policy makes it easier. A given policy provides direction, knowledge about an action, advertisement, and it gives legitimacy to an action.

6. POLICY:

The Director is asking the RACs to consider:

Will these policy proposals work?

OR are they needed in this RAC area at this time?

OR do we need new policy initiatives which are not addressed currently.

7. SWL CONCEPTS:

Conservation Partnerships

Reserve Common Allotments

Voluntary Allotment Restructuring

Landscape Habitat Improvement

8. CONSERVATION PARTNERSHIPS:

Will provide an opportunity for permittees, on a voluntary basis, to enter contracts or agreements with BLM and/or others to achieve improved rangeland health. They would be allowed to seek grants to pay for investments or to provide increased flexibility in management.

BLM does not have a policy where we go out and formally advertise for donations or grants to do work. This concept would provide that opportunity for the permittees to openly solicit or accept such grants.

- Cooperative Agreements
 - Involve BLM and the permittees plus other interests
- Grants or increased flexibility could be the incentive
- NRCS cost sharing, EQUIP, Ducks Unlimited, Pheasants Forever.
- In Montana, Undaunted Stewardship provides funding for projects associated with the Lewis and Clark celebration.

EPA has grant programs and many individual organizations have grant programs

- Voluntary performance-based contracts to provide environmental services (upland recovery, riparian/wetland restoration, etc.). Weed control, Land Health Restoration, removal of unwanted vegetation, juniper or pine encroachment.
- Grazing flexibility, numbers, season of use, or something outside of the box. Many conservation groups realize that a poorly managed ranch is better than a subdivision

Numerous consultants are now openly soliciting grants for ranchers willing to make management adjustments for special uses.

9. RESERVE COMMON ALLOTMENTS

BLM does not currently have the option to accept or set aside BLM grazing areas that could be used for specific management purposes.

Allotments managed as reserve forage areas for use by permittees engaged in rangeland restoration on their customary allotments for implementation of rangeland recovery practices that require rest from grazing.

On occasion there are situations where operators or groups want to relinquish or set aside their grazing authorization in lieu of other management arrangements.

The opportunities for RCA in Montana are really limited; however, on occasion we have been approached with similar ideas.

10. VOLUNTARY ALLOTMENT RESTRUCTURING

- Voluntarily merging two or more allotments, through maintaining authorized grazing use at proportionately lower level for conservation purposes.
- This would allow options to make management shifts that could benefit other operators or other uses.
- The options would be temporary in nature.
- Agreements would be voluntary, with specified goal and arrangements.
- Sharing of grass for conservation and range preservation purposes. We can do this now, but it involves the decision process.

11. LANDSCAPE HABITAT IMPROVEMENT (Endangered Species Act Mitigation)

- Conservation Partnership, RCAs and Voluntary Allotment Restructuring could be used for habitat improvement. If such an option was available and we can keep the sage grouse unlisted, we maintain our management flexibility.

In many allotments, listed species may require special management practices but still allow flexibility to manage livestock grazing, e.g. Nesting or breeding requirements may require reduced or removal of grazing for designated periods of time. Reserve Common Allotments or Allotment Restructuring could be used to shift grazing from one area to another during these critical times.

12. SCHEDULE:

Joint RAC Meeting – October 29, 2003

RAC recommendation due to State Director – November 1, 2003

State Director forwards recommendations to Director Clarke – November 10, 2003

Final policy preparation after regulation process completed

Public Comment Period:

Question: Debbie Barrett: Are the subjects open to public comment?

Answer: Bill McIlvain: Yes, we have gone through the scoping process where we had field input. Based on those comments they are going to put together policy concepts and the rules that are associated with those. Anything that you do on public lands is open for comment.

Debbie Barrett (State Representative and Permittee): I have a concern if the State agencies and the federal agencies don't do what they are supposed to do, manage wildlife and manage the land, I am afraid that all 4 concepts are going to doom the permittee/lessee to failure. We are going to deal with, once again, in these allotments only with the livestock. You can't have a grazing discussion any more in Montana on private lands or public lands without including everything that grazes there having an impact. Until the wildlife numbers that we currently have in Montana are brought under control, in SW Montana we have an over abundance of elk; in eastern Montana we have an over abundance on antelope. Until we address those things, the permittees will fail.

Jules Marchesseault (Rancher): I would like to reiterate what Debbie said about the wild game, it is getting to where there are so many of them. You see areas where they have eaten forage and it is not only on the public land it's on the private land areas which is happening year-round. We are not getting compensated for that at all.

Patti Rowland (Southwest Stockgrowers Association): The policies disturb me a little bit. Goal of the Sustaining Working Landscapes and the economic viability (I am glad to see there is recognition about that) but the main goal seems to be environmental health and the first question that was asked for the RAC to answer, "Are we going in the right direction in SWL initiative?" I have to suggest no, it relates to what Mrs. Barrett said and what Mrs. Marxer said earlier what we are doing with this initiative is shifting the burden that BLM has carried to permittees to make sure that the environment and rangelands are healthy.

The concept of the reserve common allotments, I feel there is concern that vacant allotments will be drawn from removing permittees from existing allotments. I think the goal and the policy should be to make sure vacant allotments aren't created by removing existing allotments. I think the voluntary programs, the policies and regulations should be very specific about them being voluntary without public pressure and private interest's pressure, it has to be entirely voluntary from a permittee's perspective. I think weeds and wildlife have to be addressed and any type of initiative that addresses rangeland health.

*I will provide the RAC members with a copy of my notes.

Ray Marxer (Matador Cattle Company): The direction that this is going is good but it's flawed in some ways. What is the incentive for the permittee? I cannot see in the proposals where, from the permittee standpoint or grazing standpoint, where there were any incentives. The only incentive I could see is the permittee would have some flexibility to either set and manage a grazing system that would reach the objectives but not be limited so much in the manner that he get it. There still needs to be some guidelines and outcomes that are realistic.

SWL provides another layer of administration and bureaucracy. Noxious weeds management would provide an opportunity for incentive-based stewardship. Not in favor of conservation easements or any reductions in grazing.

RAC Members ask the Public presenters questions:

Dick Young: How would you go about incentive stewardship, what vision do you have?

Ray Marxer: It would have to be some type of increase in decision rights.

Comments from BLM State Director (Marty Ott):

The presentation that was presented to the RAC has brought confusion. This business is Sustaining Working Landscapes. Look at all the different levels of competition that for additional grazing is dealing with today, that they didn't have to deal with a few decades ago. It is a different world fundamentally. Can the permittee remain viable over time or is this a natural process that will have the family rancher become the thing of the past? Would like to believe public land managers in cooperation and coordination with users, not just with the permittees, with all users can bring into balance.

Recommendation from RAC to add or consider for SWL "Concepts":

- Incentive-based management (including weeds), decision making
- Conservation easements to prevent fragmentation
- Land exchanges/acquisitions
- Flexibility to add other ideas
- Add language of giving managers flexibility to implement

Decision: To form a subgroup to work on the concepts and have recommendations to take to the October 29th meeting.

Sue Marxer
Pat Flowers
Dennis Phillippi
Mark Goeden (BLM Representative)

Sage Grouse Update:

Proposed: To write a letter to the State Director to send to the Director regarding the National Sage Grouse Habitat Conservation Strategy.

Decision: The RAC members agreed to send the following letter to the State Director:

“We are writing this letter to offer our support from the Western Montana Resource Advisory Council for your efforts to develop a Draft National Sage Grouse Habitat Conservation Plan. The BLM manages a substantial acreage of important sage grouse habitat. For that reason, a National Conservation Strategy is a critical step to ensure the long-term conservation of sage grouse. We think it is essential that your National Strategy is consistent with Montana’s State developed conservation strategy.”

NEXT MEETING: Proposal of having the WMRAC meeting in Billings, Montana on October 29th followed by a Statewide RAC meeting on October 30, 2003.

NOTE: Since the September 10th meeting, the statewide meeting will be on October 29th, followed by a WMRAC meeting on October 30th.

Suggestions to bring up with the other RACs:

- Offer letter on Sage Grouse
- Weeds
- OHV Implementation

MEETING ADJOURNED