

Dakotas Resource Advisory Council
Holiday Inn – Willow Room
Exit 14 I90, Spearfish, SD 57783

Attendance

Lyndon Bucher	Eric Hunt	Eric Rosenquist
Mary Buchholz	Andrea Stomberg	Deborah DeMarey
Stanley Kohn	John Hoganson	Carol Pavel
Gerald Schlekeway	Lonny Bagley	Marian Atkins
Rod Landblom	Jeff Buechler	John Hoganson
Deborah DeMary		

Guests

Gene Terland, BLM Montana State Director

January 10, 2007

1:00 p.m. Welcome and Introductions – All

1:15 p.m. State Director comments

Gene Terland introduced himself and thanked everyone for giving their time to the BLM and discussed various BLM issues.

Followup on last meeting

Andrea asked everyone to take a few moments to review the minutes from the last meeting.

Gerald Schlekeway moved to approve the minutes, Lyndon Bucher seconded. MC

Paleontological Bill - Lonny reviewed the letter from the RAC to the field manager regarding protection of Paleontological resources. John Hoganson said the Bill provides for the protection of Paleontological resources on Federal lands as well as other purposes. S.B. 263 also shields against the theft of fossils off public lands. The bill has not been introduced yet this year. When Lonny receives the letter, he will refer it to the Montana/Dakotas State director. Once the State Director reviews it, he may send it on to the Director. The Director may in turn forward it the Secretary of the Interior. John asked that the RAC be informed of the letters progress. John expressed the support that the state of North Dakota currently provides of the Bill.

Lonny presented an updated of Schnell Recreation Area projects. It is too early to come up with a statistical report since this was only the first grazing season. Dr. Manski has two students working him on the project. Lonny also briefed the RAC on another project to chemically kill portions of hayfields at the Schnell Recreation Area and replanting them with native grasses under the Seeds for Success program..

Lonny reported that the Best Management Practices Award for the work done by BLM and Burlington Resources in the Cedar Hills field was not accepted by the Washington Office.

The US Forest Service completed the first phase of the Ebert's Ranch acquisition. Dave Pieper was unable to attend the meeting to provide any further information on the purchase of the remaining lands.

America the Beautiful pass - This pass will let visitors gain entrance to federal lands managed by the five participating bureaus or agencies that are open to recreation opportunities. Existing National Park passes, Golden Eagle, Golden Age, and Golden Access Passports would be grandfathered in under their existing benefits and will remain valid until expired.

Charter discussion – Lonny

The changes were due last week. Lonny explained that our charter, along with Standard Operating Procedures, should cover any changes that we were considering.

The Charters are good for two years.

Rod asked if standardizing the Charter was something Twinkle was trying to do about five years ago. Lonny did not know.

Travel and Reimbursement Regulations - Rod referred to the fact that BLM does not provide coffee or refreshments at RAC meetings. He also wondered why BLM restricted a volunteer group by a 50 mile/12 hour rule. Lonny informed him that the RAC was governed by the BLM travel regulations. Gene Terland said he would look into it.

Joint meeting with Montana RACs. John asked if there were any plans for another one. Andrea asked what the meeting schedule was for the Montana RACs. Marian said she would check into another joint meeting.

Sage Grouse Conservation Update – Chuck Berdan – There is an ongoing study in North and South Dakota. They finished the second summer season in North Dakota and are entering into the second winter season. A mix of Masters students, and a PHD student are tying it all together.

South Dakota - Last year was the first year. They radio collared eighty-eight birds. Three birds tested positive for West Nile, possibly six were confirmed negative, and some were undetermined. They lost a large number of males, females, and chicks from August to October.

Chuck reviewed the percentages of survival. Most birds are currently near the leks of capture, except there are three birds in southeastern Montana. They are watching to see if the birds come back to their leks of capture this spring. Many of the birds lost their nests due to predators. Although, some moves were related to weather conditions.

Lek counts in both states have been up significantly this past spring.

Bowman County elected to use an alternative route for a road to avoid disturbing a lek in the southwest portion of the county. The lek has remained active with normal road use.

A number of North Dakota hens with broods spent most of their time in eastern Montana. They are working back towards their leks. The BLM, Forest Service, Game, and Fish chart all results in GIS. General information will be available to the public once the studies are complete site specific information is confidential..

North Dakota is looking into the affect oil and gas activity has on sage grouse habitat. However, it will be difficult to determine the effect of oil and gas development on sage grouse activity since the first wells were drilled in 1946 and are still operating today.

There has been some study of nests without outside influence in Wyoming. Stanley suggested inviting Chris Swanson to a summer meeting for further information. He is done with his fieldwork in North Dakota and has one field season left in South Dakota. Studying the “where” of these sage grouse opens up a lot of “why” questions.

NDFO has had success working with operators on placement of wells and roads to reduce the fragmentation of habitat for the birds. We are also working with the NRCS and landowners in the area to reduce impacts from grazing as well. .

There is a Sage Grouse Connectivity Meeting in Billings at the end of February or the first part of March.

Lonny made a note to have one of the students come to one of the RAC meetings.

Recreation Resource Advisory Committee roles - Marian

Marian asked if the members would like to establish a Recreation Enhancement Act and Recreation Fee Subcommittee or continue to use the entire RAC as the committee. In Dave Pieper’s absence, Lonny stated that he would get the number of Recreation Sites on US Forest Service land to the RAC members. Lonny reviewed the laws governing this subject.

Gerald moved that the Dakotas RAC deal with the Recreation Enhancement Act and Recreation Fee as a whole. John seconded. MC

Marian handed out a copy of the South Dakota Field Office Business Plan. She reviewed the details of the Fort Meade Recreation Fee Area. She broke down funding disbursement. In addition, she reviewed the mechanics of campground host fees. A similar document exists for the Schnell Recreation Area. Lonny will send copies to the RAC members.

The Schnell Recreation Area is included in the Recreation Enhancement Act and Recreation Fee Subcommittee.

Gov Rounds OHV Task Force – Eric Hunt asked if there was a BLM representative. At this time there is not a BLM representative on this task force

Copper Cable Recovery from Abandon Missile Sites – Marian

Marian delivered background information about the former military missile sites. The abandoned sites include copper cables. Many people are interested in mining the copper cable. Individuals are paying as much as \$5,000-\$10,000 per mile for some of this copper. At this point SDFO is not involved in copper cable recovery on any public land. Marian passed around a questionnaire that includes the following statement “At this time the BLM is not allowing any type of cable removal on BLM Administered Lands. Because this is a new emerging issue for BLM we are carefully reviewing all aspects related to removing the cable including environmental, cultural, and reclamation issues. Once we have determined the best means to address this issue we would be happy to contact you. If you have a few moments, I can get the information necessary to enable us to contact you.”

Part of the copper cable recovery issue is reclamation. Some people are looking at pulling the lines, rather than digging. Back in the sixties there was no cultural clearance done. Some of the land is no longer federal; however, there are 36 miles on BLM land. We do not consider it a mineral estate. Andrea asked who is reviewing the aspects of this issue. Jeff mentioned that one idea might be to contract it out with a reclamation stipulation. It was suggested that BLM might want to develop a Stewardship project so that the money would stay in the area rather than go the National Treasury.

Lonny recommended that the members read the Preparation Plan tonight. The plan starts on page 36.

Lonny also handed out information from both North and South Dakota that he used to brief Gene when he became the State Director.

4:00 p.m. Adjourn for the day

5:30 p.m. Dinner

January 11, 2007

Welcome and Public Comment - There were no comments from members of the public.

Marian briefly re-addressed the copper cable mining issue.

Prairie Dogs - Marian

Conservation plans for Black-tailed prairie dogs were approved in 2005. The majority of the towns are in South Dakota. North Dakota has about seven towns.

Resource Management Plan (RMP) – RAC member participation – Marian and Lonny
Marian outlined the public participation plan. BLM will hold public scoping meetings after they announce the location and time in the Federal Register. John commented favorably on the Paleontological Resources comments on page 27. He felt that paleontological and cultural concerns should be kept separate. John asked if BLM could add the ND Geo Survey under AGENCIES AND STAKEHOLDERS. Lonny said we could include the North Dakota

Geological Survey. John replied that the RMP could list the “North Dakota Department of Mineral Resources” since NDGS is under that. Lonny said they would add “North Dakota Department of Mineral Resources”.

Lonny stated that they are governed by strict deadlines, no time extensions will be granted.

BLM will post the information on a publicly accessible web page.

Marian encouraged RAC members to attend any scoping meetings in their area. Members ask if there were going to be meetings in Fargo and other areas in South Dakota. Gerald offered the Isaac Walton center in Pierre. John Hoganson suggested the Heritage Center in Bismarck as prospective meeting rooms. RAC members will be informed of the dates and locations of the scoping meetings – May and June.

Marian said the meetings would be held as open houses. The format consists of a short presentation; followed by allowing members of the public the opportunity to submit written comments.

The comments they are looking for should be helpful to the document.

The timeline is as follows:

Develop alternatives

Draft EIS should come out by Dec. 2008

Ninety-day comment period

Review and address comments

Issue Final EIS

Issue the Record of Decision

Deb suggested using a number of easels where people could write their comments and/or questions. After hearing a number of presentations, the easels are available for people to address the issues.

Lyndon suggested that we have RAC meetings during this time period to stay current with the proceedings.

RAC members may attend meetings as a representative of another agency or as themselves if they have other interests.

Andrea asked if the RAC would receive information on the Plan as well as updates on the proceedings. Marian said we would keep the RAC informed as to what is going on. Lonny said the public will be notified of the scoping meetings in a number of ways besides the web page. They will include direct mailings, professional and personal communications. The plan will also be available as a hard copy at the BLM meeting.

Mary B. asked if the public would have a way to pick up a copy of the Preparation Plan prior to the scoping. Lonny said no. In 2009, the information on the RMP will be available to everyone

in a number of ways (on the internet, hard copy of public documents at the office or mailed to them, CD of the public documents mailed to them.

Deb wondered if the RMP would include a Floristic Plan.

We will work with other agencies such as Forest Service, Fish and Wildlife Service, and various counties.

We will work closely with the congressional contingent, the state office, and the RAC.

Rod asked why you do something that takes four years. Lonny acknowledged there is some flexibility in that time period. Once an RMP is finished, it generally has a 15-20 years half-life

.
We are in the final throws of hiring a Project Manager and a Writer Editor/Facilitator Public Affairs to assist with the plan.

New Business – Closeout – Next Meeting

Rod L. suggested that the RAC needs recognition that is more public. He thought occasional press releases concerning RAC activities and input into the various local newspapers would be appropriate.

The School of Mines contacted BLM to create a BAHA course for their national competition in South Dakota. Marian said that they are considering the request.

Next Meeting - North Dakota location

Suggested topics include looking at having one of the sage grouse students do a talk, Larry said he would be able to arrange an oil field tour (including transportation), - explore drilling and stop by a production rig, also discuss leasing, (Lynn Helms gives an outstanding PowerPoint presentation) and finish up with NPLD attendance. Marian suggested visiting the Ebert ranch,

September 6, 7 & 8, 2007

9:58 a.m. Adjourn

Motions

Gerald moved that the Dakotas RAC deal with the Recreation Enhancement Act and Recreation Fee as a whole. John seconded. MC

**Dakotas Resource Advisory Council
North Dakota Field Office
99 23rd Avenue West, Dickinson, ND 58601**

Attendance

Marian Atkins	Deborah DeMarey	Larry Dokken
John Hoganson	Andrea Stomberg	Jeff Beuchler
Bill Bowman	Stan Kohn	Lonny Bagley
Lyndon Bucher	Dave Pieper	

Thursday, September 6, 2007

Welcome and Introductions – All

Bagley invited everyone to attend National Public Lands Day. The event takes place on Saturday, September 8, 2007 at the Schnell Recreation Area.

Minutes from January 2007 Meeting - Buechler moved to accept the minutes from the January Meeting. Bowman seconded. Motion passed.

Follow-up on last meeting – Atkins and Bagley

Paleontology Resource Preservation Act – Gary Smith, archeologist at the Montana State Office, is working on the RAC letter regarding the protection of Paleontological Resources. Bagley resubmitted the letter to the MSO. Hoganson explained the PRP Act. There is national concern regarding theft of fossils on public lands. Legislation regarding ownership and definition varies from state to state. Hoganson reviewed the variety of fossils people report to the state and clarified fossil ownership on private land. He advises private owners on the status of their Paleontological finds. There are 24 exhibit sites in North Dakota.

Joint RAC meeting – The current state director did not feel it was necessary to get the Montana/Dakotas RACs together. A number of Dakotas RAC members expressed interest in meeting with the Eastern Montana RAC on issues such as Oil and Gas and Resource Management Plans. Miles City is also preparing an RMP. Bagley and Atkins will contact the Field Manager in Miles City to try to get that worked out.

Bagley recapped the policy on reimbursement of travel, e.g., mileage reimbursement for trips less than 50 miles, coffee and pastries/fruit/cookies, and other expenses.

Field Office Updates - Atkins and Bagley

North Dakota Field Office Update - Bagley

There is increased coal activity in North Dakota. There are a number of companies interested in coal development in the Bowman County area. The Gascoyne power plant project looks like it will move forward. The development of a site near South Heart does not look like a possibility.

The Freedom coalmine near Beulah will have a large impact on the economy for approximately 10 to 15 more years. Increased activity at Falkirk will not have a significant effect on BLM.

Tribal Ranch & Lodge –The Mandan-Hidatsa-Arikara Tribe is looking at consolidating public lands to improve economic gain, specifically in terms of outfitting. There is no BLM Oil and Gas lease on the east side of the ranch as of yet. Consolidating the BLM parcels would facilitate public access on the east side of the ranch.

The next steps include HAZMAT, archeological clearance, mineral and land appraisal, and conveying options on how the land exchange will work. The tribe would also like to exchange the minerals. BLM identifies exchanges on value basis, not acre for acre. BLM and the tribe have not worked out details; however, the tribe has offered to help with funding.

Uranium Project – At this point, we have an outline of a prospect permit. Formation Resources Inc., out of Bismarck, will assess the land. Plans include using the strip mine method and burning the lignite to harvest the uranium. The Surface Mining Control and Reclamation Act of 1977, deals with reclamation issues. Uranium prices increased significantly, which increased potential development. Currently, there is not a timetable on this project. Bagley supplied copies of a Department of Environmental Resources article that speaks to this issue.

Break

South Dakota Field Office Update - Atkins

This year there was a 50-mile horse endurance ride the last week in July at Fort Meade. The ride lasted 10 - 12 hours. A member of the public sponsored the event. Due to positive response, they plan to repeat the ride in the future.

Rock Interpretive sign – BLM mounted seven signs on large rocks on BLM land throughout Fort Meade. There was some work done on the small cemetery. There was an Eagle Scout project consisting of a kiosk with names.

Rangeland Health – Seasonal employees assessed land in various BLM areas. They also performed some Range Improvement Project work. Employees and students performed a number of Sage Grouse studies during the summer.

Abandoned Land Mine – Fox news is interested in doing an exposé featuring abandoned land mines.

Fuels –We used commercial forestry to thin trees in the Lead and Deadwood areas. The slash was purchased and taken to Upton, WY for biofuels productions.

National Public Lands Day – We graveled a large campsite during our event last April. We will clean up the dead trees and trash on BLM land at Bear Butte Creek at the upcoming NPLD event.

Uranium – There is some uranium mining activity on the southern hills. Miners are considering using the solution mining method at this time. The public is concerned about related environmental issues. There is no activity on BLM surface at this point.

Copper Cables – Private lands in the area had a lot of cable removed this past summer. The copper cables remain in place on public land (around 35 miles of cable). We have not culturally surveyed the BLM lands and we (BLM) have not decided where the recovery money will go. Therefore, no permits have been issued to recover cable from public lands.

Sturgis Rally – Rally impact on Fort Meade is minimal. BLM increases security for the event, which includes bringing in eight rangers from various BLM offices each year to patrol the area.

HWY 79 Bypass – The proposed bypass will not affect BLM land. The Department of Transportation and the Federal Highway Administration has assured us that if there are reasonable alternatives to avoiding federal lands, they will take that course.

USFS Updates

Montana fires – At present, the sky is smoky from fires in Idaho. Pieper reviewed the recent fire restrictions. Fire fighters are bracing themselves for a big season-ending event. Fire fighting techniques consist of, but are not limited to, fire suppression on private land with firefighters on alert for trigger points. Fire fighters closely monitor fires in remote areas. Fire fighters take action when fires become threatening in any way.

Current procedure consists of “wrapping” a community in a foam type material. They are working with a five billion dollar budget; funds are coming from profits earned in other programs. Pieper predicted a constant increase in fires and spending.

Oil and Gas – Pieper reviewed a new categorical exclusion. Rapid processing is one of the primary benefits. Few projects have come forward with complaints this year. There is talk in congress about pulling back the 390 exclusions. The quality of environmental work is high.

Mr. Dokken encouraged establishing good communications with the US FS and stressed the importance of following the steps to any process.

Eberts Ranch Acquisition – The area consists of fifty two hundred acres. The first key item consists of no net gain of federal lands in Billings County. The Forest Service will convey a like number of acres back to private lands. The Forest Service has identified ten thousand acres for disposal. Draft legislation addresses a right of first refusal going to the base property owners. The Forest Service is looking at getting the authority this fall.

Uranium issues in the area figure into the conveyance process. The bidding process does not include counter offers. Yellow book appraisal is the final assessment. Allotments must be associated with the perspective landowners’ land. Initially, the Eberts wanted to sell to the Park Service. Finances played a strong part in the final decision. The second key item is the idea of maintaining traditional uses.

Billings County officials condemned a portion of a road going through the ranch at a river crossing for the purposes of locating a bridge and upgrading the road. However, the county has decided to shelve the proposal for now.

Transmission Lines – Mr. Bowman inquired about a policy on federal land dealing with transmission lines. He asked if the multiple use concepts covered that issue. The Forest Service would have to complete a cultural clearance before the concepts are considered. Pieper will try to get more information to Bowman.

Dickinson State University - DSU is hosting the second Theodore Roosevelt symposium the weekend of September 8, 2007. Some constituents who helped acquire the Eberts' land are presenting a program in Medora. Private project fundraisers resulted in \$500,000 to assist with preservation and recreation.

Sage Grouse Conservation Update – Tim Zachmeier and South Dakota State University Ph.D. Student, Chris Swanson

Chris presented a PowerPoint review of Greater Sage Grouse statistics and history.

Population - Oil activity, as well as other development, might play a part in population numbers. Long-term trends show decline due to habitat alteration by humans. Some funding from NRCS and BLM is available for bird study.

Global Warming Related Climate change – There is no published research available. Meteorological data, such as drought, does not seem to have a huge effect. Greater Sage Grouse are not adaptable. Higher forbs density also plays a part in brood rearing habitat.

Over the last fifteen years there have been seven petitions for T & E listing. There is another one currently in the works. The fragmentation of habitat issue includes, but not limited to burning, sagebrush patch size, and road network. There needs to be cooperation between all groups to increase Greater Sage Grouse activity.

We have seen an increased number of cooperating farmers and ranchers regarding habitat development. Survival rates during the nesting period is good, however, the population often lowers during the late summer period. Forbs variation increases food source. Andrea asked for a copy of Chris' presentation to attach to the minutes.

Lunch Break

Welcome and Public Comment - There were no members of the public.

Satellite - Director Caswell's broadcast.

Recreation Fee Increase for Schnell Recreation Area - Bagley

Presentation of Business Plan – Bagley reviewed the business plan, which includes raising the current campsite rate of \$5.00 per night to \$6.00 per night.

The process requires a review by the Resource Advisory Council. RAC members will review the plan for a month and then get together. Fees finance pumping vault toilets, maintenance, and campground hosts.

RMP – RAC Member Participation – John Hartley, Atkins, and Bagley

RMP PowerPoint – John Hartley, RMP Lead.

Landblom suggested looking at the current Forest Service plan to avoid running into the controversial issues they have experienced. Threats of litigation can throw the entire process into a tailspin.

The Dakotas RMP team will contact other field offices for lessons learned in the development of their RMPs.

RAC members were asked for their assistance with the RMP. The following ideas/suggestions were presented:

Meeting advertisement:

Hoganson suggested that it might be beneficial to mention a hot topic in planned meeting areas. Four members of the public attended the Bowman, ND meeting. Pre-meeting advertising consisted of newspaper articles and flyers.

RAC Members as Public Contacts

- Act as liaisons between BLM and the public,
- Present slide shows, or invite the RMP team to a focus group or organization meeting,
- Contact the team about an organization and the team will contact that group,
- Encourage organizations to request topic specific scoping meetings.

Communication

BLM will keep the RAC members informed in order to facilitate RAC involvement. Hartley will post e-planning information on the Montana/Dakotas BLM web site, and E-mail the RAC members brief summarizations about upcoming points of interest.

The RMP team will look into creating an electronic one-page newsletter (as events occur). RAC meeting agendas will include the RMP as a topic of discussion. With advance notice, Atkins or Bagley will arrange for the appropriate amount of time on the agenda.

New Business – Closeout – Next Meeting

Topics for next meeting

- **FERC Policy** - Specifically addressing transmission lines on federal land.
- **Meeting Minutes** - Hoganson asked for a copy of the minutes along with any other pertinent agenda information prior to the meeting.
- **Mine Law Reform** – Senator Nick Rahall proposed sweeping changes. Some issues could change the way BLM does business. The original 1872 legislation introduced subjects such as royalty, cost recover, and ten-year permit limitation. The law governs such minerals as gold, silver, zinc, copper, lead, and uranium.

Next Meeting – Bagley said he would check the eastern Montana RAC meeting schedule. January or February would be a good time to meet for updates on the RMP process. John Hoganson suggested the North Dakota Heritage Center as a venue.

Adjourn - 4:32 p.m.

Friday, September 7, 2007

Field Trip - Oil and Gas Operations and tour of Elkhorn Ranch.