

Summary Minutes
NEW MEXICO RESOURCE ADVISORY COUNCIL
June 7-9, 2005

Taos

RAC Members Present:

Philip Don Cantu
William Chavez
Michael Chirigos
Matt Ferguson
John Hand
Rachel Jankowitz
Mark Marley
Raye Miller
Robert Moquino
Robert Ricklefs
Joanne Spivack
Don Tripp

RAC Members Absent:

Max Cordova
Meade Kemrer

Designated Federal Official:

Linda Rundell

Designated State Official:

Sally Rodgers

BLM Staff:

Sam DesGeorges, Taos FO
Ron Dunton, NMSO
Thomas Gow, Rio Puerco FO
Greg Gustina, Taos FO
Steve Henke, Farmington DO
Theresa Herrera, NMSO
Jesse Juen, NMSO
Pat Pacheco, Taos FO
Ed Roberson, Las Cruces DO
Jim Stovall, Carlsbad FO
Hans Stuart, NMSO
Tami Torres, Taos FO

Scribe:

Karen Meadows

JUNE 7

FIELD TRIP

PUBLIC COMMENT PERIOD

Chairman Raye Miller opened the Public Comment Period at 6 p.m. No members of the public signed up to speak. Linda Rundell mentioned Senator Domenici's news conference to introduce legislation for protecting Snowy River Cave. That legislation would create the first national cave conservation area, protecting the entire resource including undiscovered and surface areas; and prohibiting drilling or mining that could impact the cave. For the foreseeable future, protection of the resource and the public withdraws Snowy River Cave from other uses. BLM is considering drilling a 30" bore hole to investigate a safer entrance. Without legislation, BLM would start an RMP amendment to determine alternatives. Legislation would probably be cheaper, easier, faster—and explain to the public what's needed and what's being done. NM Tech is working with BLM on the RMP. A research expedition and media will soon go into the recreational part of the cave to test new technology, including a radio system for speaking to people on the surface.

Bob Moquino questioned use of the term "discover." Linda clarified that there is historic cultural evidence in the front part of the cave. But Snowy River Cave probably is newly discovered, and therefore of interest to the national press. It will remain with BLM under the National Landscape Conservation Act. BLM has cave specialists on staff and manages several caves.

Jerry King from the NM State Land Office (SLO) introduced himself. On behalf of Commissioner Lyons he expressed SLO's interest in interagency cooperation, and said SLO and BLM have a great relationship and are always able to work together and do good work.

A news release was sent out June 6 announcing the July 20 lease sale of a 1,600-acre parcel on Otero Mesa. The Associated Press called, and the Governor's office and the Attorney General announced intent to file an injunction. The tract is part of the Bennett Ranch unit that will be leased with stipulations obligating lessees to join the existing approved Federal exploratory unit, and to protect special status species, historic trails and cultural properties.

With no members of the public present, members adjourned at 6:20 p.m.

JUNE 8, 2005 RAC MEETING

CALL TO ORDER & WELCOME

Raye called the meeting to order at 8 a.m. Linda welcomed the RAC. She reviewed information on Snowy River Cave protection.

Several weeks ago there was a satellite downlink to several FOs from the Washington office about a guide for cooperating agency relationships, and public officials were invited. Linda offered the RAC copies of the guide, which explains how organizations like counties or cities can officially work with BLM in planning.

Linda and staff have considered what the RAC can do for BLM, and one suggestion is to help with conflicts between O&G operators and ranchers in the San Juan Basin, or on Otero Mesa issues. Some think the RAC could form a mediation board where issues could be brought before objective third parties to work for resolution.

Joanne Spivack said RAC members were told that subcommittees had to be set up as legally chartered separate groups with meetings published in the *Federal Register*. Raye said before a RAC subcommittee addressed Otero Mesa conflicts, outside facilitators interviewed various sides to assess potential for mediation leading to resolution. Interviews revealed that sides had polarized, and mediation would not be helpful, but had it been done earlier in the process there might have been opportunity for a common solution. It is best to work with issues that are amenable to mediation, rather than headed for litigation.

Bud Starnes of the Department of Agriculture said (Agriculture) has an agreement with BLM to work with ranchers' issues, and offered his help listening to suggestions. Agriculture staffs have capability and expertise, are trained in mediation and conflict resolution, and established the US/Mexico Center for Conflict Resolution at NMSU. It would be good for Linda to meet with Miley Gonzales about that. Linda invited the RAC to bring up other ideas for ways to be involved.

The Secretary of the Interior recently publicly recognized volunteers including the Socorro OHV group that Joanne worked with, and a BLM employee at Dripping Springs Visitor Center in Las Cruces.

Sally spoke about her position as environmental ombudsman for the Energy, Minerals and Natural Resources Department. She works in two tracks, one to identify areas of common interest between and beyond executive state agencies, and the other as point person for sustainability. She interprets sustainability as environmentally sustainable projects that promote economic development and respect for individual cultures and different regions. Sally looked for successful programs with transferable information, and found no centralized council, agency or collaboration until she learned of Zero Emissions Research Initiative (ZERI). ZERI is both a concept and a collaborative international organization. In the US it only exists in NM. Through website analysis, Sally discovered that 137 countries are looking at ZERI's projects in NM. The ZERI model is based on the observation that there is no such thing as waste in the natural world. She asked the RAC and BLM staff to consider that approach when something looks like a problem that needs another rule, regulation or policy. Instead, consider Sally and her agency as a resource for creating broad, inclusive partnerships and win/win solutions. A ZERI presentation was on the agenda.

Sally said Mark Fesmire of NM Oil Conservation Division (OCD) was unable to make his planned presentation, but would like to address the next RAC meeting. Raye said the two agencies need a strong cooperative relationship. OCD regulates O&G operations on state and private lands, while BLM manages O&G on Federal lands. He is concerned that pits, whether on Federal, State or private land, be permitted through OCD, which is charged with protection of ground water. Currently, both OCD and Federal inspectors monitor ground water; and it would be best for just one agency to monitor. Recent changes allowing two O&G wells per 320 acres have brought controversy. OCD works for cooperation and conflict resolution between O&G companies, and acts as judge. BLM is proactive in surface reclamation, which has not been OCD's emphasis.

APPROVAL OF AGENDA (Attachment 1)

The agenda was changed to move Hans' *Energy Kiosk* presentation scheduled for the afternoon ahead, and to hear a report on Ute Mountain by Sam DesGeorges.

ENERGY KIOSK

Hans Stuart, BLM NM Chief, External Affairs

Hans recommend a book about energy use that he circulated—*The Bottomless Well: The Twilight of Fuel, The Virtue of Waste and Why We Will Never Run Out of Energy*. He quoted from the book that, "US energy use is 100 quadrillion BTUs—the equivalent of 15 large horses laboring at peak capacity all the time for every US citizen." He enumerated that 40% of our fuel is used to generate electricity, including coal, uranium, gas and hydro; 30% fuels transportation—from oil; and 30% fuels heat—with oil, gas and wood. Fuel use changes continually. We worked in the past for efficient technology, but now, instead of saving energy, Americans have increased their use.

BLM is creating an interactive CD program to provide awareness of energy and where it comes from for school children. He showed parts of the program that will be shown in classrooms and on interactive kiosks at NM State Fair and the Museum of Natural History. He had the RAC answer questions children will be asked through games with educational content. BLM is working with National Energy Education Development (NEED), a curriculum-based teacher organization, and two Albuquerque NEED members are preparing content for teacher training this fall.

He walked the RAC through the *CEO Challenge*, which asks players to power a city by balancing energy sources for environmental impact, cost and amount of power. The challenge offers ideas for conserving energy by clicking rooms in a home.

Question/Answer/Comment

- What age group is the program aimed for? Content has multiple layers of sophistication. It's targeted for middle school students, age 12-14, which is also the general adult level of comprehension.
- Could this be made available to the public via the BLM website? That might be a problem for the server, although the website will be upgraded and include more information on energy and planning.
- The teachers working on curriculum are on the NEED board. NEED would pay for substitute teachers to conduct classes while teachers are trained. The content meets teacher standards and guidelines.
- Taos FO is working with the president of the Taos Economic Development Board on *Project Achievement*—a version of this curriculum using posters and printed material. And BLM is working to make its environmental web page more accessible for different servers and levels of computer capability.

UTE MOUNTAIN

Sam DesGeorges, Taos FO Manager

BLM spent \$56 million in Land & Water Conservation, Taos Land Trust and BLM funds to acquire Ute Mountain, located in the lower section of the Sangre de Cristo land grant. Taos FO RMPs have included Ute Mountain since 1988. At 10,200' it is the tallest freestanding piece of BLM property, 16,000 acres with no trails, and one road at the base and one associated with a water pipeline. BLM led a media tour to describe future uses and potentials. The public wants to see it, but BLM has not allowed public access. Acquisition was only completed in March 2005. BLM is developing an interim Management Plan that will deal with access and appropriate uses while longer-range planning is done. It is accessed by a county road on the north, and adjacent to BLM lands and the Rio Grande corridor on the west. Sam showed the 500' deep solar-powered water well. Its pipeline runs along the base of the mountain and is not completely functional. The 2,000 acres of seeded crested wheat grass green is up early and is a magnet for mule deer, elk, antelope and coyotes. That area is adjacent to villages, so the grass is drawing wildlife out of private hayfields onto public land. BLM plans to inter-seed with native species, including a cool season mix for diversity. Ute Mountain and San Antonio Peak are important to the Ute Mountain Ute tribe and Taos Pueblo. The whole mountain is a cultural site with evidence of occupation everywhere.

Question/Answer/Comment

- The peaks are old volcanic cones.
- Ute Mountain will be integrated into planning. BLM is looking at values to manage for—including wild and roadless. No special designation is planned. Recreational use will be a key value. There have been no requests for wilderness designation, but that is probably a possibility when planning with tribes and environmental organizations.
- Linda said the Interior Secretary two years ago said the window closed in 1993 for wilderness designation, so that would only be done by congressional act.
- BLM is engaging Conejos County Commissioners in planning too because lines on a map don't matter.
- There are peregrine falcon on the land, and critical habitat for the southwestern willow flycatcher. BLM is working with NMDG&F on potential reintroduction of river otters.

2005 CLEAN ENERGY INITIATIVES (Attachment 2)

Craig O'Hare, NM Governor's Special Assistant for Renewable Energy

Clean energy involves:

1. renewable energy like solar, wind, biomass and geothermal;
2. energy efficiency in buildings, appliances, industry/manufacturing, transportation/vehicles; and
3. clean fuels: ethanol, biodiesel, compressed natural gas, propane, hydrogen.

Clean energy provides opportunity for economic development and employment. Solar power is smaller scale and self-generated. "Distributed" solar is done on a larger scale for residential, commercial, institutional/government, schools, agriculture and ranching. Building-integrated photovoltaics are being done more broadly. Solar hot water and space heating are cost effective. The Indian Pueblo Cultural Center in Albuquerque has a 10-kilowatt photovoltaic system on its roof. Distributed generation has potential to reduce transmission lines. Concentrating Solar Power (CSP) involves large-scale centralized utility stations. NM is blessed with clean energy resources—in the top 10 for wind resource potential, and second to AZ for solar. The 350-mW CSP operation in CA has

produced more solar power in the last 10 years than photovoltaics worldwide. Spain and other European countries are providing incentives for building CSP. Costs will come down dramatically once the economic hump is bridged.

CSP technology includes a parabolic trough where fluid transfers solar energy; and more efficient power towers that mirror a facing tower with fluid on top. High concentrating photovoltaics put magnifying glasses in front of panels to increase energy getting to cells; and small-scale dish engines have combustion generators.

Craig showed a NM CSP feasibility study map. Sites west of Belen, and near Lordsburg/Deming add up to tremendous resources. Biomass generates electricity, heat, liquid fuels, oils and chemicals from forest, dairy, municipal and feedlot waste. Wind power is a tremendous resource, with a 204-mW plant PNM bought into—the third largest wind farm in the US. Benefits include economic development. Ranchers can install wind turbines on land where cattle are grazing. Wind is down to 5 cents/kW hour, primarily by making turbines bigger. However, with no viable form of electricity storage, wind power is unreliable.

We need to be smarter about how we use energy. There is tremendous waste. He read an article saying the US uses three times more energy to generate \$1 of GNP than Japan. So there is great potential for generating profit and energy independence. Craig suggested funding energy efficiency, e.g., energy efficient buildings—only 2% increase in cost with payback in 4-5 years, rather than building more power plants. Using several technologies to bring natural light into buildings has improved student learning and employee productivity. Clean fuels also bring economic opportunity, while current fuels are finite. Now is the time to diversify.

Legislative initiatives are underway, and were very successful in NM's last session. HB 32, the Energy Efficiency & Renewable Energy Bonding Act was approved and NM is the first state in the nation to choose this innovative approach.

HB 32

- provides \$20 million for clean energy renovation of state buildings, public schools and universities;
- captures utility bill savings from participating agencies to pay debt service on bonds;
- has no general fund impact; and
- returns school utility savings directly to classrooms.

Craig listed other legislative initiatives and concepts under consideration, including

- photovoltaic and solar thermal tax credit;
- energy efficiency tax credits and/or appliance standards; and
- biofuels content requirement.

Question/Answer/Comment

- The footprint of CSP = 5 acres/mW.
- How does Spain's production compare to a coal plant in NM's four-corners? Coal is in the area of 3,000 mW. New Mexico demands on average about a 2,000-mW plant running day and night. A coal plant operates at 80%; and wind facilities operate at about one-third. Trough and tower CSP technology could complement the others—putting energy in thermal storage for use when needed—for potential 24/7 production.
- Comparing the economics is comparing apples and oranges. Renewable energy plants are more capital intensive but operating and management costs are low and fuel is free. O&M cost at the CA wind plant is 4 cents/kW hour. Plants recover capital costs in the first 20 years, so CSP plants are

originally more expensive, but then have only O&M costs. It would be best to extend their loan period to 25-30 years. There has been activity at the Western Governors' Association level to collaborate and pool resources for 200-mW plants.

- Hybrid systems using current hydroplants may have the most economic viability. There are technical issues with retrofitting an existing plant but that is being planned. Craig is on the Western Governors' Association Solar Task Force and Clean Coal Task Force. The southeast AZ plant is too far along in its construction, and not the best solar resource. There's 90,000 mW of coal power plants on the drawing board in the US, with opportunity for solar components in NV, AZ, NM and southern CA. The WGA is creating synergistic dialogue between the two former opponents.
- Zuni Pueblo was funded by Bureau of Indian Affairs (BIA) for solar heated stock tanks. They're used off grid all over NM. Clean energy grants fund projects for local governments, public schools, state agencies and Tribal entities. The NM Legislature appropriated \$3 million last session for that program. Last year the program had only \$1 million, with \$4 million requested.
- State wind energy credits are available. Why does the law only give corporate credit? It could dramatically help economic viability of a project. Craig recommended making that credit more accessible, and making tax credit refundable and accessible to anyone. Legislators are concerned with issues like rewarding out-of-state companies, but working to make it more accessible.
- Fiscal impact for the session influences legislative ability to change it.
- How is the Federal Energy Bill applied? The Federal Government has given 1.9% tax credit for wind power, and when in effect projects go up all over the west. That credit went away in December 2003, and development fell. It was extended through the end of 2004, but only for one year. Governor Richardson has encouraged NM senators to provide a 10-year tax credit, so companies have time. NM currently exports 50% of power generated. Water is a huge part of that production, so the State is looking at alternative energies.
- Raye asked Craig to ask the legislature to assure that credits available for proposed energy development facilities have a component assessing biological impact on threatened and endangered species. For example, wind energy fields in OK are threatening the lesser prairie chicken (LPC). Wind farms bring fragmentation—roads and structures—just like O&G development.
- Craig met with USF&W about bird fatality, and siting is key. Biologists know where birds begin and end migrations, but not exactly how they get there. Doppler is being used to define migration pipelines that are sometimes no wider than half a mile. They don't want to decrease performance of wind generators, but the issue is getting attention after enormous avian mortality at the original southern CA wind farm. Those machines had lattice network that invited perching. Operators have removed the lattice and slowed turns. This isn't either/or. Obviously traditional energy generation sources affect wildlife as well.
- Raye reiterated, legislate that mortality is addressed and an assessment applied.
- BLM land use incorporates NEPA and other protective acts.
- Mark said we rush to deal with human needs at the expense of the natural world.
- None of these alternatives are a panacea.
- The best choice is to lower our energy use.
- Rachel said bat protection should be included with bird protection.
- Are solar and wind energy leasable resources on BLM land atop O&G leases? It would be permitted.

SUSTAINABLE COMMUNITIES/ZERI-NM PROJECTS & PROGRAMS

WITH A FOCUS ON THE USDA/ COLLABORATIVE FOREST RESTORATION PROGRAM SUSTAINABLE FORESTRY PROJECT

Lynda Taylor, ZERI Co-Director

ZERI is a nonprofit organization established in 1995 with a project approach based on international methods incorporating the five kingdoms of nature: bacteria, algae, plants, animals and fungi—that provide enough resources for the basic needs of all. ZERI works with communities to identify where the waste is and how it can be converted into value-added products. ZERI NM projects are mostly in the north and along the US/Mexico border, but are easily applicable to industry and communities of all kinds.

All projects are an outgrowth of observing a whole system. Lynda showed a ZERI project in Colombia where coffee is grown. Coffee waste couldn't be fed to cows (it reduced milk production and interfered with calving) or placed on crops, but it grows shitake mushrooms. The mushrooms convert caffeine, so the waste produced could be fed to cows, and cow manure becomes fertilizer for growing the coffee.

She tracked other projects, showing George Chan of Mauritius working with the US Environmental Protection Agency to integrate a pacific region waste treatment plant into the farming system. That approach is now working at Picuris Pueblo. Using Chan's techniques, Picuris is raising native trout, and native grasses to feed bison.

Lynda showed a chart on using cow and poultry manure for biogas. ZERI completed a pilot and awaits funding from USDA. Another chart on pig waste showed results of inaction (waste products escape to air, water and soil) versus benefits of action.

ZERI provides training workshops, including a six-month certification training, K-12 education, technical seminars, public presentations and state and Federal agency workshops. Community and small business projects have included wastewater treatment/integrated farming, sustainable forestry using biomass, and cold water condensation agriculture.

ZERI is working with Los Ojos NM wool producers, weavers, dyers and the wood industry. Sally said her agency met with Sandia Laboratory scientists about partnership opportunities using biomass. ZERI is working closely with Governor Richardson and legislators.

John Cravens of Common Heritage Corporation developed for the University of Hawaii a way to use cold water and condensation without consuming water to grow crops on the dry side of the islands. They pump seawater through black plastic irrigation pipes buried near roots to stimulate liquids inside the plants. Where nothing grew, there are now more than 200 types of crops. The temperature differential between water and soil produces condensation that provides enough moisture and enough stimulation to grow crops faster and healthier. Cravens worked with NM Farm & Livestock Bureau, the Middle Rio Grande Conservancy District and others, and spoke at the NM Drought Summit. He concluded that it is possible to use his cold water irrigation/condensation process in NM. Instead of cold seawater, NM could add towers where night skies and solar radiation cool water. Other projects include growing algae in salty water to capture biodiesel fuel.

With a grant to gain value-added products from small diameter trees, ZERI worked with USDA, CFRP, Picuris Pueblo and other partners to produce natural wood charcoal. Even fumes from the charcoal production are used to preserve other types of wood. They grew local oyster mushrooms on wood waste that becomes an animal feed supplement after mushroom production. They are beginning now to use native fungi for forest soil restoration. Lynda showed photographs of people making charcoal and preserving wood at Picuris. They discovered that salt cedar and pecan trimmings—both considered waste—can be made into charcoal. They went on Picuris and Mora mushroom hunts, taking mushrooms from within the local system to cultivate, and returning them to restored areas—testing different approaches on 11 eroded sites. They have also created NM's first fungi bank at NMSU.

Lynda brought a CD of a two-minute English/Spanish rap song entitled “OUT DA BOX” that a Penasco high school student wrote after a ZERI youth workshop. It wouldn’t play, but she displayed the words, including, “What the future has hidden ZERI unlocks. It is time to start thinkin’ out da box.”

Question/Answer/Comment

- Hydrilla is an invasive species that grows in rich nutrient runoff, usually treated with herbicides but very hard to kill. On the Rio Grande, particularly along the TX border, it’s growing out of control. It can be harvested out of the river and mushrooms grown on it.
- Lynda circulated a petri dish with mushrooms growing on wood chips.
- Bob Moquino said his grandfather recycled everything, using it over and over. We need to learn from those grandfathers, and do that again.

**TAOS FIELD OFFICE PARTNERSHIPS & COLLABORATION
TRIBAL PARTNERSHIPS ON FUEL REDUCTION PROJECTS
Pat Pacheco, Taos FO Fire Management Officer**

Pat described the Fire Management & Surface Protection Program history since 1998. About 60% of Taos FO land is covered with trees. Pat listed 20 partners who fund or implement projects, focusing on two Tribal entities working locally. The Tribal partnership was partly brought about by stretched BIA resources because of too many fires. Key partners for FY 2004-2005 are Santa Clara and Taos Pueblos, both independent of BIA, employing Tribal members to thin and remove fuel wood. BLM meets annually with Taos War Chief staff and provides on-site training. The tribe hires staff, implements projects, handles disputes and distributes funds. BLM administrates and inspects. Taos workers are thinning land on Wind Mountain. Since 80% of pueblo residents still burn wood, the tribe sells permits so community members can come in and pick up already-cut fuel, which helps control access and returns money to restoration. There are two approaches to deal with slash. In some places, slash is piled before burning. But in youthful stands fire causes high mortality, so they let slash stand for two-three years, then burn. Pinon beetle kill is piled and burned.

Santa Clara Pueblo signs an agreement with BLM, takes BIA dollars, and brings in experienced people with gear to do the work. BLM retains NEPA and monitoring responsibilities. Progress & benefits include: fuel reduction of 450,000 acres allocated to tribes; 1,030 acres mechanically thinned at an average cost of \$436/acre; and 110 Tribal members employed.

It takes 24-48 hours for individuals chosen by lottery to remove 1,850 cords of firewood. That program has earned \$84,000. Santa Clara has broadcast-burned 2,700 acres, pile-burned 1,000 acres and mechanically thinned about 400 acres.

Taos has broadcast-burned 500 acres, pile-burned more than 3,000 acres and mechanically thinned about 800 acres. Both Tribal programs have gone very well and are progressing. Last year all thinning was done by the two tribes, releasing BLM staff for other work.

Treatment cost from 1998-2005 has peaked and fallen to \$96/acre. Future objectives include getting Taos Pueblo infrastructure solid so Tribal workers can complete projects without BLM assistance. And Santa Clara hopes to do NEPA and cultural clearances on acres they treat.

BLM has other collaborations with the Bureau of Reclamation, USFS and USF&W. There’s lots of opportunity to help each other, combining funds and human resources.

Question/Answer/Comment

- How many years of inactivity resulted in forests being that bad? And how long before treatment is needed again? After thinning, there’s herbaceous recovery up to 300% within three years even in drought, with a lot of diversity. BLM works with a biologist who has established the effect on animals. Fire facilitates grass growth. With a burn every 3-10 years, there’s good sprout recovery.

- BLM identified trees and provided historic data to guide restoration. Trees over eight inches in diameter were not touched. But the last 30 years have been the wettest in the last 1,000 years.
- Rachel asked about monitored sediment runoff after thinning, and the difference when small-diameter slash was scattered rather than burned or removed. Scattering was highly effective. Workers did that on 500 acres at Wind Mountain (east and north of Tres Piedras). But if you thin at certain times of year and leave debris on the ground it kills remaining trees; and red slash on the ground during fires causes 100% mortality.
- Is wood sold only to pueblo people? Everybody in Taos County wants wood. For every cord sold, probably three have walked away. Under the Healthy Forest Initiative, BLM is allowed to give wood as partial payment for wood projects and is attempting to do that. Price varies from \$10 if a buyer cuts it, to \$20 if scattered or \$45 if stacked. BLM has suggested that Santa Clara deal with distributing the wood, but they need to work out details.
- Crews can go on private lands if they are associated with public land activities and on a large scale if there is benefit to the public. They do not do that a lot. The state forester has been very good to BLM. On NMDG&F land e.g., the only problem is that BLM needs to do clearances.
- There are eight pueblos in Taos FO area. Six are close to working with this program and three have capacity—including Picuris. A lot depends on Tribal hierarchy. Annual tribal official change makes it difficult.
- Albuquerque FO has an agreement with Ramah for selling its own wood, and with Cochiti Pueblo, which is building capacity. There's a lot of opportunity to share, and it's up to tribal officials.

FIRE REGIME CONDITION CLASSES & ASSESSMENTS

Ron Dunton, Deputy State Director, Resources (Attachment 3)

The Departments of the Interior (DOI) and Agriculture (DOA) undertook a major mapping operation in 2000 as a result of the national fire program. The department secretaries wanted to assess land from the standpoint of natural fire issues and fire probability to prioritize future treatments.

Fire regimes are classified from 1-5 based on fire frequency combined with severity. Vegetation and fuel conditions considered are those that occur within the natural (historical) fire regime. But the meaning of "normal" fire regime is debatable. Grasslands encroached upon by too much ponderosa pine or Douglas fir, for example, are a departure from normal and can't be treated immediately with fire. They need mechanical thinning.

There are three simplified descriptions of departure from "normal" conditions and level of risk. The trend is to put priority money into condition class 3—high departure from the historical regime with associated disturbance, and high risk of loss of key ecosystem components. BLM's concern is that condition 3 applies better to the wooded southeastern US. Desert grasslands, shrublands and woodlands of the southwest—where little research has been done—don't necessarily fit that scheme. BLM NM is undertaking two studies with the University of AZ, looking at cover in Taos, Santa Fe and Mora. BLM is also looking at southeastern NM zones to assess fire's role. Further information will come from a mapping pilot project on Fort Bliss military reservation to be completed by end of June, based on ecological sites and transition models. Jornada Research Range, the National Fire Center and NMSU will review results. BLM wants to know what kind of and what level of work is required before fire can be used.

Question/Answer/Comment

- How is University of Arizona collecting data and using it? The University of Arizona is a major partner at the DOI and DOA level, doing scientific work for BLM, but not making management recommendations. They collect data in an agreed format utilizing range specialists and ecological

sites. Information gathered is peer reviewed by NMSU, Jornada Research Range, a task force and the National Fire Program. BLM will address how to deal with the data.

- Funding is being cut, so BLM needs to determine the best use for its money into areas that would be significantly improved with little effort, or into areas that need a great deal of work.
- Mark said ranchers have raised issues and there is a perceived conflict.
- Ron said wait and see the product and talk then.
- Don't tell people you don't want recommendations to improve the land. Take them.
- What can be done with the pinon die-off on steep inaccessible hillsides? Leave it and let nature take its course. Most scientists say what is occurring is natural adjustment. Pinon kill will create microclimates where grasses come up. Fire may come through. But treatment on a landscape scale is impossible.
- BLM firefighters are trained to fight tree and grass fires, not structures. BLM educates the public to "fire-wise" homes. Homeowners have to be accountable.
- Local authorities that permit those sites also need to be accountable.

Season Assessments

Ron can make a case for disastrous conditions no matter what the weather, e.g., despite this past wet winter and spring there's fuel to burn. Grasses and weeds with ignition sources could result in major grass fires. There are many variables and no models to predict what will happen if fire starts in the dead pinon stands. The bigger issue for BLM NM is that if this wet year is followed by another, BLM can do major landscape burns. The fire plan sets the goal to treat 100,000 acres per year.

Question/Answer/Comment

- There is no let-burn policy, but in an area where a prescribed burn is planned, BLM could take advantage of a natural fire. The same applies in wilderness areas.
- When something is taken to condition class 1, it still needs maintenance. A ponderosa stand, e.g., needs burning every 7-10 years, but it's not simple, because permittees use that land.
- BLM undertook a grazing regulation rewrite three years ago to correct problems in the 1995 grazing regulations that are still being reviewed. There are three primary foci: improve working relationships with ranchers; conserve rangeland resources; and avoid legal issues. Changes would include shared ownership of range improvements; limiting range use decrease or increase to no more than 10%; and documenting social/cultural/economic effects of NEPA on grazing. In cooperation with partner organizations, BLM will remove the current restriction that limits non-use of grazing lands to three years. Permittees will be able to apply yearly to continue non-use for as many years as determined appropriate. It requires monitoring data and expands the definition of grazing use.
- Forest Guardians is interested in participating in all Roswell allotments. Is there a definition of participation? Being on a list does not define participation.
- BLMNM is increasing cost of requests for issuing a permit from \$10 to \$75.
- Discussion continued. Basically BLM is revamping the 1995 regulations. Proposed rules are published but not final. The Cattlegrowers Association and others are aware of the recommendations. BLM is not aware of particular controversies.
- Joanne saw an article about environmental groups buying grazing rights. Is that possible? Bidders have to be in the livestock business, but Wal-Mart recently donated funding for conservation, and some was used to help ranchers retire lands near the Grand Canyon and national monuments and

parks. Private parties can work with ranchers and Federal agencies to retire land. There are legislative proposals to do the same.

- Is there a method to retire lands? Whether an allotment would be more appropriately not grazed goes through the planning process with public input, and a plan could be made to retire it if the permittee voluntarily requests.
- Based on new regulations, a permittee could annually request non-use. BLM could say yea or nay. If nay, and not grazed, the permittee could lose the permit.
- The RAC meeting at Philmont Ranch in Cimarron looked at people not ranchers buying land next to allotments, and working with real estate agents to apply for permits. There are allotments surrounded by homes where grazing would not be appropriate.

Agenda items were changed.

- Linda's *Impacts of Litigation* presentation was moved to the September meeting.
- Joanne's presentation on fee area research was moved to the September meeting.

APPROVAL OF APRIL 2005 RAC MINUTES (Attachment 4)

Matt Ferguson was absent from the last RAC meeting but listed as present.

The RAC approved the minutes as amended.

ACCESS GUIDANCE

Ed Roberson (Attachment 5)

In 2002, concerned about areas of both too much and not-enough access, the RAC asked BLM how it dealt with access issues, so a Statewide overview was done. Ed referred to the handout *Road Access and Closure*. The only change since that time was a new FO manager in Farmington. The conclusion to the report set the tone for RAC discussion, "An excess of roads does not mean access. Closure of roads doesn't have to mean denial of access." BLMNM needs a strategy and a plan for access management. RAC at the time wanted to pursue this issue, so prior Chairman Tony Popp presented a proposal that the RAC didn't approve. Ed then brought Angel Mayes in to present tools BLM uses for determining access. The RAC asked Ed to review it and make some changes. He edited her report and gave it to the State Office really lead to review. Ed asked whether the RAC would like to make a recommendation, or whether members were comfortable that BLM is taking proper steps. The RAC brought this up as a major issue for recreationists, environmentalists and ranchers. One controversial area, Cooke's Peak, now has a draft plan that would close two tracks made by past transgressors and designate an agreed route, plus make the nearest ranger (45 minutes away) available to ticket transgressors, while public education continues.

Question/Answer/Comment

- Mark said this RAC inherited this issue, but it is important that private property owner rights be respected and protected. Both sides cause friction, sportsmen by trespassing and ranchers by locking gates. He saw in the BLM report a mistake under "Available Tools to Access Resolution," where it says eminent domain is a tool that is very rarely used where a willing seller provides easements. He thinks that should say unwilling seller. Eminent domain is not a cheap process, and as a landowner he is concerned with who is liable. We need to address details as BLM goes forward.
- Linda said she couldn't remember eminent domain ever being used, because many other tools are available, including the Unlawful Closures Act, and BLM does not necessarily want to own land acquired by eminent domain. It is a tool, but others are used if possible. And BLM always prefers to work with willing sellers.

- Raye reread the sentence with the word “as” replaced by a period. “It is a tool that is very rarely used. The preferred process is to acquire road easements from willing sellers.”
- Joanne questioned the last two lines on page 2, “In some situations access may be undesirable depending on Federal land management goals and the ability of the land to accommodate public use.” We can’t predict future uses and needs, so legal access should be set whether there’s a road or not.
- Linda said there are legitimate resource needs for not providing access, e.g., sensitive cultural sites or endangered plant species.
- BLM has administrative access, even if staff has to walk in, but will limit or control access to the public. The public cannot apply eminent domain over Federal land.
- John said there’s inequity—with no consideration about how private individuals get access across BLM land. He pays rent on a road across BLM land while BLM has access across his land with no fee. Regulations are too stringent and inflexible for private landowners. He’s still trying to get electric lines over 500’ of BLM land.
- Mark is concerned about mention of eminent domain in association with access in the document. Once it’s on the radar it will be used.
- Matt said there’s room for interpretation, e.g., on state land where a hunter wanted to get to oryx. The public will see it as a viable action.
- For Cooke’s Peak, BLM chose to create access on BLM land around private land.
- Raye said the working group would take the document and see if there were issues or words that needed changing, then make suggestions and bring it back to the RAC. Mark agreed.
- Linda said whether the eminent domain sentence is left in or not, it doesn’t change the law.

NM DEPARTMENT OF GAME & FISH (NMDG&F) STRATEGIC PLANNING FOR THE FUTURE

Bruce Thompson, NMDG&F Director

The New Mexico Department of Game and Fish (NMDG&F) operates under a five-year plan and prepares its budget for the legislature annually. All states and territories submit comprehensive conservation strategies in order to be reviewed and accepted for wildlife grants. That allows NMDG&F to continue to qualify for Federal funding to keep species from becoming threatened and endangered. Before the Game Commission meets in July the process is open to comment by public and private interests. Bruce asked his department to put conservation needs in context with social, physical and ecological features. He wants as much help as possible from all interests as early as possible. He invited RAC members to speak with him. NMDG&F hopes to appropriate \$7-10 million/year for projects. NM legislative initiatives were successful this year, with Representative Tripp’s help. All seven were passed by house and senate and signed by the governor. State wildlife management areas cover about 166,000 acres. Strategically, they need better care, which the 2005 appropriations will attend to.

The Department has a lot to do with sportsmen’s interests. NMDG&F stocks 150-170 locations statewide, primarily with trout—a cold-water fish. The warm-water hatchery near Santa Rosa has additional funding of \$1.2 million to provide other aspects for anglers. A pilot private land entry program for sportsmen will examine prospects for changing regulations, e.g., making collared dove—a nonnative bird species—a bonus, so hunters could take up to 10 collared doves in addition to 15 white wing or mourning doves.

Gaining Access into Nature (GAIN) is a wildlife association recreation process spawned by the Governor’s summit last August. Additional wildlife association opportunities would include caring for

habitat and providing facilities. The department can help the public know about potential experiences, but getting people there involves partnerships, e.g., with horse packers. More than a billion dollars is spent in association with wildlife in NM annually, and 23,000 jobs are created, with room for more. The overall intent is to provide benefit to local economies.

The department has brought resource programs together with people on the ground so field staff are better in touch with overall programs. It stresses incentives—cash, cost sharing, etc., to build partnerships for a habitat-positive outcome; and better communication with the public, like educating staff that answer phone calls. Are we doing the best we can to install wildlife programs in a user-friendly way? Is staff acquainted with BLM, Soil & Water Conservation Districts, etc? How can we produce wildlife management programs in context? NMDG&F wants to say “YES,” Year-round Excellent Services for NM residents.

Question/Answer/Comment

- What’s the status of the Taos outfitter who sued AZ for restricting non-resident licenses? AZ is making adjustments within legal requirements. There are similar lawsuits against NV and WY. Bruce doesn’t anticipate that in NM because license quotas were established years ago with the assistance of guides and outfitters. It has a lot to do with the economy.
- Don said under his watch NMDG&F has been very progressive. How does the PLEASE program work? NMDG&F would purchase access agreements or permits to private land that are not currently available. It has been difficult helping people understand how the depredation and damage control program differs from the landowner system.
- The NM Game Commission heard a presentation on the landowner system at its May meeting that is now out for public comment, and the commission will likely vote on new regulations in August. They are trying to incorporate more incentives to help people value wildlife, and getting a grip on how landowner authorizations are distributed, being equitable, and working to help landowners make decisions that are even better for wildlife.
- NMDG&F proposes to eliminate the default permit. Over years the value of elk permits caused competition. The default permit for a piece of land owned proposes that individuals with habitat for elk could qualify for unit-wide permits. However, there has not been enough opportunity for that annually. But it’s more valuable to provide something useful some of the time than something useless all of the time. Landowners either authorize or face damage problems, so this change would help them address it more directly.
- What species are borderline T&E right now? Comprehensive wildlife strategies are an early warning system, defining species in most need. Looking at the entire landscape of NM, over 200 species have been identified that are not necessarily at risk, but are resources that when taken care of sweep along other interests.
- “Keystone species” is a term not always agreed on by ecologists that means a species has effects on the land or other species far beyond its own species, e.g., blacktailed prairie dogs. Certain predators may be keystone species, but may have no more influence in conservation strategies than others.
- Some say BLM does a lot of planning, and biologists do a lot of counting. Beyond planning and counting what is your agency doing to make positive improvement? NMDG&F is not very happy about lesser prairie chicken habitat, so is working with incentives to encourage private landowners to improve habitat, e.g., fencing to direct cattle grazing. They are working with different interests to assure that whatever factors diminish habitat are interrupted. Threats to all sensitive species are ultimately habitat based. Recovery is not about sheer numbers of populations but about habitat.

- In SENM, areas isolated from grazing are not in as good health as adjacent grazed land. Is NMDG&F looking at whether lesser prairie chicken (LPC) leks are increasing or habitat is improving? Haven't seen much beyond planning and talking.
- NMDG&F has an objective to benefit LPCs, but the department is a small landowner that's working in a planning and outreach role to provide insight and cooperation with other owners.
- Charlie Painter is a sand dune lizard expert that NMDG&F sent out to research tracts where caliche was buried to promote occupiable habitat.
- NMDG&F is promoting incentives, which may include expertise as well as building organizational effectiveness—helping staff make better connections to get out on the ground better and be more effective.
- You should manage your PCAs effectively. It's a two-way street—you need to be as proactive as you're asking us to be.
- Linda asked about the NM Game Commission's ban of anamiacin. In August 2004, discussing restoration of the Rio Grande cutthroat trout, the game commission disallowed use of anamiacin—a fish control chemical. It asked the department to look at mechanical ways of removal. A wide array of people with strongly held differing views have said that this disallowance works to the disadvantage of fish conservation.
- The real issue is agreement that one fish population should be replaced by another—the tools are immaterial until that is determined.
- Matt said along the Bonito there's a huge population of chub and a few trout. Trout are probably the non-native. Rachel will get an answer for Matt.
- What about goldfish and carp in lakes and introduction of tiger muskies? That's an example where it was decided which species was preferred, so a tool was chosen.
- NMDG&F thinks it has done a very good job making deer licenses for public lands across the state subject to lottery. Permits for public land are drawn, and unlimited over-the-counter licenses can be purchased for hunting on private lands with landowners' written permission. They will review results and make changes as needed. Everything NMDG&F does is controversial.
- Landowners are frightened about this plan, because it's wide open for abuse. People can forge their own permission letters. There's inadequate enforcement. Ranchers' work is doubled, and they have to patrol.
- In the past people hunted on private land without permission, so NMDG&F is trying to make it permissible. Pursuing trespass is difficult and consequences vary depending on seriousness.
- Raye said they might issue a distinctive color permission letter, alerting NMDG&F officials what it looks like.
- NMDG&F considers this an improvement and it isn't forever. Getting ahead of the curve on trespass is unending. New hires will be on the land.
- Hunting and fishing bring in \$450 million. This year 135,000 people put in for 80,000 special hunt opportunities. There were 52,000 applications for 40,000 deer opportunities. Do those remaining 12,000 have a private land opportunity?
- Mark said he's a hunter and hunter safety instructor. People live on budgets and the added cost of getting another license and meeting requirements adds up.
- There are 200 vendors statewide and getting them on the same page is difficult.
- Not much money is going into non-game species, but we're getting there.

The Access Working Group announced its intention to meet following the general meeting.

The RAC meeting recessed at 5 p.m.

JUNE 9 RAC MEETING

The meeting reconvened at 8 a.m.

UPDATE ON RIO GRANDE CUTTHROAT

Greg Gustina, Taos FO, Fisheries Hydrologist

Greg reported on the status of the conservation agreement for the rangewide preservation and management of the Rio Grande cutthroat trout between State and Federal agencies including BLM, NMDG&F, USF&W and US Park Service. There are no private signatories although many private groups are working on this issue.

Greg showed a map of cutthroat range across the western US including the Rio Grande cutthroat. An agreement has been developed to preserve the subspecies across the range and avoid Federal listing. Cutthroat are affected by nonnative trout species, habitat alterations, whirling disease and drought. Stocked brown trout aggressively take over habitat and are less affected by whirling disease.

Last year at the Artesia RAC meeting a plan was presented for the Rio Grande cutthroat that Linda has now signed. Range extends from CO's San Luis Valley into NM's Sangre de Cristo, San Juan, Jemez and Pecos Mountains. Cutthroat populations vary in purity. They breed easily with rainbow to form what are called cutbows. Pure stock is primarily on USFS land in the Pecos and Santa Fe National Forest and Ted Turner's ranch. There is an agreement to conserve already-existing populations and expand them into drainages where barriers could be erected to block fish passage. Removal of nonnative species is a second way.

Barriers include waterfall structures that have no pool underneath deep enough so fish can jump back upstream, or long flumes that make it impossible to swim back upstream. BLM can also put in piscicide that kills all the fish, and then place cutthroat.

Priority projects for NMDG&F are Costilla Creek, which includes some of the Turner ranch, private areas around the CO border, the Pecos River, and the Santa Cruz River watershed. Projects involve placement of barriers and removal of non-natives. The Santa Cruz River Watershed, including the Rio Medio and Frijoles that feed into the river above the dam, are not on the NMDG&F radar screen. In FY 2005-2008 BLM will do habitat and population surveys, and develop a restoration plan, followed by implementing restoration in FY 2009.

Pending court cases, USF&W decided not to list the species. The NM Game Commission decided to suspend use of piscicides in restoration, although it is very hard to keep cutthroat intact without. Shocking the river over time adversely affects cutthroat too. Agreements call for a holistic management approach, to restock chubs and minnows and other fish native to these areas. The hatchery was not properly prepared for Rio Grande cutthroat stock so rainbow/cutbow may have been stocked rather than pure cutthroat. In the Costilla Creek restoration, it was agreed before treating to let locals fish with no bag limit, but the state did not agree to pesticide use necessary to complete restoration.

BLM has more interests on the Rio Grande than ever before. State focus is on the mainstream Rio Grande fishery. Rivers being surveyed will include wild and scenic areas, following interesting trends.

Question/Answer/Comment

- A hatchery started years back never got viable populations. Seven Springs did well, but then eggs got mixed up. It takes a few years to go into the wild and bring eggs back, etc.

- How do we ascertain what is native to a stream? It's hard to determine for a specific stream. We know that historically, cutthroat existed and were pushed up into these streams. BLM follows historical records with genetic testing for markers on which fish are most closely related. The cutthroat trout in the Red River, for example, always have a marker. Fossil records come after major geologic changes, so it's hard to know what went on over that level of change. The 1970 baseline on Gila trout had to do with how USF&W uses genetic information. Their director said they would use the genetic information available at the time the animal was listed to determine what individuals to restock. That has a big impact, because genetic science advanced significantly in those years, and might impact how all of us look at genetic species. For example, they might not have had enough genetic information to separate certain species at that time, but now do, which could help in some cases and hinder in others.
- Pesticide worries are legitimate; past use has affected water quality, but there's no other way to clean out a system and put in pure stock.
- Brown trout are more hardy and durable and good for fishing, so why not use them? BLM will probably never treat the mainstem of the Rio Grande, so certain ranges under BLM management should be restored and preserved for native trout.
- Philmont Scout Ranch worked with NMDG&F restocking a stream near Cimarron with Rio Grande cutthroat, but it was damaged during recent fires. The stream was not as compromised as first thought, but BLM will test populations and determine what to do. The fire on Rio Medio cleaned out all the fish, so BLM can restock with desired species.
- Can you treat for whirling disease after piscicide? They wouldn't attempt to restore an area where there's whirling disease. It comes through food sources, usually in lower reaches. BLM would test for that and use bleach on boots and waders when traveling between streams.
- Ed Roberson hired a zone fisheries biologist for southern NM, who's working with the Gila, Cochilla, Rio Bonito and Black River.

TAOS VALLEY OVERLOOK PROJECT

Tami Torres, Taos FO Outdoor Recreation Planner (Attachment 6)

BLM is honored to be entrusted with management of 2,500 acres recently acquired through partnership with the Trust for Public Lands and the Taos Land Trust.

Preliminary proposals for the Taos Valley Overlook include:

- Taos Junction Bridge improvements;
- Pueblo/Grande Confluence improvements;
- C110 trailhead;
- Rim trail system; and
- Issues specific to Horseshoe Curve.

BLM now owns a small area across the Rio Grande, a bridge, landing area, and the rim all the way to the highway. BLM asked what the public thought about its plans and added a trail system. The C110 trailhead at the end of old Highway 570 upstream of Pilar washed out in 1995 and was never fixed. The state transferred ownership to the county, but there were financial constraints. The trailhead would serve local and boating visitor markets, and the rim trail would head out from there.

Planning ties in with the Green Infrastructure Plan underway with partners including the town and county of Taos and the Taos Trails Alliance. It would be good to have links from town. BLM is working with the National Park Service Rivers Trails Conservation Assistance Program, and has the

benefit of its maps and facilitators for planning. There's also interest in promoting a historic Spanish trail that runs through BLM's newly acquired property.

Public meetings on alternatives are held monthly. For the Taos Junction Bridge, BLM would like to have a hardened boat launch, information kiosk, two vault toilets, defined traffic flow, and a trail to bus parking.

Pueblo/Grande Confluence possibilities include: defining usage areas, bus parking, a host site with kiosk and two vault toilets, and defining parking and fire rings for primitive camp sites. A day use fee is charged. Bob asked whether there is any security. The USGS gauging station nearby is vandalized. Tami said she would let staff know about the vandalism, so they could include that area in their oversight.

Title of a 40-acre property that would give the best access on the north side is contested, but once settled there is a willing seller. The C110 Trailhead alternative needs to be low key with rustic design, small parking area and turn-around, information kiosk, and possibly an interpretive universal access trail and benches.

Requests have been received for hiking, biking, horses, loops, self guided nature trail, trails for separate modes of travel, a trail from river to rim, and universal access. The FO will do a trail inventory and decide what should be closed, rehabilitated or built.

Question/Answer/Comment

- What was traditional use? There has been target shooting, but that will have to change because homes were built nearby. Hikers take advantage of a landslide to get down to the river. People go to C110, ride along the rim and come out past the horseshoe, cross the road and ride back to town, so BLM would like to see bike lanes when the highway is redone.
- Others asked for clarification on the area being discussed. Going across the Taos Junction Bridge to NM 567, people can get on a western trail and go to Hyde Bridge. The western trail is perfect for a bicycle trail but not a motorized trail, with room for hikers without stepping aside for bikers.

Issues at Horseshoe Curve include scenic value—there are no structures affecting the view; access to BLM land—important especially for the local market as a possible trailhead; interpretation; and safety/engineering/design/local value. BLM is working with the US Park Service and NM Highway & Transportation Department. Besides accidents related to weather and wildlife, visitors slam on brakes because of the view and look for a place to turn off. Possible improvements include accelerating/decelerating lanes and rights of way.

Interpretive proposals from a focus group resulted in possible goals:

1. Foster understanding and appreciation of the view from Horseshoe Curve.
2. Promote a sense of natural resource stewardship for both locals and visitors.
3. Provide orientation to local attractions and recreational opportunities.
4. Provide a sense of physical and psychological comfort.
5. Design and build signs and facilities that are low maintenance and protect high scenic values.

The focus group is still working on possible themes, including Taos as a place of connection—to past, present and future, to nature, to historic sites, etc.

Question/Answer/Comment

- Greg said he recently traveled Highway 570 and saw continuous small rock falls that it would be best to make a trail around. There's vehicular traffic in various sites. Older roads are having impact on surface channels and motorized vehicles tend to expand roads plus they need maintenance.

- BLM is considering vehicle access to viewpoints.
- Someone suggested stagecoach rides.
- Tami asked for help with public meetings.
- Public opinion surveys are done annually. Taos FO switched contractors to University of ID.
- BLM could provide information near the rim that doesn't show from the road. We have GIS capabilities to determine where to place objects.

BUDGET OUTLOOK

Jesse Juen, BLM NM Associate State Director

The four-state region that includes OK, TX, KS and NM has an annual budget of more than \$57 million. Of that, about \$39.5 million is budgeted for resource programs. NM is second or third of all the states in resource program income. The national trend is to address the war and national deficit, partly accomplished by drops in funding for natural resources and domestic spending. The Office of Management and Budget has budgeted roughly \$10 million for the range improvement fund that's generated from receipts dedicated since the Taylor Grazing and Rangeland Improvement acts. They took 8100 moneys and gave them to the US Treasury, and have turned that around by taking \$10 million out of some other BLM pockets. Those orchestrations continue as attempts are made to close the budget deficit. BLM NM is planning on a 3-5% reduction per year for the next five years. Of the \$39.5 million targeted for 3-5% annual reduction, 85-90% is tied to permanent personnel, so flexibility will come from managing the work force. Good news for 2006 is that BLM NM competed effectively for program dollars in the O&G arena, inspection and enforcement, monitoring and compliance, and wildlife and endangered species. Their argument has been that sustaining balance and compatibility needs funding. The third arena is the ability to draw money in for the recreational component, \$3 million bureauwide. The bureau wants to focus on transportation planning and OHV issues.

Most other programs expect declines. Also important is variance in budgets between the US House of Representatives, Senate and the President. The 10-year challenge cost-share program is a fantastic opportunity to leverage dollar-for-dollar with on-the ground partnerships. NM was extremely effective with a leverage capacity of \$1:\$4-7. This administration introduced another challenge cooperative conservation act of \$7-10 million in the first year that is being zeroed out. As a whole, the Four-State Region is holding its own. Declines in service will be in quantity not quality, while trends show an increase in demands.

Question/Answer/Comment

- Is the budget related to revenue produced? Some, for example, for the first year BLM NM got a percentage of energy lease receipts back that amounted to roughly \$700,000. It also gets a percentage of recreational fees back, plus other cost recovery programs that will probably grow over time.
- This frustrates the public, especially those impacted by mineral development that will generate over \$2 million/day but bring no funds back to reclaim/restore lands impacted.
- With fuel cost up 20%, a 3-5% decline applied to number of vehicles and fuel alone adds up. If the crisis is such that there won't be enough oversight, we can appeal to the NM congressional delegation for help. RAC members could do that individually, particularly if a specific area is not getting the attention it needs.
- Volunteer hours in NM are outstanding. Lean budgets encourage innovation, e.g., BLM reached out to a permittee in the southeast to restore rangeland, putting in upwards of \$800,000 to help that part of the state. If the RAC sees programs it would be beneficial to tie into, let staff know.

- Linda reminded the RAC that there would be a 3-5% decrease annually. She already has to tell people, “We can’t get to your easement or right of way application.” The time to get service will increase. There may be whole programs that have to be stopped. She warned that customers might come to the RAC with their concerns.

WORKING GROUP REPORT

Access Working Group (Attachment 5)

Raye reported, referring to the *Access to Public Lands* handout. On page 2, under terminology, the working group proposed the heading ACCESS SOLUTIONS rather than ACCESS RESOLUTION, and added the sentence, “Good early communication between all parties needs to occur to try to resolve access issues before they become confrontational.”

In the third line under Cooperative Agreements, strike “across their land to get to public lands,” and replace with, “to attain access to public lands.”

Add a bullet stating, “Alternate access routes around unwilling private sellers should be considered.”

In the final bullet under AVAILABLE TOOLS, end the second sentence with a period. “It is a tool that is very rarely used.” Delete “as” and continue with, “The preferred process is to acquire road easements from willing sellers.”

Joanne referred to the good early communication section, recommending adding that BLM initiate communication. The document’s intent is to guide state offices in consistently approaching access issues. BLM should initiate good early communication between all the parties to try to resolve access issues before they become confrontation as above.

Changes:

- Change wording as noted above
 - Change “user” to “landowner”
 - Add that the eminent domain option should only be used as a last resort.
-
- How will this document be used, and how will it be assured that FOs use it? Linda said this is advisory in nature and she would send it to all FOs with a cover memo.
 - Do FOs have budget for access issues? Can they apply to the State Office for additional funds? Arrangements are made for funding, e.g., when an easement is bought the State Office provides funding where necessary, or a request is made to the national office.
 - There was further discussion on Cooke’s Peak issues. Ed Roberson agreed to go to the rancher once more about purchasing an easement.

There was a quorum with proper representation for a vote. RAC members agreed unanimously to forward the document with noted changes to the BLM NM director.

Raye commended Taos FO for cutthroat trout plans and the cleanliness of the John Dunn Bridge area, thanked the Taos FO for its hospitality, and thanked Theresa for the excellent accommodations and meeting room.

The agenda and meeting dates were finalized. The next RAC meeting was set for September 21-23 in Socorro. Joanne and Don will work with Theresa on the agenda.

Raye volunteered to distribute articles of interest sent to him by other RAC members.

September Agenda Items

- Impacts of litigation;
- Report on national recreation legislation;
- Election of new officers, not including Don, John, Max or Raye;
- OCD presentation;
- Department of Agriculture presentation;
- NMSU president presentation on types of mining;
- Snowy River Cave research;
- New information on WSAs;
- How BLM handles public perception, media contact, etc., and how the RAC could help; and
- Special projects, events, sites in Socorro, including Ft. Stanton.

Meeting adjourned at 10:45 a.m.