

Dakotas Resource Advisory Council
Days Inn Grand Dakota Lodge
532 15th Street West
Dickinson, ND

Thursday, February 9, 2006

Attendance

Lyndon Bucher	Eric Hunt	Bob Paulson
Bill Bowman	Mary Buchholz	Andrea Stomberg
Stanley Kohn	Ron Ness	John Hoganson
Richard Brauhn	Carol Pavel	Dave Pieper
Gerald Schlekeway	Lonny Bagley	Marian Atkins
Rod Landblom		

Guest – Tim Zachmeier, Wildlife Biologist, BLM

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

Stanley asked how the RAC notifies the public about the RAC meetings. Lonny said we are required to publish it in the Federal Register. Ron said RAC members often notify their constituents and BLM previously put press releases in the local newspapers as well.

Lonny gave each member a Dakota RAC Council member chart. Ron asked members to review their information. Let Mary know if you have any corrections.

Review and Approval of Minutes: Ron asked members to take a few moments to review the minutes from the May meeting in South Dakota.

Correction – Dave Pieper’s last name was spelled incorrectly.

Paleontological Bill – The Bill provides for the protection of Paleontological resources on Federal lands as well as other purposes. At the May 2005 meeting, Rich Brauhn moved that the Dakota’s RAC support S.B. 263 and that John Hoganson would write a resolution and send it to the Secretary of Interior and the congressional representatives in North and South Dakota. The motion was seconded and passed. Lonny reminded the group that DOI employees cannot present a document that supports a bill. We can support the resource. John asked if a resolution was sent to the secretary and representatives. Lonny said the letter was not sent. Lonny said we did not carry that through and get it completed.

Ron asked John to draft a letter addressed to the Secretary of Interior, with copies to the congressional delegation, supporting the protection of paleontological resources. He will send the letter to Lonny and Marian. John recapped the purpose of the Paleontology Bill to bring new members up to speed.

Ron asked that his comments from the last draft be incorporated into the minutes.

Rich moved to approve the minutes as corrected. Andrea seconded. M/C

Sage Grouse Study, Tim Zachmeier - Follow up on last meeting — The Sage Grouse issue was discussed at the orientation on Wednesday, February 8. A short presentation was given to update the members on the current research in Bowman County. The presentation touched on current findings and laid the framework for the upcoming field season. The same research project is scheduled for South Dakota and will start in March.

Management of the Schnell Recreation Area: Lonny outlined a new Memorandum of Understanding (MOU) with the NDSU Extension Service that includes grazing cattle on the Schnell Recreation Area. Tim Zachmeier presented the Schnell Recreation Area Grazing Plan.

Prior to BLM acquiring the land, it had been grazed season long with little rest and showed signs of overgrazing, the area was badly in need of rest. Thirteen years of rest allowed the recovery of the range, however, it allowed non-native cool season grasses to get established by having zero disturbance to the vegetative community other than grazing by deer and other wildlife. Other than some periodic mechanical haying of the old farm fields, zero grass management has taken place on the recreation area since BLM acquired it.

BLM teamed up with Dr. Lee Manske, range scientist, and others at the NDSU Dickinson Research Extension Center to implement a rotational grazing system at Schnell. The grazing system is designed to allow the native range plants an opportunity to compete with or out-compete the non-native grasses and start the range towards a healthier ecosystem. The ultimate goal is to achieve pre-settlement conditions.

Stanley suggested that we could also look to see how it is affecting the NDSU cattle herd as well as the vegetation. Dr. Manski is convinced we will see a positive shift in the proposed direction within three years. BLM will eventually introduce prescribed fire to augment the grazing in future years. BLM is also aware of erosion possibilities, the MOU allows us to make immediate changes if we see something is not going in the direction we anticipated.

Second phase – The second phase includes conversion of old decadent farm fields to native grasses. Currently, BLM has approximately 700 acres of hayland that consists of mostly smooth brome grass, Kentucky bluegrass, alfalfa and crested wheatgrass. BLM will start working with the Dickinson Research Extension Center and Dickinson State University to convert these acres into native grasses. No conventional farming will take place. We will chemically kill vegetation and use a "no-till" drill to seed native grasses directly into the sod. Rich suggested starting a public awareness program to decrease negative feedback.

Cedar Hills BMP - RAC nominated Burlington and the North Dakota BLM for a Best Practices Award. The nomination is currently in Washington for consideration. We have not heard anything back yet.

Forest Service, Dave Pieper – A Scientific Review Team (SRT) consisting of eight members were charged with paneling an independent group of scientists to review the parts of the Grasslands Plan related to livestock grazing. The North Dakota governor's office, conservation and industry groups, state and federal natural resource agencies, and county representatives recommended the members who served on the team.

Dave explained that the main purpose for creation of the SRT was the concern by some that the Final Environmental Impact Statement (FEIS) lacked good scientific analysis, specifically concerning the livestock and wildlife issues. The SRT addressed that concern by providing outside, independent review of the assumptions in the FEIS, the sample Allotment Management Plan's (AMP) baseline data, analysis procedures and predicted outcomes. The SRT's role was limited to these items unless the SRT itself identified and agreed upon grazing issues that warranted review.

SRT members conducted 14 meetings between February of 2003 and May of 2005. During these meetings, the Dakota Prairie Grasslands (DPG) presented details on 69 Allotment Management Plans (AMPs). These were grouped in eight study areas. Presentations were supplemented with field trips to these study areas. Representatives of the grazing associations and conservation groups also gave presentations to the SRT. The Forest Service was pleased with their work. The team answered questions presented by the Livestock Grazing Associations.

At this point, there are no plans to rewrite the Livestock Grazing Plan. They have a proposal out to Livestock Grazing Associations and are moving forward with that. More information is available at <http://www.fs.fed.us/r1/dakotaprairie/>.

The Forest Service is currently attempting to purchase the Ebert's Ranch. The offered land comprises 5,150 acres of hills and buttes, traversed by the Little Missouri River. Roosevelt's cattle grazed on the land, which is near one of the two ranches he owned in North Dakota.

In addition to the 5,150 acres of private land, the Ebert's have a permit to graze cattle on an adjoining 18,000-acre U.S. Forest Service grazing allotment. This provides an opportunity to establish a 23,000-acre national preserve where recreation and wildlife habitat would be the emphasis; however, other multiple uses would also occur. They are taking a no net gain to federal acres approach to this project. They are looking at parcels of land to convey to the private sector. The appraisals are yellow book standards.

Another issue was condemnation of a road in the area. The situation was determined legally and Dave said the Forest Service would abide by the legal decision.

Stan asked if the Eberts put any conditions on the land. Dave replied that there would be two guiding principles - 1) maintain the solitude and solace that Roosevelt found and that inspired him, and 2) allow multiple uses of the preserve's resources in keeping with Roosevelt's philosophy on land use. Planned uses: grazing, hunting, oil and gas development, hiking, wildlife observation, scenic viewing, canoeing, horseback riding, backpacking, and camping - all managed so that the natural and cultural resource values are not jeopardized.

Dave said after three or four years they will reevaluate the use plans. Right now he is moving forward with appraisals and plans as if it is going to happen.

Dave mentioned that two hundred and ninety nine oil and gas leases are due to expire within the next year. This will create an additional workload as these lands are nominated again for lease. Lonny reviewed the leasing processes.

Cultural and Oil and Gas, Lonny Bagley –Lonny explained that when lands are nominated for lease or a notice of staking or an APD is filed, we provide an opportunity for the tribes to provide input. In most instances, when a lease nomination is received an e-mail with the legal description is sent to designated tribal representatives with a 15 day response request. Also when a notice of staking or an APD is submitted the tribes are notified to request specific information related to the site. Three Affiliated Tribes has protested the last three lease sales contending that the cultural properties consultation was not adequate. The process described above has aided in dismissing these protest.

Delays in processing APDs timely are often times caused by late submittals of cultural reports of findings associated with the action. Operators are required to conduct a cultural review and report their findings for review. For various reasons these delays can be extensive. Bob asked what the cost was, Lonny said he could find out and let the RAC members know what it is. Lyndon asked if there was some duplication with the consultations. Lonny said there is a difference between spiritual and on the ground consultation. John said that the tribal governments are taking a larger interest in surveys. Marian and Lonny have been involved in a number of consultations with various tribes. There is a US Forest Service/industry training session scheduled for March 29 where this kind of information would be very useful

Payment-in-Lieu-of-Taxes (PILT), Marian Atkins – Marian used a PowerPoint presentation to explain the creation and function of PILT. Marian will email a copy of the presentation to each of the RAC members. She gave a paper copy of North and South Dakota PILT payment tables to each member. The information is available on-line at www.blm.gov/pilt/summary.htm.

Recreation Resource Advisory Council – FLREA , Marian Atkins - Marian reviewed areas where fees cannot be charged. The FLREA Act provides the agencies with the authority to charge standard amenity recreation fees, expanded amenity recreation fees, and special use permit fees for recreation on public lands through FY 2014. The BLM has not had to adjust any of their areas. The rationale is that those who use specific services and facilities should pay for a larger portion of the costs, rather than require taxpayers who never use the amenities to assume the entire cost. This differs from the previous Fee Demo program in that it provides narrower and more prescribed authority, limiting fees to locations with specific kinds of infrastructure and services.

Ron reminded everyone that our entire RAC serves as the Recreation RAC group.

As part of the Lewis and Clark Bicentennial the new Pompeys Pillar National Monument interpretive center used recreation fees to fund the construction,. They use fees are used to leverage partnership efforts that play a significant role in BLM's capability to operate the Monument.

At our last meeting, Dennis Bucher stated that we do charge a fee at the Alkali Creek campground. There is also a fee charged for camping at the Schnell Recreation Area. There are different categories and guidelines for charging fees. In some areas, the program is received positively IF the public sees the dollars funneled back into the program.

America the Beautiful Pass – The Federal Land Management Agencies are looking at a plan to develop a pass that covers the entrance fee and standard amenity fee for Federal recreational

lands. It would replace the current Golden Eagle, Golden Age, and Golden Access Passports, as well as the National Parks 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. We will continue to sell the current passes until the new pass are available.

OHV Planning, Marian and Lonny – Lonny handed out a map illustrating the number of roads used for oil and gas operations in Bowman County. Due to the high density of these roads, Lonny informed the RAC that at this point we will not pursue our efforts to develop a transportation plan for the area. Bob inquired as to why we felt the plan is not warranted. Lonny said that with the number of roads already in place it would be difficult to go to the public and ask their opinions how to manage the area in regards to roads. Currently there is no OHV travel allowed off established roads. Rod asked about a sage grouse lek located in that area that was impacted one of the access roads. Lonny said that history indicated that the road was there first and we are using it as a control point to determine impacts to the sage grouse.

Lonny reviewed the policy regarding access to public lands across private lands.

Marian is working with the subcommittee regarding OHV in the Black Hills areas. The majority of people feel there are plenty of trails out there; but they just don't know where they are. They are working on a user needs assessment.

Forest Service and Game and Fish Feedback on OHV - Dave said it has been very quiet. Overall, there is good compliance. Stan said it becomes a concern mostly during hunting season. Law Enforcement people try to be vigilant during that time. Eric said one of the boards he sits on is looking at education as a tool to protect various places. The Game and Fish Department supports the concept of managed off-road travel in the national grasslands, and provided written comments during the Forest Service's public comment period on the proposed rules. While supporting the concept, the Department suggested the Forest Service also includes snowmobiles with the other restricted motorized vehicles.

Dave discussed the use of oil and gas roads for public use. There was a discussion about whether or not these roads are available for public access; Ron reminded the group that oil roads are not public access roads. It is usually determine by the surface owner.

RMP Revision, Marian and Lonny – The North and South Dakota BLM offices are looking for support and participation from the RAC for the upcoming Resource Management Plan (RMP) revision. A Resource Management Plan guides management of public land and federal mineral estates administered by BLM. The plan addresses a wide variety of topics, including upland and riparian/wetland management, fish and wildlife habitat, livestock grazing, special status species, recreation travel management, cultural and other public land resources and uses. They will work on the revision from 2007 through 2011. We will hold a 'Nuts and Bolts for Planning' training, which is scheduled for February 2007. Marian said we would invite all Dakotas RAC members. BLM will look at OHV plan at that time. John asked if BLM will consider Paleontological resources as well.

Charter - Lonny passed around copies of the updated charter. Bob asked for a document that included the changes. Ron suggested April 1 as a deadline for comments. Mary will send a copy to Lonny. Comments are due back by March 15

New Member Nominations –Dr. Rich Brauhn, Ron Ness, and Bob Paulson are the outgoing members. If anyone has any suggestions for replacement nominees, please let Lonny or Marian know.

New business – Lonny invited the RAC members to participate in our upcoming Horse Adoption in Minot in March.

Ron suggested training the new members as they rotate through the system.

Meeting wrap-up – We will start the Land Use Plan next year. Marian suggested attaching a meeting to the training in February.

Chair and Vice Chair Election – Rich nominated Andrea for Chair, second by John. M/C Rich nominated John as Vice Chair. Stan seconded. M/C The new officers will begin their duties October 1, 2006

Next RAC meeting date – The date for the next meeting is Sept 7 & 8 in Belle Fourche (South Dakota).

Agenda Items for next meeting:

- Fort Meade and Schnell finances
- OHV presentation
- Field Trip – OHV and Wild Horses
- Range land

Lonny will set up a tour of the Schnell Recreation Area for the next North Dakota meeting.

Sage grouse collaring – Bob and John would be interested in participating. Lonny will make sure RAC members are notified of the times and dates.

Adjourn - noon