

Notes
Southeast Oregon Resource Advisory Council Meeting
Tuesday-Wednesday, October 17-18, 2023

Tuesday, Oct. 17, meeting

Ethics training for new members: Joe Tague, Karen Morgan, Mark Salvo, Don Hodge and James Williams participated in a virtual ethics orientation training conducted by Joseph Kaczmarek from the DOI Ethics Office.

Regular Meeting:

RAC members Stan Shepardson, Michael O’Casey, Mary Jo Hedrick, Tim Davis, Joe Tague, Karen Morgan, Mark Salvo, Don Hodge and James Williams

Agency representatives: Designated Federal Official/ Burns District Manager Jeff Rose; Vale District Manager Shane DeForest; Lakeview District Manager Todd Forbes.

Agency staff: Larisa Bogardus, Vale PAO/RAC coordinator; Vale District Malheur Field Manager Jonah Blustain; Emily Johnson, ORWA BLM Aquatics Program Lead – Fisheries.

Public: Bern Anderes, field representative for Congressman Cliff Bentz; Topper Schlupe, general public. **Zoom:** Susie Koppert, Oregon Council of Rock and Mineral Clubs (Zoom).

Minutes: Notes from the June 27 meeting were approved.

Presentation: Programmatic Aquatic and Riparian Restoration Environmental Assessment
(PPT attached)

This EA addresses aquatic and riparian restoration across the east side districts. A similar EA was implemented for the west side districts in 2016.

Will projects include tree removal for instream large wood projects? ODFW has agreed to activities that doesn’t increase temperatures or shade streambanks. Will native seeding be used? Yes.

Shane DeForest explained how a Programmatic EA fits into district planning and environmental coordination. Does a programmatic EA replace local planning? No, the programmatic EA is much broader and also requires a Determination of NEPA Adequacy (DNA) before a district can utilize it. Some site-specific projects have been included Is it too late to add projects? The analysis is just starting, so a district could request to have a project added.

How does the public comment? Public comment is not required for a programmatic EA, but a district does have to collect public comments on individual site-specific projects addressed in a programmatic EA.

Will work mimic natural conditions? Yes. Does the programmatic EA include intermittent streams? Yes, it addresses all waters. Projects also require design review to ensure objectives are achievable.

Does the EA call for reduction or relocation of recreational impacts? User-built trails and unauthorized campsites could be removed as could established roads or trails causing erosion that results in adverse impacts to a stream.

If an EA is required for wildlife projects, does it also project potential impacts from livestock? It would depend on the district. If it's within an allotment with an existing management plan, then EA would not apply.

Shane DeForest noted some form of NEPA – an EA, Environmental Impact Statement (EIS), DNA or Categorical Exclusion (CX) – is required for any ground-disturbing activity.

There is some discretion for the Council on Environmental Quality, but it is very limited. Also, the EA only applies to generic impacts that could occur anywhere. The DNA administrative checklist ensures the proposal meets the time and/or activity scale. If a project meets the criteria, no additional NEPA is required.

Would aspen release for sale be included? And deciduous vegetation in riparian areas? Yes, those are covered under juniper treatments.

RAC members are encouraged to read the document when it's released for public comment. Nothing would be done about fences in streams without a conversation with the permittee first.

Why doesn't the plan call for putting beavers back if conditions are right? Beaver habitat is more unique by district. Impacts would have to be similar across the districts. For example, putting beaver into a system with irrigation would be very different from putting beaver into a headwater. The effects couldn't be analyzed comprehensively enough. Also, ODFW and FWS manage beaver, the BLM only manages habitat.

Is the BLM doing more programmatic EAs? Where they can be done, yes, and more frequently in recent years. It frees up district staff for other analyses and helps districts implement more projects more quickly.

To underscore the differences by district, Jeff Rose said Burns has beaver problems, while Todd Forbes said Lakeview does not. Could the EA be used to move beaver? Potentially, by diverting stream flows or to prevent blocking of culverts, however, there is also existing guidance for these activities.

The programmatic EA is expected to be released in January and the RAC will be notified.

Lakeview Resource Management Plan Amendment update:

Todd Forbes provided a quick recap for new RAC members, explaining it is a focused amendment addressing potential protections for lands with wilderness characteristics, a process for voluntary relinquishment of grazing permits, and Off-Highway Vehicle (OHV) use and closure areas. The process was paused for several years while the sage-grouse amendment was

written, amended, and amended again. In the meantime, the RAC was very engaged in the drafting of an alternative for the Vale District's Southeastern Oregon Resource Management Plan Amendment, and the Lakeview District is using that as a foundation for an alternative in this document.

Today, the draft document was sent to headquarters for review. He would not predict when it would be offered to the public for a 90-day review. Ideally, a RAC meeting will be held during that time and the membership can make a formal recommendation.

Designated Federal Official Report/District Updates

Burns District (attached): Burns conducted two gathers finishing previous gathers. On the Stinkingwater Herd Management Area (HMA), 63 horses were removed, and 24 mares were released after being treated with fertility inhibitors. The gather was cut short due to extremely hot weather. On Palomino Butte HMS, 192 horses were gathered. This was slightly fewer than the 225 planned, but again, the weather was too hot. Twenty-nine mares were treated and released. There is some potential for additional gathers, but EAs would be required.

Page Springs Campground showed a 13 percent drop in visitation after a pay station was installed, while other campgrounds showed increased use. Visitation at Chickahominy doubled. A total of \$55,000 was collected in revenue and the district is working on a plan for the money, which will be posted at all fee sites.

Employees and volunteers took part in a National Public Lands Day cleanup and two trail maintenance rehabilitation projects, one in partnership with Oregon Natural Desert Association.

Imazepic was used to treat invasive annual grasses on about 75,000 acres and the district hopes to treat a similar acreage next year.

The Steens Loops Road is closed due to a slide and unstabilized slope in the Wilderness area. Staff are working to figure out how to address the issue. Isn't there a quarter-mile buffer for roads? That depends on the legislation. There is a buffer, but it's not enough for a project of this size. There are rocks the size of a Volkswagen on the slope, which must be stabilized. Engineers will be visiting the site soon and the district will be working with the Steens Mountain Advisory Council as they move forward.

Does the Three Rivers Resource Management Plan only need an amendment as reported by the district? Yes, based on reviews at the state and national levels, but an amendment can look like a new RMP. For example, the Sage-grouse plan has had multiple revisions by amendment. The Three Rivers amendment will focus on travel management and wilderness characteristics.

Vale District (attached): The National Historic Oregon Trail Interpretive Center is planning a grand re-opening in May 2024.

The district is continuing to review lithium exploration proposals in the McDermitt Caldera and will keep the RAC informed as the environmental analyses moves forward.

A new hydro-power development has been proposed on the Owyhee Reservoir. It would use solar power to pump water during the day, then release it at night to generate electricity through underground turbines. Is this like the plan proposed a number of years ago? Yes, it's been started and stopped several times.

Is the district reviewing a new lithium exploration proposal? Yes, a second proposal has been submitted since the RAC met in June and discussed the HiTech project. It calls for uranium and lithium exploration on public and private land straddling the state line. Nevada and Oregon local, state, federal and tribal governments and agencies will be involved throughout the process. The district has also received a proposal to designate an Area of Critical Environmental Concern in the same location. Can this be done? Yes. Could it be done with backcountry designation? This is the first one recorded. How would the private land be used? That's unknown at this time.

The district was also invited by the Humboldt-Toiyabe National Forest to discuss concerns about domestic and tribal horses and coordinate removal.

Lakeview District (attached): The Zayo Prineville to Reno (Nev.) Fiber Optic Project is nearing completion on the Oregon side, with very little ground disturbance.

The district's NEPA cost-recovery proposal for the Lava Solar Project for a 5,000-acre development in the Fort Rock area is being reviewed by the proponent.

Several sage-grouse habitat projects are in the works, including 10,000 acres at the Picture Rock Priority Area of Conservation (PAC), and in the Warners and Loveless Creek areas. Lakeview Field Office is also developing a habitat restoration and fuels management EA to restore habitat and reduce the risk of wildfire, which will be released for public comment soon. It will also allow the use of three additional herbicides to address invasive annual grasses and noxious weeds.

The district is working to address the Key RNAs court order through one EA rather than individual EAs. Four grazing permits are affected.

A joint National Public Lands Day event with the Fremont-Winema National Forest was held to perform trail maintenance in the Warners Wetlands. Other district cleanups included a dumping site that filled a 30-yard dumpster and a load of tires. Ten abandoned camp trailers and vehicles have been removed from across the district.

Were the tires collected from rights-of-way? Yes, most followed the Zaya fiber optic route. RAC member James Williams said Lake County disposed of the tires.

Will the district allow opportunities for OHV travel through existing routes in Wilderness Study Areas? Existing, inventoried routes are still open to travel, the district can't change maintenance levels or make improvements. It is possible to close roads for resource protection reasons under a Resource Management Plan. Whether or not to keep primitive routes in inventoried lands with wilderness characteristics would be determined through a travel management plan. This would also address limitations in areas based on conditions.

The communities are very focused on access. The RMPA addresses geographic areas as open or closed to cross-country travel, it does not address existing roads.

RAC member Michael O'Casey asked about the annual sage-grouse report, which showed very low populations in Vale. Many areas could not be accessed due to weather conditions, which skewed the results. RAC member Don Hodge said anecdotally he has seen more sage hens around Beulah Reservoir and in the Unity area than in previous years.

Public comment: None.

Meeting adjourned at 4:25 p.m.

Wednesday, Oct. 18, meeting

RAC members Don Hodge, Stan Shepardson, Michael O'Casey, Mark Salvo, Tim Davis, Joe Tague, Karen Morgan and Mary Jo Hedrick.

Agency representatives: Designated Federal Official/ Burns District Manager Jeff Rose; Vale District Manager Shane DeForest; Lakeview District Manager Todd Forbes.

Agency staff: Larisa Bogardus, Vale PAO/RAC coordinator; Vale District Malheur Field Manager Jonah Blustain; Malheur Field Office Supervisory Rangeland Management Specialist Michele McDaniel (Zoom); Jami Ludwig, Lakeview Field Manager; Vale P&EC Brent Grasty (Zoom).

Public:

Bern Anderes, field representative for Congressman Cliff Bentz; Topper Schlupe, general public. **Zoom:** Mary Fleischmann, John Day-Snake RAC.

Rangeland and Grazing Presentation: Key Research Natural Areas (materials attached)

Districts are under a court order to close areas identified as unavailable for livestock grazing in 13 Key Research Natural Areas identified in the 2015 Sage-grouse Resource Management Plan. Michele McDaniel discussed the 9 Key RNAs on the Vale District. The district has been working with grazing permittees to develop environmental documents to achieve this. Where possible, multiple KRNAs are being addressed within a single NEPA document.

Todd Forbes said Lakeview has been able to address its four KRNAs in one environmental assessment.

Is barbed wire fencing being used? In some areas. Wildlife-friendly fencing will be used in all cases.

How were Key RNAs and the need for barriers determined? Some Research Natural Areas might have been documented as having sage-grouse in some parts, but not all, so only parts are considered key. Also, fences don't always follow RNA boundaries, so some fencing may be

needed within an area. Building fences can be impactful as well, however, so that must be weighed against the potential impacts of grazing.

When were the RNAs designated? Lakeview's were designated in the 2003 Resource Management Plan using the Oregon Natural Heritage Program's identifications of rare plant and wildlife communities, as well as some cultural sites.

The NEPA work has been a focus for Malheur Field Office the past six months and the district knows there is interest in healthy rangeland, however, it should be emphasized that other priorities have not been forgotten.

Presentation: Beaty Butte Wild Horse Training Facility update

Facility Manager Jim Hiatt, board member Mary Bradbury and Executive Director Anna Kerr Mary Bradford gave a brief history of the facility, which came about as part of a working group founded by local ranchers and environmental groups to address ongoing wild horse population issues within the Beaty Butte Herd Management Area (HMA). The outcome was a vision for sustainable management through bait trapping, training and adopting surplus horses. A total of 77 horses have been adopted -- an average of 20 per year. Halter-trained horses range from \$350 to \$500, while saddle-trained horses go for \$800-900. The facility also trains horses gathered from other HMAs.

Could the facility train more horses? Yes, if they hired an additional employee. The challenge of the program has been gathering down to appropriate management level, which is 100-250 horses. The 2022 census counted 523 on the range. Herds increase an average of 20 percent per year.

Has there been discussion of starting other facilities? It's possible, but it takes a lot of grassroots support. The land for the Beaty Butte facility was donated, along with a lot of volunteer time and funding to get the program off the ground.

What's the history of the herd? In the past, each ranch ran a herd of horses on open range. Every few years they would gather some to sell or add new blood to their stock. After the Wild and Free Roaming Horses and Burros Act was signed, ranchers could no longer keep horses on public lands and were required to remove them or pay the federal government to remove them. Not all horses were removed, and these herds have grown significantly over time.

Is another helicopter gather needed? Could the RAC support the program by writing letters of support?

Gathers are managed at the national level, with priority going to emergency gathers (usually due to drought); gathers resulting from litigation; and, lastly, herds exceeding AML and/or causing resource damage. A helicopter gather costs an average of \$3 million, so funding limits the number of gathers that can be scheduled each year.

To make the training program work, the herd needs to be brought down to low-mid AML and open-ended bait trapping must be approved. Also, trapping works best in summer and fall, when forage and water are scarce. The cost of caring for the animals gathered is another consideration. Each animal is branded and vaccinated, and males are gelded. If horses are kept for adoption

rather than returned to the range, they must be housed at federal corral facilities, which require land, infrastructure and staff to care for the animals. The cost of hay alone has been very high in recent years.

It takes a lot of time and money to train and adopt horses, but it's still cheaper than long-term storage (lifetime care of horses removed). The Beaty Butte training program costs about \$170,000 a year to operate.

Presentation: Southeastern Oregon Resource Management Plan Amendment update
(reference materials attached)

Vale Planning and Environmental Coordinator Brent Grasty reported the final Environmental Impact Statement and Record of Decision are being prepared for publication and signature. It is a focused amendment, addressing how lands identified as having wilderness characteristics will be managed, where cross-country Off-Highway Vehicle will be allowed, and establishing a process for the voluntary relinquishment of grazing permits.

The RAC was very involved in developing criteria to be considered in the assessment of lands with wilderness characteristics based on connectivity, hydrologic function and vegetative condition. The group's recommendation was incorporated into the selected alternative.

The proposed amendment would protect 33 units totaling 450,000 acres of lands with wilderness characteristics to preserve their wilderness values. The 360,000 acres of public land currently open to cross-country OHV would be reduced to 40,300 acres near Vale.

Presentation: Greater Sage-grouse Management Plan Amendment(s) update

Brent Grasty explained the original Sage-grouse Amendment was developed in 2015, halted by an injunction in 2019, revised in 2021.

At one point the amendment was reopened to consider locatable minerals withdrawal in sage-grouse focal areas, which would affect the southern Malheur Field Office significantly. This work is ongoing at the national level.

Meanwhile, a amendment is being drafted that would incorporating new science with an alternative for each state which can be tailored to local conditions. A key is maintaining multiple use to the greatest extent possible. A draft is expected to be released for public comment in 2024.

Oregon Department of Fish and Wildlife is revising its maps as part of the Oregon Connectivity Assessment and Mapping Project (OCAMP). BLM general habitat is quite a bit larger and includes movement between states, presenting greater complexities.

Roundtable:

2024 meeting dates/locations: March 12-13 in Burns; June 11-12 in Ontario; and Sept 24-25 in ~~Lakeview~~ (changed to Burns at the request of JDS RAC).

Potential future agenda topics: The agency's Recreational Roundtable Report; the agency-wide Habitat and Connectivity Instructional Memo; the proposed Public Lands Rule; the Programmatic Solar EIS; and the [Malheur Community Empowerment for the] Owyhee Bill (if enacted).

The meeting adjourned at 12:05 p.m.