Pinedale Anticline Monitoring and Mitigation Board
Pinedale Anticline Project Office (PAPO)
Managers Committee Meeting
DRAFT MEETING MINUTES
August 5, 2010
1:00 p.m.
BLM Pinedale Office

ATTENDING:
BOARD: Chairman John Corra, Director WDEQ; Don Simpson, State Director BLM; Steve Ferrell, Director WGFD; Joel Bousman, Sublette County Commissioner; via phone: Jason Fearnyhough, Director WDA

STAFF: John MacDonald, BLM JIO/PAPO Project Coordinator; John Ruhs, BLM High Desert District Manager; Nancy Baker, BLM Pinedale Acting Field Manager; Deej Brown BLM JIO/PAPO Reclamation; Therese Hartman, PAPO/WGFD Wildlife Biologist; Cara Farr, BLM JIO/PAPO Range Specialist; Jennifer Fraizer, JIO/DEQ-AQD Engineer/Inspector; Dan Stroud, JIO/WGFD Wildlife Biologist; Molly Keating, BLM Accounting Tech; Sheila Keating, BLM HDD Management Analyst; Rob Schweitzer, BLM PAPO Archeologist; Kelly Bott and Jeni Cederle, DEQ/AQD

PUBLIC: Luke Lynch, The Conservation Fund; Art Reece USQ; Margaret Spearman, USQ; Diane Casich, The Wilderness Society; Bernard Holtz, WGFD; Scott Smith, WGFD; Nicole Thiele, Aster Canyon; Jordan Vana, GRVLT; Clint Gilcrest; Linda Baker, UGRA; Belinda Salinas, Ultra; Derek Farr, Sublette Examiner; Darci Sinclair, Tim Murray, Jim Sewell, Aimee Davison and John Bickley, Shell; Paul Metheny, QEP (formerly Questar)

1:00 Review and approval of April 21 Board meeting minutes

Correction: Margaret Spearman, USQ: noted on page 2, line 2 under Financial Report, minutes should read "Shell and Ultra"

Joel motion to accept change and approve, Steve second; unanimous to approve

PAPO Budget: Sheila Keating and John MacDonald

SEE PAPO BUDGET HANDOUT: John MacDonald presented the revised budget

2nd page of Budget Spreadsheet:

- Annual cost to run the PAPO office as broken out by each agency is about $613,000 annually in 2010 dollars
- Annual cost for wildlife monitoring obligated in the Wildlife Matrix is about $1,061,000
- Equals about $1.7M per year or about $8M when projected to 5 years out for planning purposes

- 1st page:
  - 2nd Section: shows expenditures plus earmarked obligations for 5 years to 2015 totaling nearly $19M out of a total of $36M
  - 3rd Section: subtracting the existing expenditures plus earmarks leaves $16.6M uncommitted funds for the life of the PAPO which is anticipated until at least 2033
  - As of August 2nd, 206 wells were spud; PAPO should receive about $2.22M on or before December 1
  - If PAPO only operates within its annual income there will be between $300-600K left annually for projects
  - 2025 is projected to be the last well drilled

Discussion:

- Joel Bousman: could be that after 2015 only administrative costs could be covered and the fund would not last 10 years to 2025.

- Don Simpson: also need to do the administrative/monitoring costs breakout for each project, looking to reduce administrative costs and do more monitoring as life of projects winds down

- Joel Bousman: explained to public what had been decided during the JIO meeting regarding this accounting exercise; they are not being effective if it costs a dollar to administer a dollar project

- John Corra: remember there was a lot of front loading into the existing projects

- John Corra: to address the concern about cash flow; the amount of dollars obligated is more than what is in the bank, but stressed that staff is making sure that the checkbook is balanced because the obligations are designed to be multi-year

- John MacDonald: invoices are coming in and are covered this year and will be covered for 5 years out

- Paul Metheny, QEP: does the possibility exist in the future to reduce the full time administrative costs, either by reduction in staffing needs or those costs being absorbed by agencies, so the fund isn't run down?

- Joel Bousman: have discussed ways to accomplish that, but can't make decisions until the breakout of costs for each project is accomplished

- Don Simpson: no reason to not include administrative monitoring costs in normal BLM administrative costs; as each year goes on more administrative costs will be absorbed by the agency

- John Bickley, Shell: pleased to see the progress made on projects; has concerns about how fast the fund is being spent down; pleased to hear Board is working to account for the long-term administrative and monitoring costs because long-term mitigation monitoring is part of the plans; what are the plans to monitor?

- Joel Bousman: that specific information is lacking on conservation plans associated with current easements; future plans should contain in-depth review of species on the Anticline and show costs of how potential impacts can be proactively mitigated; e.g. if a mitigation trigger is set off, proactive actions in the plans will have already been done and it will already be taken care of; Board has directed staff to go back and do that for existing plans; future plans need to show the break out of costs to demonstrate how spending results in what specific mitigation so there is a clear understanding of spent dollars is ratio to specific mitigation, getting to the real value of the dollars spent

- John Corra: using Sommers Grindstone for example-staff to get a handle on how dollars are spent and show details of staff work including monitoring; any project going forward will detail what species are to be mitigated, what the mitigation will be, and the cost break out of the specific administrative and on-the-ground spending

- Clint Gilcrest, individual: spoke to what appears to be a very high percentage of administrative dollars being spent in projects; asked the Board to get those costs reduced; wanted to know if the Board would consider putting a cap on administrative costs or developing a target threshold

- Don Simpson: right now what they see as costs of staff on the ground are really not all administrative costs; working to fix that so true administrative dollars are identified

- John Corra: their goal is to be like United Way where 95% of every dollar goes to project, keeping administrative costs low; it's good to think about a cap; not sure developing a target is the way to go

- John MacDonald: There is no actual PAPO administrative staff, the BLM admin staff takes care of our needs; the Project Coordinator is the only position in the office most of the time, the other staff are in the field monitoring, etc and are not really doing administrative work; we only use that term to distinguish from project costs

Proposed Project Application Protocol: John MacDonald

SEE HOW TO APPLY TO FOR JIO/PAPO FUNDING HANDOUT:

Presentation:

- The last meeting emphasized the lack of understanding of what long-term obligations have already been made against the total budget
- Could not assess what remained to be obligated from new submitted proposals
- instituted a moratorium on new proposal submissions to design a new process, being presented to the Board today
- Highlights:
  - Have a year-long open season to accept proposals
  - Submissions would give a clear accounting of the various costs, including administrative and long-term monitoring
  - October 31st would be the last day for submissions to be considered for the next calendar year
  - Those submitted by the deadline would be available for public comment until November 30th
  - All submissions would be shown on the website

- Those submitted within the deadline would receive staff review and ranked starting about December 1st, based on pre-published ranking criteria
- Staff would submit their rankings to the Board by March 1 for a minimum 30-day review
- The Board would make their decisions about the proposals at their spring Board meeting

Discussion

- Don Simpson: good idea to find out WLCI's proposal timeline and try to synchronize where possible
- John MacDonald: WLCI depends on federal budget cycles so may not be able to do the same, but PAPO would know exactly what is available to spend for the coming year
- Diane Casich, Wilderness Society: when would rating criteria be available?
- John MacDonald: by October 31st; will be posted on the website
- John Corra: there is a protocol for application submission; applicant is usually the one to go to WLCI or NRCS for matching dollars; seems to be something which is the applicants' responsibility; a criteria in the rankings could be the degree of participation in the project; no reason why PAPO staff couldn't reach out to matching sources
- Joel Bousman: if the project mitigates impact then PAPO should take the credit
- Linda Baker, UGRA: referred to part of a letter submitted to the Board at the April meeting re mitigation/monitoring; will rewrite and submit the letter to John MacDonald for the Board; suggested they identify some of the greatest impacts to species and apply enhancements to all the area assuming species are everywhere; also identify ahead of time what kinds of projects best meet the master plan and use that to help prioritize projects as they come in the door
- John Corra: this is somewhat like what will be incorporated in the ranking criteria
- Paul Metheny, QEP: in the past, Board discussion seems to have been applicant driven; they have the matrix and process/triggers showing what mitigation will be required; wants to make sure the fund planning, discussion and goals of the Board attract applicants; not have the money attract applicants
- John Corra: this has been a struggle for the Board since the beginning of Jonah; they have a record of rejected applications; thinks they have learned from experience when to say no and how to solicit the good projects
- Don Simpson: the monitoring matrix is going to be the big driver in the future and should achieve the desired process
- Joel Bousman: would also be helpful to put directly on the application a description of the species and concerns as listed in the ROD, showing which will receive priority consideration
- Steve Ferrell: this would be a way to weight criteria to identify projects meeting the higher priorities
- John MacDonald: can encourage people to read the ROD, but can also put on the application as suggested

John Corra: called for motion to approve the process as proposed
Steve Ferrell made the motion; Joel Bousman seconded
Board Discussion: should language include reference to coordinate with WLCI proposal timelines
John MacDonald and Staff: good to coordinate so each knows what the other is doing; staff of each already coordinate and communicate well
Board: no edits needed to proposal
Unanimous approval of the proposal
Staff will now develop the ranking criteria and send their draft to the Board

Funding Requests for Wildlife Monitoring Projects:

Therese Hartman, WGFD/PAPO

SEE HANDOUTS: MULE DEER COLLARS AND PRONGHORN COLLARS

Therese Hartman: RFP's were delayed due to a revision of the contracting process and COOP review; we will probably not have a contractor finalized in time for them to purchase collars; November is the earliest collars can be obtained; this request is proactive so that collars are ready for the capture in December;

Discussion:

Steve Ferrell: this application is already part of the $1.6M already obligated in the budget; in effect this is prepaying for the collars so contractors will make their bids minus costs of the collars

Joel Bousman: if collars drop off, can they be located, picked up and reused?

Theresa Hartman: yes; may need to replace 6 of mule deer and 10 more for pronghorn collars, will refurbish the remainder

John Corra: combine the 2 requests into one motion

Joel Bousman: moved to approve $51K for pronghorn and $60K for mule deer collars; Steve Ferrell seconded; no further discussion, unanimous approval

Don Simpson: would like to see an annual schedule included with these kinds of requests, coded to explain a 12 month sequence of events matched to costs; would be very helpful

Therese Hartman: note the RFP sequence matrix for 2010-2011 included in the meeting materials; this shows the contracting timeline for the individual contracts

General Discussion:

John MacDonald: the question was raised as to whether savings be realized by combining contracts into one RFP; called the WGFD business office who did not think it would save any money and could complicate the process

Steve Ferrell: wants a clarification of this

Therese Hartman: cost savings weren't the only consideration in putting together the RFPs; having separate contracts for species allows the ability to pick the best contractor for the species; lumping all together limits the market and cuts out the little guy

Pending Applications-John MacDonald

JIO

New Fork River Restoration Project ($118,300)

By the Way, LLC

Enhance recreation opportunities by restoring @ 3.4 miles of degraded reaches of the New Fork River on private and state lands about 4.5 miles south of Pinedale.

PAPO

67 Ranch ($150,000)

Green River Valley Land Trust

Conservation easements west of Big Piney on 5,500 acres..

Wildlife Friendly Fencing Initiative Phase 2 ($2M)

Green River Valley Land Trust

Retrofit fencing to make more wildlife and livestock friendly.

DC Bar ($500,000)

The Conservation Fund

Conservation easement and management plan on 1400 acres 18 miles north of Cora.

Break

PAPA-ROD Ozone Modeling Update: Kelly Bott, DEQ-Air Quality Division

SEE PAPO AIR MODELING UPDATE HANDOUT:

Presentation:

- Streamline emissions inventories; capture emission sources, evaluation within reason; everyone on SOP; now very good
- 5-county focus: directly translatable to the ozone grid model
- Goal to be consistent with other analyses going forward; EPA, DEQ, BLM approved
- Compared to monitoring values to make sure performing correctly; ¾ way through
- When results of modeling will be finished is uncertain
- August 31st is when ozone standard is to be published; standard is going to drop
- Once new standard is announced, the time for the Governor to make the declaration will be shortened to March instead of December; plan is to do it by the end of the year before expiration of current Governor's term

John Corra: hoped it would be a 3 year average, but won't get 3 years data in; 2008 was a spike year but overall emissions are going down; a worst case scenario should be run as well as expected estimations

Linda Baker, UGRA: are the values of VOC and NOX, which comprise ozone, being determined with the models?

Kelly Bott: yes; that is the goal so mitigation can be identified and achieved

Joel Bousman: re mobile monitoring trailers used to measure ozone being transported into the area: the county has applied for SEMAC grant to help fund another one and hasn't heard the result

Kelly Bott: will check on status and let him know

Jim Sewell, Shell: what are the timeframes?

Kelly Bott: the model evaluation is nearly complete so expect within a month should be able to get to the specific data

PASQUA (Pinedale Anticline Spatial Air Quality Assessment) **Project:** Jeni Cederle, DEQ/AQD

First objective is to conduct spatial surveys of BETX in and around PAPA using passive samplers to establish the spatial distribution of aromatic VOCs

Designed to assist assessments required by the ROD

Second objective is to carry out spatial surveys of nitrogen oxides using passive sampling to establish spatial distribution patterns

Knowledge of relative ambient ozone precursor concentrations anticipated to be useful for ozone mitigation

Third objective is an assessment of the spatial behavior of VOCs through use of canister sampling

This info is anticipated to highlight VOC emissions and distribution, which is understood to play role in formation of ozone

Fourth objective is to conduct continuous air quality monitoring downwind of PAPA using UW Mobile Air Quality Lab; lab equipped to measure VOCs, NOx, ozone, carbon monoxide, and meteorology; to be located at intersection of Boulder Road South and Hwy 191

- Analysis expected to help determine relative importance of different pollution sources and emission areas

Has been funded through the 2nd of 3 years

Request for the balance of the funding will be forthcoming

Milestones

August 15: complete procurement of VOC system software

August 31: electrical upgrade of mobile lab; upgrade of VOC system in ATSC lab

September 30: installation of VOC system into mobile lab

November 1: initiate monitoring

November 31: completion of 1st VOC spatial survey

Discussion:

John Corra: make sure this doesn't become a perpetual project; but as it is, the project has value; note that part of the spending is for a mobile monitor owned by UW to use with others

Linda Baker, UGRA: when will results of the air toxicity study be ready?

John Corra: this is a WY Department of Health project, not PAPO; had hoped to have something by end of year; originally was to be done by end of June but monitoring duties were added which extended the timeline; Dr Ryan was conducting the study but has now taken on new job as WDH Worker Safety Epidemiologist; a transition period will be added to the time line

Project Status/What Are We Doing/Outreach: PAPO staff

John MacDonald: the last meeting board directed the staff to increase outreach efforts; results:

- -Open house at library in May; @60 people attended, good one-on-one time
- -Booth at the county fair
- -Clean Up Day
- -Articles in paper on conservation easements including a Stock Growers piece on Sommers Grindstone
- -Still struggling to get USGS database on line so that information can get out to the public
- -Data manager has been selected to do a detail from the BLM State Office to help get this and PAPO database on line
- -Won't go live with USGS database until all contributors review and verify accuracy

Deej Brown: USGS database delay caused because legacy data had to be reformatted; needed to standardize data; hope to go live by end of month for JIO data; the PAPO legacy data already available at Pinedale Field Office and won't be added to USGS data base; contains a place for contractors to add their data; have already had their naming conventions; process will be easier for PAPO because all the data is already standardized

Discussion:

Don Simpson: suggested starting quarterly open houses, which John MacDonald committed to doing this fall

Deej Brown: also participated with GRVLT kids camp on monitoring, and working to get something going on in schools

Therese Hartman: will participate in PAWG tour when it's rescheduled

John MacDonald: has already invited industry and NGOs to stop and visit with staff whenever desired; industry responded and a meeting was held on June 10; there have been individual responses from NGOs but no request for a group meeting

John Corra: Regarding previous requests to review documents of Sommers Grindstone, he has an AG opinion; no financial or easement negotiations will be released; the rest will be released; will be filed with the County Clerk and can get from there, as well as from the JIO PAPO staff who are prepared to provide whatever can be released

Steve Ferrell: requests for materials other than resource assessments should be made in writing, so they can be shared with the AG if needed

COOP Review Update: PAPO staff

RESPONSES FROM COOP REVIEW IN NOTEBOOK AND ON LINE

Re: meeting itself, John MacDonald and Steve Ferrell thought the meeting went well

- Majority of recommendations were accepted; those not accepted were given good reasons
- Will be following the adaptive management process dictated by the ROD; earliest this could be acted on is November
- Process: it is submitted by Field Manager to the PAWG for review; their recommendations would then be acted on or not; FM is not required to act on PAWG decisions
- Next PAWG meeting is late September - early October, which is the make-up meeting from last quarter; November is when the last quarterly meeting is scheduled

Don Simpson: could it be given to the PAWG in time before September meeting for action prior to the November meeting?

John Ruhs: due to vacant positions and current workload, would be hard to do; it is considered a draft until the FM approves

Joel Bousman: UW COOP and JIO PAPO biologists' involvement make this a very technical document; will the PAWG be given appropriate information to deal with that: yes
Linda Baker, UGRA: re noise recommendations: concerned that appropriate monitoring protocol be developed

Therese Hartman: have collected around area reference leks; know that 39d is not appropriate; we have had discussions with Gail Patracelli to potentially work on this and the appropriate measurement protocols are being developed

John Bickley, Shell: Shell has some data and will consider sharing it

Belinda Salinas, Ultra: Ultra also has data which has already been given to PAPO

3:15 Chairman: agenda items are complete, leaving time to update the meeting re: EPA visits

- EPA techs will be touring in Sublette County August 6; re: new source performance standards as well as hazardous emissions standards from industry
- DEQ brought Gina McCarthy, EPA Air Quality, and her staff out to educate about Wyoming DEQ efforts; believes that enlightened EPA; they were impressed by what they saw; generated good will for Wyoming, in EPA Region 8; talked about a joint project for future
- John Corra thanked everyone in room because their hard work helped make it so successful

Joel Bousman: commented about how much smoother the meeting went today due to efforts of the staff; he and all the Board thanked the staff

3:20 Public Comment Period
There were none.

Steve Ferrell moved, Don Simpson seconded, unanimous vote to adjourn