

December 10, 2012  
RAC Meeting  
Albuquerque District Office

Introductions of all present at the meeting:

RAC Members:

Rick Aster  
Keith Banks  
Michael Coleman  
Ethan Giedraitis  
Bob Nordstrum  
Don Tripp  
Juan Vigil  
James Clary

BLM Staff:

Ed Singleton ADO  
Tom Gow RPFO  
Chip Kimball RPFO  
Adrienne Brumley RPFO  
Mark Matthews SFO  
John Brenna SFO  
Dusty Parson SFO  
Jennifer Hunt RPFO  
Britni Vickers ADO (minutes recorder)

RAC members absent: Mary Clary  
Sarah Merklein, deceased, November 2012  
Zoe Krasney, resigned, October 2012

Welcome and introduction: Ed Singleton welcomed the RAC committee and opened the meeting at 9 a.m. RAC members and BLM staff introduced themselves. Mr. Singleton thanked the RAC members for being present and showed appreciation towards the work that has been accomplished. Mr. Singleton continued in welcoming Chip Kimball as the new administrator for the RAC, in place of Gina Melchor who recently left BLM for a job with the Forest Service in Santa Fe NM. Mr. Singleton introduced new topics to the agenda which include the Datil Well, Mid America Pipeline and Kinder Morgan Pipeline.

Motion was raised to elect a chair and a vice chair for RAC: these individuals would work directly with BLM office with meeting agendas and hold open ongoing discussion with RAC members and BLM staff. 1 year term for Chair (Vice Chair 2 year commitment) Nominations: Bob Nordstrum (Elected Chair) Keith Banks (elected Vice Chair).

June Meeting Minutes: Mark Wheeler: 125 head of horses to 150 is incorrect- 35 to 40 head

Minutes accepted, as amended.

### **Subcommittees and SOP's Ed Singleton- ADO**

Subcommittee on Resource Management Plan (RMP)- help crosswalk between public and BLM agency and help get to a record of decision quicker and help BLM to know they tackled the public's concerns.

Charge to subcommittee: serve as a sounding board and a review group validating that BLM went through the public review process. BLM receives thousands of comments towards the RMP. Contractor will be going through the public comments and put towards our final RMP- this subcommittee would help in determining that this process is done diligently.

Juan Vigil stated that he feels it's a good thing to do- because it helps BLM with their process. Ed Singleton asks if anyone believes it's not a good idea to have Sub-Committees: no one objects - Juan Vigil, Don Tripp, Michael Coleman, Rick Aster, Ethan Giedraitis volunteer to serve on the subcommittee, and Bob Nordstrum will sit in as Chair.

### **Firewood cutting: Tom Gow RPFO**

Firewood cutting areas may be one topic the subcommittees can help out with.

Issues:

- The biggest issue is the boundary of the Navajo nation (eastern boundary has never been defined). Navajo views that their lands go all the way to the Rio Grande.
- Special interest groups: bad lands out there are rich with paleontological resources, Petrified wood specimens that are 6 feet in diameter and 100 feet long. Groups are looking for a National Monument. BLM could possibly receive more funding and more law enforcement officers in the field if this area became a National Monument. Conflict-opposing groups still want to cut wood in these areas.
- Special interest group says we should lock up more land and set up some limitations- ACEC and limitations will be in effect. No driving off road, wood cutting would be limited to 20,000 acres, from Hwy 197 up to the Jicarilla boundary.
- Illegal wood cutting is at the top of the problem list and it's difficult for BLM to catch offenders. One tree at a time is being cut at night, or a standing tree is only cut half way, then it's being knocked down and they come back to gather stating it is now dead and down. Oil and gas drillers' access roads are being used by illegal wood cutters. Tribes need green wood- permit for ceremonial uses.
- Staffing- BLM law enforcement ranger retired in May, still within the process to fill that position. There is one law enforcement officer on staff with help from veterans out

helping track down illegal wood cutters. Four Veterans have been hired as temporary forestry techs, out patrolling areas and helping cut down on illegal wood cutting.

Typical citation for a wood cutting offense is \$300 with confiscation of the wood and saw. The wood is given away to a Civic organization. The areas being illegally cut are clearly marked by signage that these are non-cutting wood areas.

Permit Charge: Inconsistencies between the offices (\$10/cord in the RPFO, \$12/cord in the SFO) is an issue.

Through RMP ACEC these areas would be marked as a noncutting area-

Revisit 25lb petrified wood policy- nonrenewable resource

Tom Gow states that through the RMP we could change the rules from collecting 25lbs of petrified wood in these areas. If the rule is changed then no wood could be carried out.

Ethan Giedraitis questions if there is a loss of any petrified wood at this moment? He states that approaching the subject is a double edged sword; it announces its presence to those who might take it regardless of the regulations. There is no current record of how much wood has been taken from this area.

Jim Clary states: there could be a problem because it's free and available to be sold to make money. Private use or is a business being drawn up from this operation.

Jim Clary made a motion to change the limit of petrified wood that could be removed from areas. Second on the motion.... After further discussion Ed asks if we need to re-tool the recommendation. Decision to hold off on discussion.

To get adequate clarification on the wood issue... a group made a recommendation to us about the Bad Lands which is between Rio Puerco and Farmington (referred to as the Bad Lands of geologic formations) group is very concerned about this area. Some have ponderosa pine trees which are being illegally cut. Most don't have vehicle access to them now, so the impact to them is limited. This group has been diligent about their complaints about lack of management in this area. BLM went out and GPS these sites and asked the group for compliance help. The group does not want to help. So we hired Veterans to help patrol these areas. This group did comment they liked our prescriptions for the RMP.

Calvin Parsons was asked to come in and discuss further on the Petrified Forest lands. Calvin personally hasn't been out to this specific area, but states there are no roads to get into the area. Right now everything is open unless designated as a closed area. We only have one ranger to cover all the lands part of Rio Puerco field office.

Ball Ranch ACEC through the RMP will be renamed the Espinazo Ridge ACEC. This area is protected by a locked gate. We have a record of everyone to check out a key and we find this

keeps the area protected in paleontological terms. It is visited but it's visited by controlled access.

Ecosystem discussion (Fire drought, thinning projects, restore NM)

Rick Aster asked about Grazing Management and the deals made with permittees. Coops are established with permittees during thinning and growing seasons. Do you allow people to go out ahead of time during thinning and allow individuals to come out and get a lot of the bigger wood before thinning occurs? Most areas are 2 to 3 hours from any community and heavy transport is an issue.

### **Resource Management Plan- RMP- Angel Martinez RPFO (power point presentation)**

- Quick overview of where BLM is with the RMP and what public comments were received
- What is the RMP? long range comprehensive plan for our resources.
- Normal life for an RMP is 20 years
- Plan excludes El Malpais and Tent Rocks because those particular areas have their own plans, but they do still stand within our jurisdiction.
- 40% of the land we manage is under high level conservation, leaves almost 60% for us to manage the resources.
- Recreation and visitor services (individuals want more areas to visit), special area visitations, urban area interface (huge for us because we manage a high urban interface interest), grazing is always an issue at some level.
- Placitas area- entire area is open for mining. Cutting it down to about 2%.
- Horse issues were the highest volume of comments that was received. 3,000 comments were related to the horse issue.

A question was asked- are there feral horses in Placitas? Tom Gow and Ed Singleton clarified that there are trespass horses in Placitas, not feral. They are unbranded horses coming off the pueblos, covering over 3,000 acres.

- San Juan Basin- individuals were pleased with the prescriptions put into place.
- RMP is to help find a balance use for resources.
- Jim Curry asked if BLM would you increase the number of allotments in those areas? Would these lands be open for access for hunters who want to get up in those areas? Angel Martinez answered yes.
- Power line slide is a great picture for multi-use, with grazing a big issue right now is power lines
- Decrease allotments from 204 to 178 how do we determine what areas are cut. Martinez answers its areas passed on designated for high end protection areas. Doesn't mean they aren't appropriate for grazing, means they are more appropriate for something else. We do have a drought plan that will influence the grazing allotments temporarily. This is essential outside the RMP, management prescriptions will be issued to those areas with drought issues.

Tom Gow states we haven't imposed any plan for decreasing number of livestock for drought issues. But the permittees do it themselves. Would be combining any allotments, taking two areas making it into one? Again this a management decision, not something based on the RMP.

- In the current RMP we have about 1.8 million acres open for locatable minerals, and it's being reduced to 1.5 million. Sand and gravel, Placitas folks sent in about 1800 comments, proposed a reduction of about 100,000 acres, taking them out of the inventory for saleable minerals.
- Leasable fluid minerals- will have some possible changes down the line, depending upon national levels. Our dependence on foreign energy was at 63% over the last decade it's dropped down to about 42%. Fluid minerals will be coming from public lands, which have an impact on local and national needs.
- 2013 acres designated within the Rio Puerco jurisdiction that are designated ERMA or SRMA. San Juan Basin Bad Lands is an area where most of the comments have come in on, which is near the Sandoval County wood cutting area.
- Continental Divide is a very restrictive area. There are breaks in the Continental Divide Trail. Will have to acquire some easements from the State, then it gets South of Mount Taylor and gets into Socorro County. 80 Miles for the Rio Puerco Field Office.

Ed Singleton brought it to the groups' attention that there is a proposal from Santa Anna Pueblo to acquire the entire Placitas block, and want to protect the land from BLM and oil and gas drilling purposes. Public asks if there will be some type of designation like Ojito where the public can still access it. Public asked if horses would be managed and it seems that they are more interested in big game wild life management. Game and Fish has shown this is a huge migration corridor for big game from the Sandia Mountains and Jemez, want to manage wild life corridor. Santa Anna has a long history of wild life management.

#### **Horse Lawsuit (WHOA) Tom Gow RPFO**

Quick overview-

- horses are running into BLM land off San Felipe
- no way to keep livestock from getting into the subdivisions. Last year, Al Baca decided to gather horses on to his private property. Borrowed portable panels from BLM and placed them on his private property. Law suit was filed- BLM shouldn't allow Mr. Baca to gather these horses and BLM is breaking the law and should be protecting the wild horses. Panels were removed.
- Boiled down to BLM you failed to recognize these horses as wild in 1971-72 when the act was passed. Tom countered with that the horses weren't wild they were claimed. Important part of the Act. October the judge issued her decision on the case, she didn't say the horses were not wild. Judge did say that Patience O'Dowd should have filed the lawsuit in 2001. An appeal has been filed.

- Significant issue facing national resource management in the west is wild horses. Navajo nation has between 80 and 100 thousand horses eating them out of house and home. Diamond tail- 100 head of horses near Hwy 165. Public calls will concerns about wild horses near Placitas. Public calls and asks what is BLM going to do about the horses, to which we respond “they aren’t our horses.”

Chip Kimball- La Farge pit, large stakes were removed so horses wouldn’t step on the pins. 15-20 foot rut pit because stakes were removed.

Public comment period: Gentleman ( Dave Renig ) came in with questions about the Oh My God 100 motorcycle races that occur up in San Ysidro New Mexico. Expressing concerns with the races still continuing. Questions about participation was brought up and how is the race managed by BLM (law enforcement is involved).

#### **Kinder Morgan Pipeline- John Brenna SFO**

Several months ago, Kinder Morgan came to BLM to discuss a new pipeline project. They are one of the top rated companies in the country. The line would run from St. Johns, Arizona to Denver City, Texas. Initial blush of what the line will look like (photo presented to the RAC); met with leasing group and the pipeline group. Leasing group thinks the St. Johns area will not be good enough for them. It will take 5 years to develop and pipeline guys feel it’ll take 2 to 3 years to get the line built. Once the cost recovery is under way BLM will have a better view of what will happen. Submitted a 600 page document with charts and graphs- cost recovery has been submitted and BLM specialists are in position. Socorro Office’s Annie Sullivan was put as the lead for this project. Issues will be dealt with once cost recovery comes in. NEPA process will be under way. Every time they work with specialists the government will be reimbursed and money will come out of the proper cost area.

Mark Matthews- Ridgeway sold Kinder Morgan their lease, were the pipeline stems from. Pipe will be buried. Thickness of pipeline has not been disclosed.

Ed Singleton- update on Sun Zia- The proposed route 380 corridor is now been determined by the military to impact their strategic defense and wants to move it up (north). Couldn’t disclose this information 3 years ago, far north of the safety zone. Don’t want to go south below missile range, move it up to Mountainair area. Project is currently on hold.

#### **Mid America pipeline- Tom Gow RPFO**

- Move natural gas liquids from Colorado, Oklahoma, and Utah
- Red lines (on map) are actual construction- loop project which will increase the storage capacity of the natural gas liquids. ROW exists.

- Starts in Farmington and enters RPFO, Taos, and the Roswell District. Farmington is the lead office.
- Question on if the existing line is post FLPMA- Tom answers yes.
- Crosses 3 BLM boundaries- Farmington side with Oil and Gas liquids is positive- Southeast side Permian Basin positive oil and gas liquids- bring forth jobs.
- Will have issues within the Rio Puerco area- Comes through existing corridor of Placitas. Placitas segment there is no physical construction but there is on the San Pedro side. 16 inch parallel line, all buried steel lines. Previously disturbed area within the corridor.
- Complicating issues with Rio Puerco, Cabazon water stock pipeline, other gas lines and utility corridors, would need to work with the other ROW holders in those area.
- Navajo's are interested in the jobs it will create, and they are concerned with health and safety if the line would break.
- Western expansion project phase 3. Colorado and Utah jumped on at phase 2.
- Segmenting the NEPA process, size of existing pipeline in Placitas 24 to 42 inches.
- Difference between and EA and an EIS were explained. There is a chance this project can go to and EIS process due to special needs. BLM has established a cost recovery plan for this project through Farmington Office. BLM will sign on a cooperating agency throughout this process. RAC will be involved more and more as the communities are brought together through the pipeline or other projects with roads, gravel, etc.

Ed Singleton talks about a new construction of a pipeline with Williams through Placitas.

Tom Gow brings back up the subgroups for the planning system. Subgroup could gather a lot of information and rumors from up on the hill and can steer the public in the right way.

### **Rec Fee proposals Ed Singleton ADO**

Ed Singleton states studies have been done that we need to bounce off the State Director and send it up to Washington and maybe at the future meeting we will have a fee proposal to bring forth. We are in the planning stage of the process and what the draft format looks like and public comment has been received. Especially from Tent Rocks, 3 surveys have been completed, but only 2 have been reviewed by the lead. Proposal of an increased fee at Tent Rocks to \$10 which will double the fee. Public was in favor through surveys.

Ojito: Lands around Ojito to be sold to Zia- concern that this type of model might encourage conflict between public land users and the tribe. Developed a system comes up either to the BIA regional director or the BLM State Director, if not settled, go to IBLA or the Indian Appeals. Zia will get this land for a fairly good price because they can't develop it. They can only continue their livestock grazing. Appraisal came in at 55%. Appraisal came in at \$12,000/acre. Most public use at Ojito is in the wilderness not in the badlands. Solution with the preexisting rights- they have all be conveyed.

RAC travel budget: Ed Singleton proposes RAC does at least 1 maybe 2 meetings a year that incorporates a field trip. Option of having some focus groups that include BLM employees and RAC members the opportunity to see explore out and see a burn area and see the impact they have on the lands.

Chip Kimball: business area: asked RAC members to double check the contact information and update any information needed. Everyone is under their second terms except Ethan Giedraitis and the Clary who are currently in their first term. Runs by calendar year. Rick Aster asks for department chair to be taken off from his information provided. Don Tripp asks his middle initial be corrected to an "L" not and "I".

To be reimbursed for travel, members need to be signed up in GovTrip. Contact Chip with any questions concerning travel. Minutes will be transcribed by Britni from the audio recording via Chip's cell phone.

Next Meeting: First week in April proposed for next meeting- stay away from Monday and Friday- Tuesday Wednesday Thursday meeting. Holding 3<sup>rd</sup> and/or 4<sup>th</sup>

Meeting with planning subgroup: February proposed- second week- February 13 set for half day meeting 9 a.m. to noon. At Albuquerque District Office. Information will be sent up ahead of time.

Ed Singleton wanted to thank everyone for being at the meeting, and thanks Bob and Keith for stepping up into their new roles;

**Meeting adjourned at 4:07 p.m.**