

**Final  
Summary Minutes  
NEW MEXICO RESOURCE ADVISORY COUNCIL  
August 7-9, 2002**

**Farmington**

**RAC Members Present:**

Crestina Trujillo Armstrong  
Larry Baker  
William Buss  
Mike Eisenfeld  
Phil Kennicott  
Clifford Larsen  
Raye Miller  
Charles Pergler  
Anthony Popp  
Gretchen Sammis  
Joe Stell  
Robyn Tierney  
Jerry Ryburn

**Designated Federal Official:**

Rich Whitley

**Chairperson:**

Kathleen Magee

**RAC Members Absent:**

Patrick Torres  
Richard Zierlein

**BLM Staff:**

Bob Alexander, NMSO  
Charlie Beecham, Farmington FO  
Larry Bray, Roswell FO  
Sam DesGeorges, Taos FO  
Joel Farrell, Farmington FO  
Noe Gonzalez, Carlsbad FO  
Theresa Herrera, NMSO  
Mark Lane, Socorro FO  
Armando Lopez, Roswell FO  
Amy Lueders, Las Cruces FO  
Lee Otteni, Farmington FO  
Tom Phillips, Las Cruces FO  
Ray Sanchez, Farmington FO  
David Sitzler, Albuquerque FO  
Chris Tincher, NMSO  
Randy Tracy, Farmington FO

**Facilitator:**

Toby Herzlich

**Scribe:**

Karen Meadows

**AUGUST 7                   FIELD TRIP**

On August 7, 2002, RAC members attended a field trip planned by the Farmington Field Office. RAC members attending were: Chuck Pergler, Crestina Trujillo-Armstrong, Bill Buss, Phil Kennicott, Raye Miller, Cliff Larsen, Larry Baker, Michael Eisenfeld, Jerry Ryburn, and Joe Stell. Also attending were Kathleen Magee, Toby Herzlich, Steve Henke, Joel Farrell, Bill Papich, Steve Mason, Joe Hewitt, Jim Lovato, Dave Mankiewicz, Wayne Townsend, Jim Ramakka and Theresa Herrera. Danny Japp and Bob Wirtanen of Phillips were our tour guides for our first stop. We toured Phillips' Petroleum noise compressor abatement. Phillips has surrounded one of its compressors with a hospital grade muffler to cut down on the noise.

A trip to Francis Ruin provided us with a cultural resources experience. BLM'ers Jim Copeland and Peggy Gaudy presented the history of Francis Ruin. Francis Ruin is one of the Navajo Pueblitos that was constructed during a period in Navajo history when there was hostility between the Utes and the Navajos. In 1988, Francis Ruin was designated as an Area of Critical

Environmental Concern. The Field Office continues to do maintenance and stabilization in the area.

The field trip concluded with a tour of the Glade Run Trail System (Trail System). The Trail System was established as a multi-use area. The area, which is used by mountain bikers and 4-wheeler enthusiasts, is experiencing problems with individuals who are vandalizing the area. The site is being used as a trash dump and an area for target practice. RAC member Mike Eisenfeld gave an overview of the Glade since he is an avid bicyclist. We also toured the area of the Glade that has a wellhead. In July 2002, two teenagers were tragically killed after they backed into the wellhead. The area is limited in law enforcement protection. There are many concerned citizens as well as Friends of the Glade who have asked the Farmington Field Office to protect the area.

## **AUGUST 8 RAC MEETING**

### **CALL TO ORDER, OPENING STATEMENTS & CHECK-IN FROM RAC MEMBERS** (Attachment 1)

President Chuck Pergler called the meeting to order. A quorum was present. He announced that Field Office (FO) reports would be provided on paper rather than in person. There was discussion of a letter sent out after the last RAC meeting. It was explained that:

Mr. Buss suggested that the RAC write a letter of support for retaining current members—particularly Mr. Miller and Mr. Pergler—for the next RAC term. Since they have been principals and organizers, he felt it critical that they remain on board at least through the end of the Otero Mesa process. Because there was not a quorum of RAC members present, no formal recommendation from the RAC could be considered. However, after discussion, it was agreed that members—on an individual basis—could write or sign such a letter of support for any candidate. Mr. Buss drafted a letter to be sent to Secretary Norton, Lieutenant Governor Walter Bradley, BLM Director Clark and the State Director, and made it available for signature.

Rich welcomed members. Kathleen distributed certificates of appreciation to all RAC members, with the Lt. Governor's thanks.

Rich said a New York group mailed him score cards and fact sheets they'd like the RAC to complete for a study on federal agencies' advisory councils that investigates issues including whether RACs are representative of community-based collaboration.

RAC members introduced themselves and mentioned their special interests and where they live. BLM staff and others attending also introduced themselves.

### **APPROVAL OF AGENDA** (Attachment 2)

The agenda was approved.

### **APPROVAL OF RAC MINUTES FROM ROSWELL APRIL 24-26, 2002** (Attachment 3)

Correction from Kathleen: There was not a consensus, but it was agreed that individuals could write a letter—and so members signed the letter as individuals.

### **Motion**

Tony moved to accept the minutes as corrected. Crestina seconded. Motion unanimously approved.

## **FEEDBACK FROM STATE DIRECTOR ON IMPLEMENTATION OF ROADS & TRAILS RECOMMENDATIONS**

- The recommendations are helpful and creative; and Rich will work with FOs and staff to incorporate them in upcoming planning processes, with public discussion along the way.
- Kathleen suggested offering the recommendations to Southwest Strategy, which gets together heads of federal agencies in New Mexico and Arizona. Rich will bring that up.
- Chuck said Phil was the catalyst for the two-day workshop on roads and trails, and with his absence from follow-up meetings the group lost momentum. It needs a leader. Rich will have Dwayne Sikes and Mark Hakkila contact Phil about remaining involved.
- Tony asked that Phil call RAC members to get issues back on the agenda if foreseen problems occur.
- Kathleen said this is an ideal opportunity for continuing the experience and knowledge of RAC membership.
- Chuck proposed using the Glade, toured on August 7, as an example of using a team approach for multiple users.
- Phil said he wants the public at large to be part of decisions to close roads, and is interested in staying involved.
- Bill reminded members that where ecological impact is concerned, the notion that we can't close roads has to be dealt with cooperatively, because some roads go through areas critical to habitat.

## **QUIVIRA COALITION REPORT ON RANGE RESTORATION**

**Barbara Johnson, Quivira Coalition** (Attachment 4)

The Quivira Coalition (QC) began working about five years ago with ranchers and environmentalists on range and watershed restoration—intending to provide education and workshops. Instead members found themselves actually restoring areas like the Gray Ranch. They are primarily working with riparian and upland restoration—based on the “new ranch,” including these elements:

- Dormant season use
- Herding
- Grass banks
- Planned grazing
- Using cattle for restoration
- Monitoring and collaboration

To a degree, their work has seemed controversial, although there is growing understanding. She showed slides indicating challenges and successes from the list of interventions above—in New Mexico and elsewhere. One riparian area restored itself with dormant season use—dried dormant grasses can be eaten without harming growth of the plants. Length of grazing in whatever season depends on the area and the level of rainfall.

QC does 10-12 workshops per year and works on collaborative restoration projects. One of the advantages of this approach is that ranchers are able to profit from and therefore keep their land—instead of selling it, for example, to subdivide, causing further ecological problems. Workshops have included specialists like Bill Zeedyk and his use of “induced meandering,” strategically placing materials from surrounding property to change a stream's channel, slowing water so it remains in that area and allows plant growth. Barbara emphasized that all concerned need to be out on the land and looking down at the ground to know exactly what's going on.

Taking cows off land does not automatically mean the land will restore itself. At a certain level something has to be done to restore function. And, when people are out on the ground they discover broader agreement than when talking around a table.

**Question/Answer/Comment**

- What impact has QC had on ranching communities in New Mexico? They are reaching out to more ranchers; and have sold 3,500 copies of *The New Ranch Handbook: A Guide to Restoring Western Rangelands*. QC’s last annual conference drew 320 people. Sign-in sheets indicated they were 1/3 ranchers, 1/3 agencies/scientists, and 1/3 environmentalists/public. At least 5 percent of ranchers are already managing this way.
- What are the manpower requirements for herding? One rancher uses a herding dog and motorcycle. On Comanche Creek, one herder spends four months on the allotment.
- SE New Mexico is semi-desert, victim to rainfall. Ranchers have range management degrees, seek improvement, but don’t have riparian areas. Some control grazing by using half of their seed crop. The RAC would appreciate inclusion of that kind of situation in their presentations; and recommended taking before and after pictures at the same time of year, or even in the most challenging time of year. Some Eddy County ranchers don’t even have cattle on their ranches anymore. Barbara said some ranchers let cattle graze 10% on grass rather than 50%, allowing grass to grow. To figure forage, they count animal days per acre. She works with all New Mexico Soil Conservation Districts and all involved agencies
- Are the BLM Rangeland Health Standards and Guidelines helpful? Much of what’s being done by agencies is based on information that’s behind the times. Current thinking goes a different direction, but current management hasn’t caught up, which is the purpose of QC’s educational opportunities.
- Robyn approaches rangeland with a three-dimensional model. Climate, for example, overlays other considerations. It’s a challenge that takes a different way of thinking.
- After the Civil War, thousands of cattle ate open range savannah to the dirt, followed by the drought of 1895, introduction of numerous non-native species, etc. We’re still overcoming that history. BLM should be complimented on its Tebuthiuron program.

**DIALOGUE AMONG RAC & BLM FIELD MANAGERS: BLM PRACTICES FOR RANGE RESTORATION**

Robyn said two issues rise to the top: budgets and drought. Drought may eliminate any progress made thus far, which leads to budget. In the past, restoration/improvement work took a back seat when budget tightened. Now, more than ever, restoration is vital.

**Discussion**

- Carlsbad FO has an extensive range program, and maintains constant dialogue. Last fall there were voluntary reductions by permittees. The current four-to-five years of drought have brought about topographic change on the east side—those with minimal moisture still don’t have full growth, so are working with a deficit. There may be 6-8” growth in a good year, and we’ve had 3” at best this year—risking plant health.
- What steps are being taken? Do all New Mexico FOs have a plan? Amy said permit renewal (320) has obsessed Las Cruces staff for two years—so no new projects. Now staff faces the pressure of standards and guidelines, and the continuing drought. The range improvement fund has been applied to prescribed fires, Tebuthiuron, rotations, deferments, and voluntary

removal in riparian areas. It's a triangle of relationship: drought, implementation of S&Gs, permit renewals.

- S&Gs guide where project work is done.
- Noe Gonzalez: Projects are being done without long-term comprehensive vision.
- Rich: Homeland Security is the national priority. BLM will be lucky to maintain its budget with no increases. But, any land treatment that can be tied to catastrophic fire prevention—including restoration—is possible. So range restoration can be approached via that avenue. We need to look beyond traditional sources of funding—work with tribes, communities, other agencies and private entities to combine funding and projects. And we need to break out of the historical drought-to-drought cycle.
- Is BLM encouraging some of the elements referred to in Barbara's presentation? Quivira Coalition worked with Sam DesGeorges collaboratively on Tony Benson's land: inventorying, involving subdivision owners + BLM + state + private lands incorporated in a Commons of 13,000-16,000 acres. This would be a long-term solution to drought.
- Tony: Are we looking at sets of projects so large that local groups are not able to participate? Is this much funding available?
- Rich: There is always room for small projects. We're moving to landscape, watershed level endeavors, but those will need to be accomplished through small-scale community projects.
- Larry Bray: There have been great successes out of the Roswell FO, including eradication of mesquite and weeds—with photos one year apart showing amazing differences. Budget has been a large factor for years.
- Mark Lang: Socorro range and fire organizations are well meshed. They work with USFS, and have an agreement to cross boundaries on private/USFS/BLM land. Danger is that cooperation may diminish due to budget cuts. Socorro has lost three range people, and can replace two. He attended a meeting of the Society for Range Management—looking for a student intern. He offered tuition help, employment when graduated as at least a GS 11—and had no takers. He is now approaching NMSU students.
- Albuquerque FO efforts are mostly directed to Rio Puerco and other specific places. Several employees are working on Habitat Sites Act riparian work.
- Rich: The Administration requested appropriation for a federal/state Cooperative Conservation Initiative for the kinds of projects being discussed. It was not approved.
- Joe Stell: The Farm Bill has brought in funding through Soil & Conservation Districts, which coordinate with BLM.
- What will mobilize people to seek alternative funding? Congress funded the Rio Puerco. On larger-scale projects money comes from Congressional line items—which is a hint. They want to be able to take credit for and track progress on projects. There will be more of that.
- Is there opportunity for energy development to result in restoration funds? Joe Farrell: Although the Farmington FO collaborates broadly, at an abandoned well the lessee is responsible for restoration. With 2,000 plugged and abandoned wells, remediation funding is an issue. BLM is picking them off one-by-one, starting with those affecting surroundings like riparian areas. Often a well is left unplugged though inactive because a lessee "may" go back in.
- Bonding? Yes, but many wells were bonded years ago, therefore current remediation is not really covered.
- Ray Sanchez: Farmington FO deals with 20,000+ active wells, with an additional 10,000 included in the RMP, serviced by 15,000 miles of roads. It's slow going, with no time to

address abandoned wells. Grazing and O&G conflict, and Steve Henke has worked to bring them together. The FO is also working closely with the Navajo Tribe; and has implemented agreements with the Range Association for use of riparian areas. Diversion and restoration of riparian areas continues. Hard to reseed during drought. Coal bed methane wells produce water that may be used. The road system is affected.

- Rich: Greater funding for enforcement and inspection resulted from working with the O&G industry throughout the state.
- Crestina: Elk graze as well as cattle, sometimes moving from federal land onto private.
- Robyn: There are some partnership dollars, which usually involve a long-term relationship with an owner. Federal money is promised for individual projects for “sensitive” species, but it’s not compensation.

## **NEW MEXICO REGIONAL ELK MANAGEMENT PLAN**

### **Larry Bell, Director, New Mexico Department of Game & Fish (Attachment 6)**

The Sites Act is a state/federal partnership that provides a pool of funding for wildlife habitat work, but projects right now are 4-5 years in arrears because government doesn’t always have matching funds. New Mexico Department of Game & Fish (NMDGF) is also concerned with drought, and has sent letters to land use agencies asking, “Given the drought conditions, are there areas where we should reduce wildlife populations?” If so, NMDGF can increase permits by 20%, and can have localized hunts for immediate relief.

The Lt. Governor called a Task Force to address the memorial and provide relief for the Sacramento cattle/elk issues. They came around to the agreement that elk management has to be habitat-based. It’s then a statewide issue. He took statistics on the desired number of elk to the Task Force and asked whether elk could be sustained on their property. They divide the state geographically to reflect the way elk move, rather than working with outwardly applied barriers. Modifications were made with public input. Coupled with habitat condition is the issue of cattle grazing use. He distributed copies of the RMP and pointed out the list of collaborators and existing agreements.

Clifford said there is interest in the Sacramento area, where “1,000 elk disappeared overnight.” Cattle were reduced and then removed. Spotted owls live there, and a 4” stubble base was mandated to assure prey. Litigation ensued from both environmentalists and the cattle industry. There was extensive forage monitoring in partnership with USFS and BLM, determining that 35% was the proper grazing regimen. Currently, the standard is 85%. An agreement for that area said cattle and wildlife were coequal. But did a 4” stubble for owl preclude elk grazing at all? More surveys are needed, as well as more funding. On the map on page 23, the red number indicates filed wildlife complaints of damage on private land since 1997. Page 24 indicates data on which NMDGF can act. There is controversy about how many elk are actually in that area. Recent techniques have increased accuracy of count, partly explaining increased numbers—70,000 elk statewide, so debating whether to allow 100 or 125 hunters does not adequately address the issue. Look at population trends, and the impact hunters have in areas of interest. This is a living document that must be addressed yearly—now, for example including drought. The bull/cow/calf ratio also affects population and interest of hunters.

The elk issue needs to be addressed for long-term viability. From 1997-2001 when permits doubled, was physical impact of hunters monitored? There are avenues for monitoring, but NMDGF does not do that. NMDGF flew the area three times counting elk, and counts were

accurate within 10-15 across flights. They got agreement from all concerned that the herd be decreased; and allotted for 4,000 hunters to kill 2,000 elk, but there was not that much interest by hunters, and hunter safety was an aspect of decision making. So the Game Commission settled on 2,800 licenses issued. Larry thinks it is a valid management and sound science approach.

### **Question/Answer/Comment**

- How about improving habitat so there can be more elk? Logging and catastrophic fire have helped. Need to stop urban sprawl. Currently we have the state's biggest elk population with its worst conditions.
- Does NMDGF test for chronic wasting disease? Hunters are asked to voluntarily comply. NMDGF is adding check stations this year to make it easier. One White Sands' animal, part of a neighborhood herd of about 50, tested positive, and NMDGF will do live testing (99% accurate) on the rest of that herd. There is still controversy over whether the disease can be passed to humans. NMDGF has for two years asked hunters to dress animals wearing rubber gloves, and avoid contact with the brain and spine. The test is accurate but takes three months because there are only three labs in the nation.
- No evidence that antelope or Oryx are affected. The disease is believed to be transferred via urine and feces. Therefore, the disease may be contracted through the water supply or by eating grass touched by urine. Stress brings it forward in the animal; but all this is guesswork.

### **UPDATE ON OTERO MESA MEDIATION ASSESSMENT**

#### **Teleconference with Gail Bingham, Mediator (Attachment 7)**

Chuck gave a brief chronology. After the April RAC meeting there was consensus to go forward with the Otero Mesa RMP amendment. In May, and several times following, a core team of Rich, Toby, Kathleen and Robyn met—to iron out a statement of work and to enter into direct mediation with all parties involved. The Otero Mesa Coalition/Wilderness Alliance, represented by Stephen Capra, sent word that it was not in their best interest to be involved. In hindsight, Chuck thought the question the RAC posed for mediation was inappropriate, that is, “How do you think Otero Mesa should be developed?” which clearly indicated that development had been decided. So the core team thought the mediator might assess potential of even coming to the table for mediation—which was a change from the original intent of the RAC. Chuck sent out notice by email and did not hear any dissent. Seven resumes were reviewed, two candidates were interviewed, and Gail was selected. Chuck stepped out of the process when she was chosen; and has had no contact with the Wilderness Alliance.

Kathleen said a lot was learned during the process between the recommendation and selection of a mediator. Chuck said he, and perhaps all of the RAC, were not aware of the real intent and potential of mediation. Robyn thought the message was clear enough. She was troubled that in the weeks following the RAC meeting the message became more polarized. Part of the problem was the time it took to approach people. Perhaps they might better have charged people to just come and listen.

Gail thanked the RAC for the opportunity to do the assessment, and said: We're all learning, as a democratic society facing extremely difficult issues—how to foster dialogue and negotiation. Our differences are getting harder and we need to know how to deal with them in order to govern ourselves. She provided a two-page Executive Summary of her eventual

assessment report, with an early draft of responses. She stressed that this was merely a status report. Her assessment is not complete. It remains to:

1. Get a second round of pro/con comments on the next step from some participants she interviewed.
2. Send the completed draft to everyone interviewed for review for errors.

She has enough information to draw conclusions, with the caveat that there will be new information suggesting other approaches. She expects to complete those steps by the first week in September. Mediation involves volunteers with a glimmer of hope for solving a difficult situation. The mediation standard is to consult parties collaboratively on how they see the issues and want them addressed. All parties have to be willing to be involved in the same conversation. Barriers to holding mediation arose, as they usually do. Participants were asked how they might be overcome.

There were assumptions and confusion about both mediation and assessment. Not all participants were available for the time proposed by the RAC. Those interviewed needed more information about the purpose of the interview and assessment. They also felt there were others who should be involved. She sent out a mailing describing the assessment process, with potential questions. Interviews were conducted the week of July 8. Gail thought the barriers shared were very high, but learned what participants' issues were, increasing the possibility of other approaches. She developed a paragraph about each of the various options and sent those out for responses. She discovered that the Mescalero and Ysleta del Sur tribes are very interested in Otero Mesa and felt that they had not been adequately consulted or involved.

She asked the RAC to consider page 10 and onward—*Recommendation to Proceed*, where text in italics states what she was given to address. She concluded that, based on interviews, neither the initial mediation option nor a broader scope of mediation process is feasible at this time. A decision not to proceed with mediation now does not preclude many steps that the RAC, BLM, and each directly affected party can take for collaboration in the future. She urged them to think broadly and take steps to build “social capital” for future dialogue. On page 13, she listed the most significant challenges, and commented:

1. The parties do not agree on the assumptions that would shape the scope of issues for negotiation. The more opposing the approaches, the more time the process takes.
2. In part because the parties start with such different assumptions about what the conversation should be about, they each emphasize the importance of different forums for decision making, and believe their interests are more likely to be met through those forums. People need to see that they have more to gain through mediation than could be gained in other ways.
3. Many of the parties currently have limited direct contact with one another. Therefore, motivations may be misunderstood and a strong foundation for working through issues is missing.
4. The strong sense of urgency that many parties feel to reach closure on the RMP Amendment makes it difficult to spend the time needed to overcome current barriers.

**Question/Answer/Comment**

- Cliff asked whether participants felt they would lose other options by taking part in this process. She thought not, but that whatever result was reached would be a compromise. Further, it is seen as limited for a participant to join mediation on an issue when it fundamentally opposes the premise. Participants saw clearly how far apart they were and

therefore imagined little possibility of reaching an agreeable solution. There is no enthusiasm for undertaking such a process.

- Is the tribes' concern primarily disturbance of environment, or opportunity to drill? She thought their concern was environmental, and that they had not known about the situation, so was hurrying to review the RMP and EIS and arrive at opinions. Also, both tribes had experienced recent changes in leadership and had several layers of government with decision-making jurisdiction. The tribes gather vegetation in that area and are concerned about potential destruction of petroglyphs. Questions asked are in Attachment C. Neither tribe has yet returned that document.

Mediation options were listed on pages 14-16 with pros and cons. Gail guessed that this process would take five-to-seven meetings. She reiterated that there are still useful things to do. Six options are listed in detail on pages 18-25, or in the Executive Summary on page 4. She commented on each one.

For the RMP amendment:

- The RAC could form a working group of "Thinking Partners" that would have a meeting such as first intended—to advise BLM on alternatives.
- A process option could bring the counties into BLM negotiations leading to the EIS.
- A proactive approach with tribes could be undertaken, including a cultural assessment.

Longer-term options:

- Partnering relationships can be established to address operational questions (like in Farmington). The construction industry generally has one-time partnering meetings to discuss issues, accountability, and what-ifs.
- Use what is learned here to guide future RMP revisions. Do scoping meetings sooner and more comprehensively. Advise BLM about what could be done with hindsight. What if we'd begun this Otero Mesa process three years ago?

Question/Answer/Comment

- If the RAC does not continue involvement with mediation, what happens next? Amy intends to act on options 2 & 3 regardless, but would continue with the 5% option. It would take two months to get the contract restarted, finalize and mail out by the end of the calendar year. Record of Decision follows 30 days after that, with a protest period, F&W consultation over 60 days, nominations, then process APDs.
- Rich suggested republishing the schedule for the general public. Amy will distribute the newsletter.
- Mike wants to know what will happen with the initial 15-mile pipeline. Amy said sundry notice was received and approved. It can go now.
- Is "No Development" a consideration? No, it was not considered feasible. Rich clarified that he meant no new leasing and no development, or some reasonable permutation. He suggested that with what we have learned during this process the Las Cruces FO should include a no-development approach and study that before proceeding. Under NEPA it is important to look at county socioeconomics and other aspects.
- Rich said some of the area is already leased, so no new leasing might be an alternative. Discussion continued.

- Within the NEPA process, if it is in the benefit of protected natural resources, it may be important to talk about areas already leased.

How does the RAC wish to work with this? Gail reminded them that her final report will be available in September, and a decision might better be made with full input. Raye said the RAC will have five new members in December, and recommended completing its chosen option with the current RAC. Joe wondered whether city and county governments that will be impacted should also be included, and Texas as well as New Mexico border communities.

**Members broke into three groups to discuss further if or how the RAC might like to remain involved with this issue.**

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1. Phil's group recommended considering "no new leasing" as an alternative to be analyzed—within the NEPA process, including the roadless/road nature, protection of cultural resources and social impact. Reasonable foreseeable development and cumulative impacts are important parts of NEPA responsibility.
2. Cliff's group thought time would not necessarily work for environmental concerns. There may be more attractive choices than the 5% solution. Unless the New Mexico Wilderness Alliance gives a strong signal to explore the art of the possible, the RAC should get out of this as soon as possible.
3. Gretchen's group warned that issues can be analyzed forever; and wanted a main objective. They prefer developing the resource, with as much care as possible, and applying stringent rules.

**Question/Answer/Comment**

- Does BLM have something comparable to the USFS Scenery Management System? The 1986 RMP analyzed impacts of decisions as to visual classifications. This amendment did not change that. It was an amendment, not a revision.
- Applying the stringent rules is not always carried through.
- Flesh out the alternative in text, because it represents a contrast to the assumption that this will be developed. It merits analysis. What are the consequences if we don't develop it?
- The game's changed since 1986 when this RMP was established. Data is collected differently; analysis is undertaken differently. Such analysis would be difficult, because there is lack of information on how much is out there to be developed, and how much of what is available will be developed.
- There were six applications for test wells. EAs were done, but no one drilled. Why should they if leasing looks questionable; or if when successful they would pay for opening the area to other lessees?
- Rich asked the RAC to consider doing #6 after his upcoming presentation.
- Toby asked group 1 to write up a recommendation for consideration. Kathleen pointed out that her suggestion was not initiated by the membership.

**Motion**

Tony moved that group 1 write up a recommendation. Chuck seconded. The motion did not pass.

Gail urged separation of how much more the RAC wants to talk about Otero Mesa, from the question of the leadership role it would like to take with a willing partner for new ways of doing business. Her recommendation was to go to a broader leadership role. Think about all the options in terms of fostering more collaborative decision making for BLM. Numbers 2-6 in particular could be generalized as tools for BLM in the future. Don't forget that the draft report does not reflect all the views of all the participants. Therefore, in a way any decision now is premature.

The Energy and Range Restoration Subcommittees announced meetings immediately following the general meeting.

## **NEW BLM PRACTICES IN COLLABORATIVE LAND USE PLANNING**

### **Rich Whitley, Acting State BLM Director**

Rich presented items concerning collaboration in two categories, those in the works right now and those in the conceptual/development phase.

- BLM traditionally scopes, problem solves, comes up with alternatives, and then holds public meetings—where people are upset because they don't see the results of their input. The change being made in the planning process is to involve partners in the entire process.
- Things change so rapidly that many plans are immediately obsolete; so planning needs to be more adaptable in the short term.
- NEPA Sections 101 & 102 need to be incorporated more effectively, and BLM is only one player. Section 101 has to do with “productive harmony” economic, cultural, and social aspects. Section 102 addresses processes and procedures.
- RAC members were urged to take part in the *Changes & Choices: Collaborative Land Use Planning in AZ/NM Conference*, November 20-21, 2002 (Attachment 8), which will bring together land managers from the Southwest.
- The future scoping process will look very different, for example, including meetings more like workshops than hearings; developing alternatives; and broader representation. The time frame—currently 5-6 years, because of protests, appeals and litigation—will not be adjusted. The underlying theme is to get communities and special interests at the beginning, middle and end of the process.
- Another important part of this: traditionally EIS data was gathered by BLM. Now, all interests will be asked to provide available data. People have been willing to share that data, because they believe it will have an impact in their favor.
- Rich is on a national team assessing issues such as use of collaboration in Alternative Disputes Resolution. He asked that retiring RAC members attend the next meeting and discuss learnings from the Otero Mesa mediation process, so he can take results to the BLM national office.
- Concerning “outcome-based performance and community stewardship”—the underlying principle is for communities to determine long-range vision and objectives, and for BLM to provide flexibility in the process for adaptive management. NMBLM has nominated several potential pilots. The Rio Puerco process is closest to this idea in existence in New Mexico, where the town of Cuba, the state, ranchers, tribes, BLM and others are working together to fix a problem that has needed attention for years.
- Management has to be willing to take risks. Communities and special interests have to be willing to come to the table.

- Mike said the Farmington draft RMP is out and he wanted RAC members to have a copy. He referred to the Glade handout formerly distributed, and asked the RAC to consider both. (Attachment 9)

## **NOMINATIONS**

It was decided last year to elect a president and vice president at the last meeting before the end of the cycle, so that new members had a year to know their cohorts. Chuck said strong officers drive the RAC, and being an officer takes time—at least three hours/week. Officers collaborate in setting meeting agendas. They answer letters, email and calls, and review the minutes. Raye said his role as Vice President was not so demanding because the President took a strong role. He spent more time as a Subcommittee Chair. The Vice President might be given other assignments, for example, meeting with other states' RAC leaders.

### Nominees for President were:

- Larry Baker—who declined
- Robyn Tierney
- Raye Miller

### Nominees for Vice President were:

- Crestina Trujillo Armstrong
- Mike Eisenfeld

Nominations were closed.

## **AUGUST 9 RAC MEETING**

### **AGENDA REVIEW/ORGANIZATIONAL DETAILS/REFLECTION ON DAY 1**

Kathleen said the USFS sent out letters that began, "Dear Permittee," to ranchers in the Abiquiu area, including some who had already voluntarily removed livestock. Is the BLM doing anything to assure that a shoulder-to-shoulder approach is taken?

Amy said BLM meets with permittees and local government officials to keep them aware. Taos sent letters jointly with USFS, asking people to be prepared because of drought. They contacted each individually and met with them on allotments. No one is now grazing on BLM land. Crestina said there was lack of communication from both sides in the Santa Fe National Forest. Carson Forest officials have worked hard to maintain communication. Socorro FO has been reluctant to send letters at all. Where they see problems, they contact individuals. When you do send letters, Kathleen said, personalize them!

Robyn asked what BLM is doing about vehicles driving through areas where the land will not be able to recover without help. Amy said enforcement is difficult. There is one ranger for 5.5 million acres in Las Cruces, and he focuses on areas of primary concern. So, they have concentrated on education.

Robyn recommended that education include a more-aggressive public information campaign. Others agreed. Approach clubs. Make enforcement a priority. Include citizen participation, for example a local number to call for immediate response (not necessarily from BLM staff). Use teams of OHV users/environmentalists. Get community involvement.

There is opportunity in the Farmington area to partner with the Sheriff, whose office has an OHV-use approach. Use of ATVs, and therefore problems with them, are increasing drastically. Users are citizens who pay taxes, so it's appropriate to call the Sheriff. There is more that community law enforcement can do. Law enforcement won't solve this. Laws need to be changed. Make everything a fee area where vehicles display plates with large numbers so they can be tracked and prosecuted. Think of new things to propose. Including people in the process enlists them. This issue is of value for the RAC to work with. People would accept a fee system if they knew it brought funds into the community. Education should be part of the change.

In reality, BLM borders many communities where every household has an ATV, and they are motorized baby sitters. Rangers can't get where they're going. California and others have instituted sticker programs. That deals best with organized groups. Kids 10-16 are the ongoing problem. Provide areas for them to ride in. Stickers would provide money for surveys and planning. Educate school children. All fee sites involved community involvement. Areas are designated for specific use, but we need to get the message to outsiders (for example, Texans crossing the border). Instill a sense of responsibility via mass media.

Joe wanted time for BLM staff to respond to Barbara's presentation the day before; and would like more time for response to presentations as a rule.

### **ELECTIONS**

By written ballots Robyn was elected President and Crestina was elected Vice President.

### **ENERGY SUBCOMMITTEE REPORT**

Raye said APD streamlining is going more quickly in Farmington. The Subcommittee is concerned that Farmington will have increasing noise problems. No recommendation was

made—the Draft RMP states alternatives. Cliff noted that there was pressure from operators leading to a weakening of standards in RMP.

The Las Cruces RMP and future RMPs that have exploratory areas with environmental concerns, or exploratory units, might be beneficial to all concerned. Armando Lopez understands how exploratory units might be applied, and there is potential, especially for large blocks of acreage, for example, on Otero Mesa. EUs allow a master plan of development for a whole field. When unitized, the resource can be exploited with less infrastructure. Industry won't like the concept, but it works in sensitive areas. Unitization was used in the past and abandoned—for a variety of reasons. With some latitude it could meet the needs of both sides.

Phil thought Subcommittees should not make recommendations—that should be done by the RAC as a whole. However, this is a worthwhile suggestion. Amy will investigate possibilities.

Chuck read a letter from Michelle Chavez in response to the RAC's letter and gift.

## **RENEWABLE ENERGY (Attachment 10)**

### **Lee Otteni, BLM Washington Office**

Renewable energy is reborn in BLM from the energy crisis in the 1970s. The President's National Energy Policy led to a BLM policy implementation plan. There was discussion at the recent Western Governor's summit about what BLM is doing. Industry incentives, federal and state wind energy production tax credits guide the potential of wind energy. Various states are passing portfolio standards whereby energy sold includes geothermal and wind sources. Solar energy, via photovoltaics, is cost-prohibitive on the industry scale—not for putting on the power grid. BLM found that its offices were not up-to-date on potential. General policy now encourages development of wind energy, includes renewable resources potential in land use plans; and has assessed wind and other renewable energy sources use on public lands. (See [www.cred.doe.gov](http://www.cred.doe.gov)). Las Cruces has the greatest potential for use of renewable energy resources of all BLM FOs.

#### Applications:

- A site-specific wind energy site testing and monitoring r/w grant for “met” tower—3-year term.
- A wind energy site testing and monitoring r/w grant for a larger project area—3-year term, may be renewed.
- A long-term wind energy development r/w grant with a term in range of 30-35 years.

Lee pointed out specific assets, process, and costs involved. A Wind Energy Testing/Monitoring Project Area has been established as a basis for future development. Joe asked BLM to seek comparative pricing for construction, and monitor road building.

Lee said those considerations have been addressed, and there are concerns with how to do the environmental review. The role of the RAC, if NMBLM wants to engage in renewable energy, might include the following; How should renewable energy be designated in LUP updates? Reclamation plans and bonding are currently at the discretion of the FO. Consistent standards are needed for health of the land and social considerations. Intergovernmental cooperation is essential. Many tribes are interested. Transmission lines for all energies, and their impact, are under discussion throughout the West. The NIMBY (not in my back yard)

issue is primary, therefore it is critical to introduce the public to the concept and allow discussion.

Can wind energy be combined with existing transmission lines? Albuquerque is looking at \$1.5 million for wind energy transmission lines. A Las Vegas wind field straddles power lines going into Los Angeles. Lighting is involved. Chuck encouraged federal agencies to educate themselves on current standards. There is wind activity in Joe's region, where people can pay \$3 to their electricity providers for partially wind-generated energy. New Mexico is considered 11<sup>th</sup> best in the nation for wind energy potential.

## **PUBLIC COMMENT**

The Public Comment Period was opened at 10 a.m., and with the permission of citizens attending, the RAC took a 10-minute break while speakers set up PowerPoint presentations. Chuck welcomed people, and explained who RAC members were and how they are appointed.

### **Janet Rees, Bloomfield (Attachment 11)**

Chuck read a letter from Janet, who was unable to attend the meeting. She asked that public comment periods be set in the evening so more people could attend. Her concerns were increasing coal bed methane production, with increased VOC, NO<sub>x</sub>, CO<sub>2</sub> and particulate emissions; disposal of water produced during coal bed methane drilling; and the impact of wells—including noise, roads, pipelines, well sites and poisoned cattle.

### **Chris Velasquez, Blanco**

Chris is a rancher using 20,000 acres of public land with 370+ wells—1 per 53.61 acres. He has documented declining calf weights that he attributes to oil activity on his leased acres. That does not include effect of roads, pipelines, and lack of reseeding in the past five years. (There was seeding this year, but no rain.) He has had to cut numbers to 60 head, and at this rate, will have to get out of ranching. Contaminated pools of antifreeze, methanol and other chemicals lie in the fields. He lost eight cows in one week to poison, and also counted 15 dead deer. Trucks have hit eight-to-ten cattle per year. He saw one truck purposely attempting to hit a cow. One cow he had autopsied was seriously internally affected. He wants BLM to consider how multiple use approvals affect cattle ranchers. He distributed photographs of his allotment.

### **Question/Answer/Comment**

- Would fencing around well areas help? One company has fenced about 100 of its wells. But fences also cut down on forage.
- Could weight loss be due to the drought? He has kept records of the decline since 1997. More wells have been built each year, and there was more drilling in the year when his cattle lost most weight.
- The acreage affected by wells is about 10%. Is there something else affecting the animals? Yes—stress, from 24-hour truck traffic, construction, etc.
- Wildlife loss has also been steady.
- Members noted that the roads in his photographs are very wide.
- Chris asked that regulations in place be followed, and that BLM personnel be attentive to multiple use, and communicate with lessees.

**Tweeti Blancett, Aztec (Attachment 12)**

Tweeti's grandson is the 8<sup>th</sup> generation to live in San Juan County. The family homesteaded the same range they live on today, but don't know how much longer they will survive. Their ranch ran 600 head from Aztec to Vallecito Lake, now run 200. She asked listeners to calculate a 3-acre well site, 3-acre road, and 3-acre pipeline x 35,000 wells. What you saw on the field trip is the exception not the rule, she said. It was a "Dog & Pony Show." Of the 1,500 wells affecting Blancett grazing, only two are in good shape. San Juan County sends out billions of gallons per year. Why are rules and regulations not being enforced? The wells pay for themselves in six weeks, yet it takes years to rehabilitate them. She asked RAC to work with Congressional delegates on these problems, which are the result of the emphasis to produce. She referred to the July 2000 compliance report, saying 13 areas are out of compliance, but the two Rs are most important. The industry has run the city, county and BLM for years. They have to be part of the solution.

**Question/Answer/Comment**

- What's not being enforced? Thirteen areas are out of compliance.
- Start with roads and reseeding to stop erosion and noxious weeds. Wildlife, especially small animals and birds, have little choice but polluted water and habitation, particularly in drought
- In her 75 sections only two wells are in compliance. She offered to lead a tour.
- There is a vast napweed and thistle problem. Leafy spurge—deadly to wildlife and stock, and aggressive—is being focused on. She recommended reseeding to limit noxious weed opportunity, rather than concentrating on killing them.
- Equipment is rarely cleaned.

**Jacob Attaway, Farmington**

Jacob is a member of the Cliff Hangers 4-Wheel Drive Club. His family has lived for four generations in the Chokecherry/Glade area. The Glade problems result more from those coming in than from locals. Trash is an issue. One solution would be a dumpster. Friends of the Glade are getting people involved. The Cliff Hangers hold an annual cleanup, and other groups are working with BLM to do more cleanup. Jacob would like to extend the circle of those addressing the problem and get some funding. Clubs use specific trails, and work with BLM. Education for young people is needed. There are no materials on road use from BLM. OHV users are considered troublemakers, for example, coverage of a recent accident referred to a vehicle that ran into a well as an off-road user. Don't shut down roads, he said. This sport means something to young people and their families.

**Question/Answer/Comment**

- Would your club help educate school children? Yes, they even take videos and show the right way to drive. Let them know what BLM does and what the regulations are.
- National 4-wheel drive associations come into the area. We know this is a valuable resource and want to protect it.
- Chuck explained the development of OHV guidelines for BLM, and requested that copies be given to members of the public at the meeting for their comment and possible revision. Guidelines help. He will distribute the document among clubs he works with.

- What's your opinion about determining fee areas? People that respect the land won't have a problem with fees. A Texas group that comes to this area usually pays \$65/day to drive on private land.
- Use is increasing. He knew of 30 hard-core jeepers in 1997, now there are 200. Many don't know how to drive, or how to use trails. They can be accommodated if we teach them.
- Can areas be set aside for other interests? Yes, but that's not always practical: jeep wheels have expanded from 33" to 44". Horses and mountain bikes have other needs.

**Don Shreiber, Farmington**

Don is a rancher. He asked how long the RAC has been in business and which groups it incorporates. The burden continues to be put on ranchers, allowing whichever authority is listening to substitute action for effectiveness, for example, netting over wells to keep birds out. The roads are big so trucks can pass. The turnarounds are bigger to accommodate "pup" trucks. He asked that RAC members separate from their own interests and as individuals find someone to break out of the mold and be a leader. This well field started in 1948, and standards were established based on those times. Three things are in play: commerce, nature, culture. Ranching culture has been wiped out. Record-breaking mule deer came out of his ranch in the past and there are hardly any left. The only birds are pinon jays. Nature and culture have been eradicated by commerce. Diversity is healthy but we're reduced to a monoculture, which leads to decline. Most people in charge are rearranging the deck chairs on this sinking ship.

**Question/Answer/Comment**

- This is an area of enormous development that has destroyed your way of life. What alternatives are there? Like buying out your animal units. Ranchers have been receiving those offers for awhile. We need a radical center where ranchers and environmentalists can find something sustainable. In this brittle climate, with the species here now (pinon, juniper, sage, and those added) natural succession leads to sterility.
- Environmentalists are moving to the radical center, for example, the Quivira Coalition. Culture is also important for good values and what makes sense. He is a member of the Quivira Coalition, and said at the last QC conference they listened to 45 presenters representing ranchers, environmentalists and regulators, but not one speaker or topic addressed impact on the land of O&G development. What was done on Gray Ranch was tremendous, but does not equate with 30,000 wells.
- Reseeding as done now is not effective. By volume and value, our #1 export is topsoil. Once we disturb the topsoil, that eggshell cannot be put together again.

**Bruce Black, Farmington (Attachment 13)**

Bruce is a member of the Friends of the Glade, native New Mexican, landowner with a nationally renowned Bed & Breakfast, retired Navy man and geologist. He thanked the Farmington FO staff for consideration in pulling the Friends together. He has 360 acres that he pointed out on a map, where people enter the Glade through his property. He puts up fences and signs, and irresponsible users tear them down. He recommended that the BLM restrict that part of the Glade to foot or animal traffic rather than vehicle traffic; and put up a fence at the north end of sections 29 and 30—against his property line—because a posted federal sign forms a more solid barrier. He also asked that specific areas be made off limits to any vehicle.

**Question/Answer/Comment**

- Bruce indicated the new bypass, 1/8 mile south of his property.
- Legal access to the Glade is via county road.
- The BLM has been helpful, and this issue has been discussed. OHV groups are also helpful.
- He would consider a land exchange.

**Jen McFarland, Bloomfield**

Jen is head of the Friends of the Glade, which was recently organized as a result of the BLM's request for comments. The Friends were having a cleanup with BLM the next day, and plan to continue with monthly cleanups. All want to see the area kept open but managed more effectively. Members of the Friends plan to educate school children with the Sheriff's Department or BLM. Trash—sometimes toxic, and shooting, are the two main problems. The first seven miles of the Glade have been restricted from shooting, but people have been going there for many years to shoot and don't realize there's now a restriction. This area is now Farmington's back door, and shooting there is very dangerous.

The single BLM enforcement officer covers more than 1 million acres. BLM is working to get more law enforcement throughout New Mexico, but the federal agenda makes it unlikely. No funding for enforcement results from O&G. The Friends work with the Sheriff's Office, which has put an officer out there but can only enforce laws if the shooter is considered reckless. Rich said an agreement can be forged to allow jurisdiction. BLM Law Enforcement Ranger Randy Tracy said the State Constitution restricts the Sheriff's authority. In order to enforce laws a person has to go through the Federal Law Enforcement Academy. And the county is unable to make a law about use of firearms in a particular area. To date Randy has written one warning and spoken with more than 60 shooters. They do not confiscate weapons unless the weapon is altered, used in a crime, or possibly when used recklessly.

**Question/Answer/Comment**

- The Sheriff would have to assign a person and pay their wages. Then they could be delegated and a Memorandum of Understanding issued.
- The Farmington FO Information Officer said there is no zoning and no law against shooting anywhere in San Juan County.
- Shooting while publicly intoxicated, or discharging weapons among groups, are situations considered reckless, therefore enforceable. The Federal District Court of New Mexico sets penalties, currently \$50.
- Would really good signage help? They would shoot it. Enforcement would make a difference, especially with newspaper coverage of arrests.
- After September 11, Randy was called to Washington for six months, and there was no enforcement.
- The Cattle Growers Association is concerned about this issue and might become involved.
- Jen said the unlawful 10% are a problem for the Friends, and they would not oppose Bruce's suggestions. He will make an official recommendation to the Farmington FO, accompanied by a letter listing supporting organizations.
- Jen has been working with BLM to get a map to the public with area designations, so users know what is available and what they can do. The area is confusing even to regular users. She recommended that a volunteer group address trash. Speeding is also a problem, especially by 13-year-olds.

- Have the Friends asked O&G for funding? No. Individuals are members; but the group has to formulate a plan before approaching potential funders.
- The city could annex the Glade and make it a no-shooting area, then enforce.
- Close the area at night.
- BLM needs to prioritize this area; and could look at it as a fee demonstration area.
- Support for the Glade seems comprehensive. Interested citizens are willing and available. If BLM helped them organize, formalize and know what to do, they would do it.

RAC members thanked those who spoke for helping them understand these complex problems. They asked speakers to stay during the lunch break to speak further with them. Raye said there are things that can be done to help the ranchers, and asked to talk with them. The Public Comment Period was closed.

### **RESPONSES TO MORNING DISCUSSION AND PUBLIC COMMENT**

- Cliff asked for thoughts on the comment that the RAC field trip was a “Dog and Pony Show.” Theresa said her office would request a tour of the areas that are not “good” ones.
- Cliff suggested returning to Farmington for an upcoming RAC meeting to tour again.
- Raye recommended that field trips be on the second day of RAC meetings, following public comment, with the third day allowing response to the field trip.
- Robyn recommended following up on the suggestion to meet for public comment at night.
- Crestina suggested meeting from 1-5 p.m., breaking for dinner, and scheduling public comment from 6:30-8:30 p.m.
- The RAC could have several field trips that members choose from and report back. Digital photos might help. Be flexible, responding to situations and RAC member interests.
- Members hate to miss the opportunity for whole-group interaction.
- Would the FO identify individuals with concerns who can accompany RAC on field trips?
- There may be a proprietary response to visits. We need permission to visit O&G sites.
- Some were concerned that an active user group feels slighted by BLM. Where did things break down? How can this be solved? What is this really about? This is not a small group of ranchers. Mike has friends who neighbor Don Shreiber’s ranch who didn’t come to the meeting to speak because they are so angry they couldn’t contain themselves.
- Noe said there are similar issues in Carlsbad. There have been private agreements between ranchers and O&G people that are not legal, for example, ranchers assessing damage and charging reparation fees. Proliferation of roads, oil and saltwater spills are a concern. Rights-of-way are issued to subcontractors, who do not consider themselves bound by agreements with BLM, to transport hydrocarbons. Pads and roads are sometimes built where they aren’t supposed to be. BLM catches what it can. Some transgressions are water under the bridge, and some ranchers are just willing to live with it.
- Tony said that’s unacceptable. We are allowing O&G to take rights from ranchers.
- Noe: We do as much as we can.
- Bill: The bottom line is that ecosystem health is declining drastically. This has profound implications for Otero Mesa. Whatever regulations are put in place, whatever rhetoric we are assuaged with, we have to deal with reality. We have to change the way we do business.
- In the SE and NW, fields were developed a long time ago, bringing historical problems we wouldn’t have now. BLM put resources toward permitting, not enforcement. Now we’re seeing increased funding for inspection and enforcement.

- Kathleen: Would it help for O&G lessees to pay rent to ranchers? On federal surface, entities can't make arrangements with one another. Through the approval process if not the lease, limitations/protection can be set—generally related to structures (fence, stock tank), but destruction of a resource is addressed at reclamation. Remember, techniques were established before rules and regulations. Another problem is Texas companies that work mostly on private lands there, with techniques that don't apply on federal property. It is a long drawn-out process to modify attitudes of those entering from other environments.
- The working relationship with ranchers in the SE is different, and problems are not as serious as in the NW. Look at specifics.
- Farmington FO staff was asked what's going on. Bob Moore: There are working groups assigned to address problems, including compliance. Things will get better, but there will still be problems.
- Bill Papich has been on tours with all the public representatives who spoke. Focus matters—the RAC tour concentrated on noise. We might not see as problems what these people spoke about.
- Gretchen: Is there any authority to shut down or kick out someone totally out of compliance? Drilling without a permit is the only transgression for which they can kick them out.
- Randy said there are extensive criminal provisions for theft of hydrocarbon fuels, and provisions for stopping activities. He is the only federal officer in the history of the act governing those transgressions to indict and convict. There is administrative activity, for example, ticket or verbal requests, and eight new inspectors have just been trained. He and the inspectors have good rapport with companies. Companies call daily reporting theft. Fines can reach \$25,000 with imprisonment for up-to-one year.
- Companies react quickly to correct problems, but the number of field hands for 300,000 wells has a great effect. Companies pay for a calf hit by a speeding truck and reported. One cow, worth \$900, has significance for a rancher.
- Its problematic that the burden of proof lies with the rancher. Ranchers complain about patterns of behavior, while companies respond to specifics. How can we change that behavior?
- The standard right-of-way is 50' for a 24" pipe. Who's responsible for action if they take 52'? That adds up fast to major acreage and should be enforced to the "T."
- We live in a desert and rehabilitation doesn't work. Working groups will help us get better results, although still not perfect.
- Erosion and resulting grading also widens roads. Dirt could be imported instead.
- Farmington FO hired a civil engineering technician 2 1/2 years ago, planning was done and roads are being improved.
- Two major enforcement problems: theft of hydrocarbon fuels and theft of cultural properties. Daily problems are dumping, usually on well locations, discharge of weapons on or near industrial development, OHVs, and, once roads are improved—speeding.
- Even among big operators, O&G fields are like different yards in a neighborhood, some are neat and tidy, some are messy, complicated by the numbers involved and their isolation.
- Would ranchers and O&G cooperate to get these lands reseeded? Yes, that's being worked on. There is a \$1,000/acre voluntary mitigation fund for improving land on a rancher's allotment in another area of the same size; and ranchers recommend what they want done with that money. About 80% of those drilling in the area contribute, but the percentage arrived at is more complex.

## **Recommendation**

The RAC recommended that BLM explore a variety of alternatives for administration of the Glade, including fee alternatives—for purposes of access control and funding for administration. Members unanimously approved.

- Robyn: What about cumulative, secondary and tertiary effects on the land that connects well sites? Consider clustering rather than dispersing activities. Explore and reevaluate what having “Commons” means.
- Raye: Unitization would not help with some problems in some areas of the state. He wants evidence that changes to or fragmentation of ecosystems specifically relates to well pads.
- If we take rancher tours, invite O&G representatives working in that area to accompany us.
- Chuck: We are reliving the tragedy of the Commons. We are all affected by ecosystem and sociologic health—10,000 new wells are a problem on many levels. The Arkansas Loop is a success.
- Mike: The Farmington RMP remains unfinished. Work with that.
- Bill: Is this a sacrifice area?
- Phil: The RMP states that travel would be restricted to maintained roads. He will talk to the FO.
- It will be important to have those attending the proposed workshop visit the land before meeting.
- Data used needs to be scientific.

## **OCTOBER 28, 29 & 30 RAC MEETING**

### **Field trip options**

- Burn area and restoration
- Vermejo Park
- Myth of the Buffalo

### **Agenda options**

- Orientation on Monday 8-12, followed by field trip
- Wilderness (near Cabezon)
  - Wilderness Act—how defined
  - Finalize WSAs
- Range restoration
  - S&G monitoring
  - USFS/BLM
- Evening public comment, in Farmington but not Cimarron
- Noise effects on fauna
- BLM processes/staffing

### **Tuesday—primary learning day**

- Focus on range/watershed restoration
- Field Trip to CS Ranch (near Cimarron, part of Quivira Coalition)
- Presentations:

- Soil and Water Conservation District or NRCS
- Grass banking
- Range monitoring and examples of good and bad field trip
- Fire money and restoration
- Standards and guidelines implementation
- Budget—including line item expense for previous year/how many RAC meetings/year. Suggested that RAC officers meet with Rich to discuss this.
- Public comment
- Lessons learned from Otero Mesa

#### Review/Evaluation/Recommendations for RAC Orientation

- Look at and discuss charter, rules—including what constitutes a quorum—review past recommendations, overview what areas of interest explored in past
- The last Orientation was overwhelming
- Jeopardy was valuable, could be done at night with whole RAC
- Taylor Grazing Act & NEPA could be seminars at end of another day
- Review Endangered Species Act
- Meet FOs and talk about day-to-day operations

#### What worked at this meeting

- Meeting in FO
- Local newspaper article that brought in greater public comment
- Field trip

#### Changes needed

- Need brief written FO reports provided electronically before the next meeting, with managers at meeting available for questions.
- Advise those making public comment to provide factual handouts. Add to news release.
- “Real deal” field trips—more closely linked to concerns of public, areas of problems or contention.

The meeting adjourned.

/s/ Charles Pergler  
RAC Chairperson