



for the greatest good



**BLUE MOUNTAINS**  
**FOREST PLAN REVISION - 2015**  
Malheur, Umatilla, and Wallowa-Whitman  
National Forests

# Meeting Notes

## **Public Meeting on Grazing and the Blue Mountains Forest Plan Revision**

Hosted by the Wallowa County Natural Resources Advisory Committee (NRAC)

Enterprise, Oregon | July 21, 2015

*These notes reflect the best efforts of the notetaker to capture the discussion of meeting participants, but in no way are these notes a word-for-word transcript as the notetaker may have unintentionally missed some statements or dialogue. Also, the notes do not attempt to correct or clarify any statements made by participants.*

**Participants:** Mike Hayward, Pat Wortman, Wendy Falk, Gina Birkmaier, Roy Garten, Scott McClaran, Dan Warnock, Chris Cunningham, Cynthia Warnock, Luke Morgan, Dan Probert, Tom Birkmaier, Rod Childers, John Williams, Beth McClaran, Kathleen Ellyn, Bruce Dunn, Nils Christofferson, Dan Bronson, Marian Birkmaier, Peggy Kite-Martin, Mack Birkmaier, Dwayne Voss, Greg Barreto, Jack Southworth

**US Forest Service (FS) participants:** Tom Montoya, Kris Stein, Jane Rushane, Sabrina Stadler, Maura Laverty, Peter Fargo (notetaker)

**Organizations represented:** Wallowa County NRAC, local ranching industry, local timber industry, Oregon State University Extension Service, Oregon State House of Representatives, Wallowa Resources, Wallowa County Chieftain, and US Forest Service

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**Introduction – Jack Southworth, Facilitator, High Desert Partnership:** Thank you for taking the time to be here to discuss the grazing portions of the Blue Mountains Forest Plan Revision. Let’s start with introductions around the room. Then we’ll hear from NRAC members and work our way around the circle again.

### **Introductions:**

- From Joseph; permittee in Wallowa Valley and the National Recreation Area
- From Joseph; work in the National Recreation Area and elsewhere
- Also from Joseph; have been around the FS for a long time
- Wallowa County NRAC
- Permittee from Joseph Creek Country; member of the NRAC
- Permittee on Swamp Creek and Cougar Creek
- Lightning Creek Ranch; Grouse Creek Ranch
- Lightning Bolt Ranch
- Wallowa-Whitman Forest Supervisor
- FS Range Program Manager

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- Wallowa County NRAC
- Representing TeePee Elk and Swamp Creek
- Private citizen; curious; here to learn; interested in fire control
- Wallowa County Commissioner
- State Representative
- Daughter of a rancher
- Secretary / boss of Birkmaier Ranch
- Wallowa County NRAC
- Historic family use; stand up for yourselves; demand no more loss of rights; need to stop this federal take; we need to manage the timber; need to manage the lands to minimize fire; fire-fighting family
- Concerned citizen; need to care for our natural resources
- County Commissioner
- FS District Range Staff
- FS Wallowa Valley District Ranger

### Facilitator to NRAC members: What are your concerns?

- Would like to see the tone change. It's amazing the awful things cows do, according to the plan. Grazing is listed first when resource degradation is discussed in the plan, but there have been major changes in grazing practices and patterns. The AUMs were off; need connectivity/consistency in AUM numbers.
- NRAC committee felt there was a bias against grazing in the plan document; kind of slammed all of us. I've been operating for 30 years. We're the bad guy if you put the plan out to the public as it is. I think we have more credibility and accountability than that. Communication has been exceptional between permittees and FS range specialists. What I don't like in the plan: Standards and measurements for a satisfactory or unsatisfactory grade. Grading as "unsatisfactory" is one thing, but if you're making progress toward the desired condition – and it's on an upward trend – that should be considered. There needs to be more flexibility in the rules to work with permittees who are really trying. Hard standards don't do any of us much good. Cattle have four legs. We're out there to make a living and keep the resource for the next generation.
  - o Maura Laverty, FS Range Program Manager: We have mostly guidelines rather than standards. Guidelines are about meeting the intent. Allotment Management Plan NEPA and consultation may be the place where the utilization can be adjusted. When we get to the allotment-specific NEPA, is the plan going to constrain us? That's what we need to know in your comments.
- Plan got written to avoid lawsuits from people who don't like grazing, but it doesn't help the grazer.
  - o Sabrina Stadler, FS: Desired conditions are aspirational; striving to reach certain conditions on the land base, but some specific areas may not get there in this plan period (Phases B-C); some may not ever get there (Phase D).
- That needs to be better defined in the plan. What are those areas and what is expected of us?
- Some of those desired conditions are in "la la land" – not even attainable in the wilderness. Can you scale those back?
- The current plan has a certain bar for acceptable / unacceptable measurements. This draft plan changes that and raises the bar significantly. The number of unacceptable pastures may go through the roof.

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- Maura Laverty, FS: The proposed plan is different and based on different science; I agree with you there.
- Sheep; better define the grazing monitoring process.
- Some desired future conditions (DFCs) are so pristine that you couldn't put a cow out there. Need to come up with alternative actions that actually move the forest toward desired conditions.
- You say most are guidelines, but we need to talk about the ones that say standards, such as in the wilderness areas.
- There is a lot better, more current science than used in the draft plan; many references are old and inappropriate. Biased papers should not be used.
- Arid lands; we are not in arid lands; 40% is the safest estimate.
- The way this is written, the more cows we put out there, the worse it is. This plan doesn't recognize that there are different practices now and there can be successful grazing with higher numbers.
  - FS: Keep in mind that Hells Canyon National Recreation Area has its own plan; follows its Comprehensive Management Plan.
- There are a lot of biased statements; see our comments. Regarding Spalding's Catchfly, in our experience the disturbance does a lot of good. The plant could be more common in the County than we're aware of.
  - Maura Laverty, FS: I don't disagree that there may be bias there. That tends to be how specialists are when they are protecting their resource.
- See the bias in the factsheet re: *Silene spaldingii* (Spalding's Catchfly)
- Tree encroachment is taking over grasslands and sucking up water.
- Let's talk about what's wrong with the plan first. We're overwhelmed with data, abbreviations, and complexity. We as busy ranchers can't deal with it. Thank God for our County Court, for defending us with science, etc. John and the NRAC Committee have been very helpful.
- You're wasting a valuable resource – the ranchers who have the knowledge on the ground. I know you're in a tough spot due to legislation that you have to enforce. We recognize the spot you're in; it is not your knowledge and opinion that's restricting us. The good times on the range are in the past; for example, logging and reseeded behind it led to plenty of grass for elk and cattle. Now it's all about native grass / seeds. We have to worry about erosion, erosion, erosion. Look at the increases in wheat, barley, etc. Intermediate wheat grass will grow almost anywhere, but you won't touch them. What's that weed we protect? *Silene* (Spalding's Catchfly); we have taken care of it. We went to the ground and worked it out; no fences needed; we just changed the timing.
- The FS went away from the advisory committees. Peer pressure is what moves people. If the FS tries to impose rules, people will resist them. Work with people who have spent a lifetime on these ranges, and they will share their knowledge with you. Somebody said, "You shouldn't be allowed to comment on this plan unless your grandparents are buried here." Mine are...great-grandparents too. Incorporate some common sense into the plan from people who live here.
- On the riparian areas, the description uses the term "undisturbed". What does that mean to a judge? One hoof, two? Unrealistic.
- The native seed use and native plant policy is from the Clinton era; not passed by Congress. Using only native grass seeds took away an important feed resource; they grow too slow. With all the burned acreage and logged acreage out there, there isn't enough native grass seed to restore it. To say we are going to reseed with native grass is a darn lie. I want to see more reseeded during BAER (Burned Area Emergency Response).

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- Saw a quote that said, "Grazing on NF System lands provided about 3% of the forage for the region." (Maura: quoted from a general source not specific to the region, US NASS.) Cattle around this forest must be eating more than 3% of feed. People have done the calculations, and it's impossible given the AUMs. I object to that 3% reference.
- The discretion should be at the local level.
  - o Tom Montoya, Forest Supervisor: The Lower Joseph is an area where we were managing riparian areas like we're supposed to be doing under PACFISH and INFISH; created greater timber encroachment from fire suppression; trying to learn how to better manage riparian areas.
  - o Maura Laverty, FS: We are required to use native seed according to an executive order.
- The FS should not be the referees; in emergency native seeds aren't available; Forest is in an emergency with cheatgrass invasives.
- We are going through draft Environmental Impact Statement (EIS) around the Lower Imnaha, and there are significant changes in how we address *Silene* plants. What concerns me in the plan are riparian areas. If someone has an allotment with riparian areas and *Silene*, the language may create standards that we can't meet as determined by a judge. That may eliminate areas for grazing. We need to clean up language to provide a more balanced approach. Plan seems to say that less grazing equals quicker recovery, but there is nothing about appropriate grazing and well-timed grazing. Please consider that. Also consider the desired conditions; they need to be realistic.
- Including us with the Malheur and Umatilla is not appropriate. It's hard to tease out the Wallowa-Whitman from the other two Forests.
  - o Tom Montoya: We will have an EIS for all three National Forests. The Forest Plans will be different for each Forest. We need a draft a plan that is broad enough but allows us to address site-specific needs as well. We need your help when we get to the grazing allotments.
  - o Maura: Riparian areas have guidelines for utilization. Guidelines are all about intent, but a standard is a constraint. It's about protecting a species.
- The bull trout protection should be the standard; should not focus on utilization. There shouldn't be a number in this whole plan. It should be about a framework that can be implemented locally.
  - o Tom Montoya: That approach won't work for the regulatory agencies, because they look for more regulatory certainty.
  - o Sabrina Stadler: Standards are not as common as guidelines; only used to ensure we meet desired conditions. What would you propose?
- The grazing plan on Swamp Creek and Table Mountain / Hunting Camp allotments (worked with Jerry Hustava, botanist for Wallowa Mountains Office) specifically acknowledges how to manage for Spalding's Catchfly. Go back to something that's already working.
- It doesn't feel like the accelerated restoration alternative will really speed up restoration.
- Need a field trip with US Fish & Wildlife Service to look at Spalding's Catchfly. Some of the largest areas with Spalding's are highly impacted. For example, the cut-out corner of one allotment, where a lot of cows stand around before moving on, is where Spalding's grows well. Also look along the road and around campsites.
- Need adaptive management in the plan. Refer to the old plan; develop a monitoring plan; highlight what is working.
- Need logging; trees encroaching and reducing the feed; thousands of acres in the uplands, not just riparian areas, have timber encroachment.

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- Bias can and must leave this plan; want to see fair and balanced statements. Look at the pace at which we can replace the aging infrastructure on the forest. The Forest Plan is short-sighted; the speed to reach favorable outcomes, like addressing timber encroachment, is not fast enough. Swamp Creek has degraded rapidly due to timber encroachment; that needs to be mitigated to solve grazing losses. We need to bite the bullet and realize this is a multiple-use agency. Start logging again but sustainably. Timber stands are more mismanaged daily. If we are turning the whole forest into an old-growth stand, it will be harder to get livestock through. We need to go back to managing these grounds aggressively, or we're just spinning our wheels. I'll be dead before we see any improvement. Just like our fence, built in the 40's, needs maintenance. (We have a plan, like yours, that is not enough to get the job done in a reasonable amount of time.) I know you say we don't have any money, but you need to find a way to take an aggressive approach—a multiple use system.

### **Facilitator to FS participants: What have you heard? What can be done to improve the Forest Plan in ways that work for both ranchers and the Forest Service?**

Maura Laverty, FS Range Program Manager:

- These comments are not surprising. I read the comments earlier – for example, on utilization guidelines and language bias. I am working on responses to comments right now.
- I will need a smaller subcommittee to help me edit or rewrite parts of the Plan, so I would like to work with you on that.

Sabrina Stadler, FS Team Leader, Blue Mountains Forest Plan Revision:

- Need to address the bias in the EIS and Plan
- Native grasses vs. non-native grasses. There is an Executive Order that we must follow, although we can look at areas, such as the Lower Joseph, where we can be more flexible.
- Timber encroachment. Efforts are picking up across the Blue Mountains to address this. For example, the preferred Alternative E is built around the goal of more than doubling current timber harvest volumes.
- *Silene*: It would be worthwhile to have the Services, e.g., Fish & Wildlife Service, come out and look at it with you. Maybe it's not as much of a problem here as some may expect.
- Mack: We worked hard to get "adaptive management" into the last plan. Can we get it into this plan too?
  - o Sabrina: Most of the plan is so aspirational that we should be able to adapt it as things change. For example, if we see new science on Spalding's Catchfly, we can amend the plan.

Tom Montoya, Supervisor, Wallowa-Whitman National Forest:

- Adaptive management is actually required in the FS Manual, so I can assure you the plan will be adaptive.
- I hear your concern that the draft plan may have put into a negative light the very positive role that ranchers play on the forest and in the community. We need to address that.
- Glad to hear that you have good communication with your local ranger district. We need to look at current management and focus on what's working.
- I hear your concerns about how we're managing the forest as a whole, especially riparian areas and timber encroachment.

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- We need to look at where we've indicated that less grazing leads to quicker recovery and clarify that.
- We also need to look at where we can adjust standards and guidelines in the plan. Based on what's been done over the past 15 years, we may be able to show more progress that may allow us to soften our position.
- We will look at the range of alternatives; if the solution is not there then we'll look at what we have consulted on and see if we can make a change.
- Need to work with the Services; the Subcommittee will help

**Facilitator: At this point, we will go around the circle to hear from others around the room. What are your concerns or questions about the grazing portion of the draft Forest Plan?**

- About the consultation with the Fish & Wildlife Service about *Silene*, can a representative of the ranching community be a part of the consultation process?
  - o Tom Montoya, FS: Yes, that makes sense. Maybe that's a role for the County.
- You all have no assurance that what you said tonight is going on the record. You need to make sure you are on the record. I'm shocked by the number of grazers that are reading this plan for the first time. They don't even realize how much they will be impacted. I ask Tom Montoya to provide time for grazers to read the plan and then meet in smaller groups to provide specific comments. These are people who have lived here, and their knowledge should matter more than biologist studies.
  - o Tom Montoya, FS: The official public comment period ended last year. This is a public engagement meeting. We are here to listen, to see what may be missing, and potentially develop new alternatives if that makes sense.
- I think the FS invitation earlier to be directly involved in editing the document is the strongest offer I've seen from the FS.
- How will these notes be used? Will they be shared with all of us? Will we have an opportunity to correct them?
  - o Sabrina, FS: We will share the notes with everyone on the list and post them to the website.
- What is the timeline?
  - o Sabrina, FS: We will finalize the EIS; then develop three Forest Plans and three records of decision. If you made comments and didn't feel they were addressed, you can object. My ballpark estimate is we will complete the Forest Plans in late 2017.
- Elk study offers good science; opportunity to cut trees down.
- Forest Service should throw away the range section and use the one produced by Wallowa County.
- Address the bias against grazing that suggests more grazing equals less restoration. Create better opportunities to leverage the partnership of local communities and people who live here. If we unite around a good plan of restoration, we can accomplish a lot in a very short period of time.
- After the forest fire, the FS reseeded and we had the most beautiful stand you've ever seen. After a fire, thistles and weeds come up first. Also, if we didn't have the permittees fixing their springs for the cattle and wildlife in the uplands, they would be all over the riparian areas.
- Water is definitely our most valuable resource. This whole thing is going to come down to law. Look at the Federal Register on forest planning: public participation, collaboration, and notification. The legal planning period for the Blue Mountains Forest Plan Revision started 11 years ago. The responsible official must use a participatory process.

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- Tom Montoya, FS: That may be the 2012 Planning Rule, and we are working under the 1982 Planning Rule.
- Collaboration: FS should show how it has worked with specific organizations.
- Restoration goals: We don't need to take the landscape back to pre-human times; we need to put humans in their rightful place – above plants/animals.
- Sufficient access is important for ranchers.
- Q: Where do you get native grasses?
  - Tom Montoya: We have a number of manufacturers that we buy from. They must be certified weed-free. Supplies can be scarce in bad fire years. To address your timber question, we are looking at doubling the timber volumes in Alternative E.
- After the plan is done and another 15 years pass, are we expected to be done making progress on guidelines?
  - Maura Laverty, FS: We are still working under the 1990 Plan standards / guidelines. Site-specific management decisions are made on the allotment NEPA levels.
- Specialists and “-ologists” involved in forest planning seem to write their sections to protect their favorite resource without consulting other specialists. Why?
  - Sabrina Stadler, FS: Forest planning is an interdisciplinary and collaborative process; specialists have their areas of expertise, but they work with others too. If there are any disagreements that we can't work out at the staff level, we'll elevate those to the line officers.
- FS needs to start from a neutral position, but specialists don't work well together, and that is clear in the way the plan is written. You need to take care of your best partners: ranchers and loggers. FS needs to manage for multiple uses. A pre-European-settlement state is not the goal. There is a lot of science sitting in this room – people whose livelihoods depend on the science as they understand. On the other hand, FS employees' well-being does not depend on the success of this resource.
- FS District Ranger, Kris Stein: This is one of the strongest relationships I've seen between ranchers and the FS. We're in a better place than many other National Forests. Let's focus on partnerships. I'm looking forward to working together.
- I'd like to see grazing continue in an appropriate manner. I see a lot of positive contributions from the community, and I'd like to see that continue too.

### Facilitator to all: How did you feel about this meeting?

- I understand a lot more than I did before the meeting.
- Some significant things occurred here. This committee is powerful and getting our voice heard. Most of the land that we manage is private; we can make all kinds of mistakes and see successes. Remember that “no management is worse than mismanagement or good management.”
- The #1 problem is timber encroachment. It's simply a matter of time before a catastrophic fire wipes it all out.
- We need to move forward as an NRAC to get the Services folks out here to look at what is happening on the ground. The truth is on the ground.
- Sabrina Stadler, FS: I heard a lot of good input that I think we can put to use.
- Look at our comments on sheep standards language and the west-side allotment example. We did a nice job doing adaptive management, but you have to haul 7 miles. You can graze within 7 miles but have to haul. Bring in the language from the west side Annual Management Plan. There were two

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areas in the plan where we said “good job”. Also, this plan mucks around in the wolf world. FS should not have language about wolves; let ODFW deal with the wolves.

- Look at our letter (Wallowa County NRAC). Is a “moderate departure” unacceptable? Slight-to-moderate now. Needs to be switched back to include the moderate.
- Need to include the ranchers in further discussions; you are not all off the hook just because John volunteered to help; want to get a copy of the participant list from tonight, so I can loop in ranchers.
- Learned a lot; a lot of older people in the room to learn from. I like the collaborative idea – very progressive.
- I’ve attended more FS meetings than even the foresters in the room. How do we know you’re hearing us? Starting at “zero” is a good idea. You have so much written that it’s hard to change it.
- Roads affecting elk? It’s just not true. Encroachment of trees are supposed to be for elk, but they are out in the open prairies.
- This is overwhelming, looking at digging through all of this material, but I feel we have planted a seed and with care it will grow.
- We’re moving into a sensitive time in the arid west. Tools are available to the FS for big fire prevention: thinning of timber is one; grazing is another. We have fenced off lodgepole pine in riparian areas. We need to dig into it. Need to keep team members in place long enough to get the job done.
- Environmental groups and liberal judges are looking for a chance to sue.
- Feelings shouldn’t enter into this. Permittees know what our responsibilities are to the forest. FS needs to understand that they need to protect our interests on the allotments to keep it sustainable. It shouldn’t take 150 years; we should be talking about what we can do in 2 years, like what a logging company is able to accomplish.
- Get the plan done and then get out and do the actions. It costs money to do the work, but be creative; there are ways to do it. Don’t let the plan sit on the shelf; get some action out of the plan.
- Maura Laverty, FS Range Program Manager: Good material. Again, no surprises; these requests are not insurmountable. I’m looking forward to making a plan we can all live with.
- Tom Montoya, FS: We are going to work with the community; we want a plan that meets people’s needs. I heard some solutions, and that is positive. At the same time, please keep in mind that there are other folks who need to be at the table. These are public lands and others are involved. Ranchers can write a great range plan by themselves, but we need to understand where other folks are coming from—e.g., elk issues with Oregon Department of Fish & Wildlife, the Services. We’ve always had a great relationship with Wallowa County; these permittees are the best I’ve ever worked with on any Forest. We are looking for collaboration with a limited amount of litigation. We will continue working together with Wallowa County and appreciate your willingness to roll up your sleeves with us.