



MONTANA/DAKOTAS BLM

Missouri Basin Resource Advisory Council

RAC MEETING MINUTES: **Teleconference: January 12, 2022**

Attending:

RAC Members:

Category 1:

- Fred Hoff
- Bradley Clark
- Kelley Huemoeller Lewis

Category 2:

- Ed Bukoskey
- Nathan Jagim
- Art Hayes III

Category 3:

- Allen Rustad
- Kathleen Burke
- Miles Hutton
- Doug Kary

BLM staff:

- Scott Haight, Eastern Montana-Dakotas District Manager
- Mark Albers, North Central Montana District Manager
- Loren Wickstrom, North Dakota Field Office Manager
- Dave LeFevre, Billings Field Office Manager
- Chip (Lori) Kimball, South Dakota Field Office Manager
- Kristine Braun, North Dakota Field Office Planning and Environmental Coordinator
- Tom Darrington, Malta Field Office Manager
- Mark Jacobsen, EMDD Public Affairs Specialist
- Gina Baltrusch, NCMD Public Affairs Specialist

Public:

No public members attended or called into the conference.

Opening:

Members were welcomed and the meeting was brought to order, housekeeping items for the meeting were reviewed.

Election of RAC Chair/Co-Chair: (Mark Jacobsen facilitated)

RAC members briefly discussed the positions, and the following was determined:

Miles Hutton nominated/confirmed for Chair

Kelley Huemoeller Lewis nominated/confirmed for Co-Chair

North Dakota Field Office Resource Management Plan: (Loren Wickstrom (Field Manager) & Kristine Braun (Planning & Environmental Coordinator))

A presentation on the RMP was provided to council members covering the basics of what an RMP is and how the RAC can assist. Kristine Braun gave a project overview to answer basic questions such as what an RMP is, and what the planning and decision areas consist of. Also included was a discussion on cooperating agencies and scoping comments. Lastly, we will discuss the current draft alternatives and our next steps in the planning process.

The overview included: how a resource management plan is a land use plan that provides the framework to guide decisions for management actions and approved uses on BLM-administered lands; it establishes specific goals, objectives, allowable uses, management actions, and special designations for managing lands pursuant to BLM's mandate of multiple use and sustained yield. This revision will replace the existing RMP/EIS which is 33 years old. The new RMP will incorporate new data and analysis and address new resource issues and uses.

The NDFO's need for the revision is because the current RMP dates from 1988 and numerous changes have occurred since that time. Kristine gave two examples: the need to incorporate new special status species direction, such as for the Dakota Skipper and Piping Plover, and the need to address the changed landscape from the Bakken oil boom. The 33-year-old RMP has examples of analyses that need to be updated; such as the numbers used for analyses from the 'old' oil and gas development scenario, the lack of analyses for air and climate, and the increase in amount of development and its impacts on other resources. There are more than 14,000 producing oil and gas wells in North Dakota, 6,000 of which are active Federal or Indian wells.

The field office manages approximately half a million acres of fluid minerals scattered across the state – again shown in purple. The decision area is where there are federal minerals either under BLM or private surface. The NDFO is not making decisions applicable to Indian lands or other surface management agencies in the RMP. Approximately 91% of the NDFO's federal oil & gas decision area within medium and high development potential is already leased.

A cooperating agency is any government agency or tribe that has jurisdiction by law or special expertise and that enters into a formal agreement. Cooperating agencies aid in the efficiency of planning by engaging officials and staff of other agencies, sharing information, and working in partnership. For the North Dakota RMP the BLM reached out to over 90 entities and ten have signed on to be cooperating agencies. The BLM has been coordinating with these entities during the project including a draft review last fall. In addition, the field office reached out to 22 tribes to consult with on the project. The MHA (Mandan, Hidatsa, Arikara) Nation has had the most involvement with multiple tribal consultation meetings and ongoing discussions.

The formal Scoping Period took place in 2020. Forty-one people attended the two virtual Scoping meetings, and there were several questions related to oil and gas management, areas for recreation and hunting, and relationships to other planning efforts – such as the Forest Service and local county plans. In addition, a socio-economic workshop was held, and topics included existing conditions and trends, community values, and social and economic opportunities and constraints. Comments from scoping primarily focused on impacts to resources from energy development, as well as opportunities for continued energy development and economic contributions.

Existing Greater Sage-Grouse management decisions are being carried forward across all alternatives. Sage Grouse decisions are currently under review so it's possible that this could change. However, for now, approximately 33,000 acres or 60 percent of the BLM surface is already allocated and those management decisions are not being revisited for North Dakota at this time. These decisions are the same across all alternatives and is one of the reasons why there is little variation in the effects analysis.

- Alternative A is the current 1988 RMP, as amended. This alternative has limited restrictions on energy development. The oil and gas stipulations back in the 1980s were written more "generically" than they are today. There are no Areas of Critical Environmental Concern or special recreation areas in this alternative. Also, as mentioned in the Purpose and Need, the analyses for many resources is lacking and/or absent.
- Both Alternatives B and C update the oil and gas stipulations
- Alternative B reduces the acres available for coal leasing to the existing mine areas and focuses on recreation, cultural, and natural resource management. The Field Office would have one developed recreation site that would become a Special Recreation Management Area. Two areas have been nominated as Backcountry Conservation Areas due to wildlife habitat and opportunities for dispersed recreation such as hunting. The one Area of Critical Environmental Concern nominated in the Field Office is for a paleontological site.

- Alternative C contains the same number of designated areas as Alternative B, however, the size of the areas is reduced. The resource constraints in Alternative C, are less restrictive than Alternative B, but more restrictive than Alternative A.

Scott Haight discussed having a RAC sub-committee for the RMP, why it is warranted, how the RAC might engage, and help the field office with the process.

Kelley Huemoeller Lewis voiced support for creating a NDFO RMP sub-committee and volunteered to represent Category 1. Nathan Jagim volunteered to represent Category 2. Doug Kary volunteered to represent Category 3. A motion to accept was moved, seconded (Ed Bukoskey) and passed by the RAC (none opposed).

District Manager Update: (Scott Haight, Eastern Montana/Dakotas District Manager)

South Dakota Field Office – Deadwood land exchange is being considered; will consolidate parcels and improve public access.

Miles City Field Office – Denbury pipeline update; a homestead parcel transfer? Missed some here – audio glitching?

North Dakota Field Office – RMP in development.

Billings Field Office – Pryor Mtns Wild Horse Range management changes are in the works.

A question was posed by RAC member Nathan Jagim regarding upcoming potential Sage Grouse Habitat management changes. Scott Haight and Mark Albers informed the RAC that they have not recommended any changes to their Sage Grouse management plans.

American Prairie Bison-grazing Permit Application EA: (Tom Darrington, Malta Field Manager & Mark Albers, North-Central Montana District Manager)

Tom Darrington provided a briefing on the history and parameters regarding the grazing permit application, side boards regarding approval of such permits and details regarding the land in question.

Topics included: APR's application background, World Wildlife Fund affiliation, APR's main focus (to purchase and permanently hold title to private lands that glue together a vast mosaic of existing public lands so that the region is managed thoughtfully and collaboratively with state and federal agencies for wildlife conservation and public access). APR views their work as continuing the legacy of a long line of talented people that is preserving a unique area of the American prairie. Many of the locals do not. The briefing continued with details on APR's current holdings by county, local/regional

opinions, APR's current proposal, the background on BLM permitting bison, non-profit organizations holding grazing permits and the legalities under FLPMA.

- "Save a Cowboy STOP the American Prairie Reserve" Campaign. (United Property Owners of Montana)
- "Don't Buffalo Me No Federal Land Grab"
- Both Fergus and Phillips County Conservation Districts have passed Bison Ordinances
- APR Gaining Favor with Sportsman Groups
- State of Montana HB132: Would eliminate the term wild bison and prevent the state from establishing wild bison herds. Vetoed by Governor Bullock.
- January 2020 FWP released bison management and restoration plan (EIS)
- First proposal 2017...17 Allotments, convert to bison/year around grazing/removal of most fences
- 4 public scoping meetings ---2,500 comments
- 73 Ranch: 32,000 acres (12,000 deeded/20,000 BLM and state)
- Wrapping up Environmental Assessment. Poised for a decision shortly.

Mark Albers emphasized that BLM has no authority to manage wildlife. Mark Albers revisited several points regarding BLM policy and the Taylor Grazing Act. Discussion by RAC members continued regarding APR's website content, their mission and ultimate goal. Mark Albers clarified that the BLM has to make their decisions based upon what is presented to them by the permittee and their grazing permit application. Nate Jaqim asked about who decided who gets a grazing permit and Tom Darrington clarified that BLM grazing permits are tied to privately-owned base property. Brief discussion on those details.

RAC Business Items

Mark Jacobsen facilitated. RAC members were informed about the upcoming nomination of new RAC members; how the process works and the typical timeframes involved for applications and appointments.

NEXT MEETING DATE: The group discussed the timing involved with the approval of new RAC members from the nomination period, the requirements for a quorum before a regular business meeting may be scheduled. The RAC decided to wait to set a date until after new member elections (likely to be revisited 4th QTR FY22).

More discussion took place. It was decided that the NDFO RMP sub-committee can schedule their own meetings. Mark Albers noted that information sharing via email can/should continue during the interim.

Question posed by Bradley Clark regarding what is causing the delays in appointing new RAC members? Mark Jacobsen responded with a brief history of changes in how the various administrations have managed/processed nominations.

More discussion regarding the rules and regulations managing council meetings and recommendations/business. The required need for having a quorum for decisions and to conduct business meetings were talked about with the council.

Doug Kary said that the approval process should be kept more local. Mark Jacobsen provided info on the current process which approves RAC applicants and how the local level figures into this. There had been requests sent to BLM headquarters to allow state-level approval to reduce the time needed to get applicants into RAC positions and reduce the lag time. Doug Kary asked if a sitting RAC members' term of service can be lengthened to help cover the gaps in member positions? Mark Jacobsen responded that it would need to be addressed at the national level and that process (for approval) could take as long as the usual application/approval procedure making it a moot point. It not been tried so far but was a good point.

Public Comment Period

The meeting completed all agenda items ahead of schedule. Mark Jacobsen proposed to leave the meeting open and stayed online to take any public comment. RAC members moved, seconded and passed to keep the Zoom meeting open and formally adjourn the meeting at 4 p.m. Meeting attendees departed at 1145; the Zoom meeting remained open and monitored. No public called in to comment.

Meeting adjourned.

Zoom meeting formally adjourned/closed at 4 p.m.

Next Meeting:

The next meeting will be determined after replacement RAC members have been appointed by the Secretary of the Interior sometime this fall.