

**Bureau of Land Management
Albuquerque District Resource Advisory Council
May 21, 2013**

RAC Members Present

Richard Aster
Keith Banks
Jim Clary
Michael Coleman
Ethan Giedraitis
Bob Nordstrum

RAC Members Absent

Mary Helen Clary
Don Tripp
Juan Vigil

BLM Staff Present

John Brenna, Jr., Socorro Field Office
Danita Burns, Socorro Field Office
Tom Gow, Rio Puerco Field Office
Chip Kimball, Albuquerque District Office
Angel Martinez, Rio Puerco Field Office
Mark Matthews, Socorro Field Office
Calvin Parson, Rio Puerco Field Office
Ed Singleton, Albuquerque District Office

Welcome & Introductions

Ed Singleton called the meeting to order at 9:10 a.m. Staff and council members introduced themselves. Ed mentioned the Oklahoma tornado of the day before and reported that the BLM facility and staff located in that area were all safe, although he did not know the impact on their homes and families. He asked the Resource Advisory Council (RAC) to keep Oklahomans in their thoughts and prayers. He reviewed the agenda, and asked for additions. None arose. A public comment period was set for 11 a.m.

Review/Discussion of December Meeting Minutes

Minutes were reviewed. A comment at the top of page 2 should be attributed to Mark Matthews rather than Marc Wheeler. Tom Gow corrected a sentence at the bottom of the next-to-last page, Instead of "Appraisal came in at \$12,000/acre," it should read that 12,000 acres were sold.

Motion

Bob Nordstrum moved and Ethan Giedraitis seconded to approve the December meeting minutes as amended. Motion unanimously approved.

Ojito Legislation Update & Progress

Tom Gow spoke about recent efforts to culminate the land sale and implementation of legislation. He distributed the Ojito Wilderness brochure, which includes a map, description of activities, and rules for use of the wilderness.

The process began in 2005 with passage of the Ojito Wilderness Act. The legislative language stated that BLM would sell ~12,000 acres considered aboriginal lands to Zia Pueblo. BLM, the Bureau of Indian Affairs, and Zia Pueblo spent two years developing regulations for the

management of that land. This was the first of its kind—trust land remaining open to the public for recreational purposes. Tom provided further details.

The purchase was completed in January 2013. The BLM resource management plan (RMP) will include a statement on that transaction. Monies collected went to the BLM New Mexico state office to purchase other properties to bring into the public domain. The biggest issue now being addressed is target shooting on the land—which Zia plans to shut down. BLM is working with the pueblo to clean up former target shooting areas.

When the RMP is completed, the next project will be a management plan for the Ojito wilderness. Ed said it is unique, an experiment for use of public lands. The regulations are a good piece of work. The appeal process takes care of the public interest. BLM will manage the wilderness area, and Zia Pueblo will manage the trust land. Licensed hunting will be allowed on the trust land. The wilderness lands will continue to be grazed by Zia. Roads were transferred to Sandoval County and power-line and pipeline corridors reserved.

Tom said the northeast section of the wilderness has an inholding, and legislation says that could be purchased by a willing seller. Section 12 is owned by the same landowner, and if purchased would be added to the wilderness.

Danita Burns said the brochure was a testament to the Albuquerque Field Office's work with Zia Pueblo to accomplish this unique agreement. The brochure was sent out to other state offices as an example of what might be done.

Rio Puerco Resource Management Plan Update

Tom Gow said the Rio Puerco RMP was started in 2008, and only three staff members remain from that time. Although staff maintained continuity and kept it moving, delays were caused by the presidential election and turnover of Department of the Interior directorate. The process had been difficult. Angel Martinez reported that staff was still reviewing and responding to an overwhelming number of public comments—around 2,500—some comprised of multiple pages. Once all comments are reviewed, staff will put together a proposed document. One new approach—they are creating a summary report that includes a comparison between what's proposed and the past RMP, and addresses substantive comments. Some ownership changes have affected the RMP. The field office anticipates a record of decision by August 2013. The proposed final will be sent to BLM state and national offices, then to the governor's office for a consistency review, followed by a public protest period. Protests will go to the Washington office and might take some time to address.

Ed said nationally RMPs are averaging eight years to complete.

Sequester & Its Implications

Ed Singleton said sequestration was having a strong impact on state and local BLM offices. Their operating budgets were reduced by 7.5%, and they have permission to fill only two of eight vacant positions. They do not have the 2013 fiscal budget in hand; and have a contract

procurement deadline of one month for very important project work. The department is dealing with that and also down two employees. They have financial caps on travel, significant for Socorro Field Office because that district has vast acreage that takes up-to-six hours to cross. Construction crews work statewide and have been inhibited by travel caps. The regional office has negotiated separate agreements with them using other budgeted funds. NMBLM offices are juggling to get the highest priority work done.

Ed is acting state director for minerals for the coming months. The national BLM office asked how sequestration has affected accomplishments. Ed listed some actions they were unable to accomplish, and others that were slowed. Staff is now making adjustments in units of accomplishment. He is hopeful that the 2014 budget—beginning October 2013—will improve.

Current Fire Conditions

Ed Singleton said New Mexico has been in drought for all his 13 years in the district. He's seen areas where there's been no rain in 10 years. New Mexico probably is as dry as it's ever been. He reviewed conditions across the West, stating that locally, statewide and regionally the conditions are tough. The impact on grazing operations is significant. There is no feed or dependable water. Tough decisions will need to be made to protect the land.

BLM is fully staffed for firefighting. The biggest impediment is that National Interagency Fire Center is down from 40 to 8 heavy air tankers. Most are vintage WWII planes that are falling apart. Fire suppression is costly, but without suppression, fires will potentially spread broadly. There are several reload bases in the region, and portable ones can be set up. Fire restrictions are in place on BLM, state and other federal lands. The trees and brush have almost no moisture in them, so burn readily.

Project Updates

Carbon Dioxide Line

John Brenna Jr. reported on the Kinder Morgan 21-inch carbon dioxide line going from St. John, Arizona to Texas—in some places across public land. BLM has a cost recovery agreement in place and is hoping for a memorandum of understanding.

SunZia Southwest Transmission Project

Danita Burns provided an update on the SunZia Southwest Transmission Project. The transmission line comes from Clauch across the Rio Grande, terminating in Arizona—to provide power to the desert southwest. The company is trying to stay on public land. The project is going forward, with the final proposal out in June. There were issues with the military concerning air space, but BLM has land in the disputed area that cannot be encumbered.

Four Corners Powerplant & Mine Energy Project

Tom Gow spoke about the proposal to mine an additional 3,500 acres to the south of a coal mine on Navajo land in the 4 Corners Area. Three transmission lines would be built out, one into Albuquerque. Originally the Farmington Field Office intended to work with them, but the

transmission line goes through Rio Puerco—so Albuquerque District Office became involved. Mining of the new acreage is meant to produce power through 2041. The line was placed in the early 1960s. Cultural and biological clearances have been attained. BLM asked in their first conference call whether paleontological clearances had been done. The answer was “No.” But the company will do that. BLM also pointed out that Ojito lands no longer belong to BLM.

Navajo Water Project

The Navajo Water Project would bring water to the eastern agency in two phases. One of those would come out of Navajo Reservoir into Gallup and south. The Cutter lateral out of San Juan Reservoir would service Jicarilla and several Navajo chapters. There is an Area of Critical Environmental Concern (ACEC), a petrified forest, where the proposed pipeline would go. Tom worked with all involved to find ways to keep the lines out of the ACEC. One alternative is to go under it, another is to follow the existing road and miss the ACEC entirely. An engineering firm working with the Bureau of Reclamation is seeking a way to minimally impact the ACEC. Ed gave further details. BLM, the Bureau of Reclamation, and Navajo Nation are negotiating.

Jim Clary thanked Tom and asked that he be commended for standing in the way of that line that would go through the petrified forest, which he called a little-known gem. Jim said Tom put himself at risk and took a stand for what was right.

Placitas

Horses and safety issues on public lands are the concerns in Placitas. BLM is in litigation, and has filed an appeal. The horse issue is now in the hands of solicitors and the Department of Justice. Overlap of Santa Ana and San Felipe Pueblo lands, and land grants going back to the 1600s complicate the issues. Surveys by the federal government are said by the pueblos to be messed up. BLM has surveyed and monumented the boundaries. The City of Albuquerque open space office is working on one of those boundaries as well.

Oil & Gas Development

Tom Gow said oil and gas companies were nominating parcels. He asked them to wait until the RMP draft was written. Seventy-six expressions of interest were filed immediately. Parcels before the BLM today will be available in January 2014. BLM has to analyze them for conflicts, and do environmental assessments. Tom anticipates receiving a number more, so the workload will be heavy.

Woodcutting

Illegal woodcutting remains an issue, and Rio Puerco Field Office is down to one law enforcement ranger, so controlling woodcutting and gathering has been tough. Rangers from other districts have helped—issuing 60 citations. Many of those receiving citations had outstanding warrants. BLM is confiscating wood, getting a strong handle on the situation, and seeking additional funding to patrol by bringing back temporary employees who were laid off due to sequestration.

Public Comment Period

Ed opened the public comment period at 11 a.m.

Mary Rose Szoka-de Valladares, Placitas landowner, member Las Placitas Association

Ms. Szoka-de Valladares is concerned about the Placitas/San Felipe Pueblo border. She said the land she lives on has been in her family for a long time. She cares about its future and is a trained community developer. She asked the BLM Albuquerque District Office to consider a buffer zone between developed areas and the pueblos that might become a low-density recreation area. It was important for economic development as well as natural beauty—an asset to the state that should not be damaged. She said it is in the interest of the state and possibly the federal government to preserve this area. She encouraged the RAC to take a look at the area, and said there will be repercussions on the county tax base if it is damaged. Mining would not draw responsible people to live and recreate there. She asked BLM staff to listen to public comment and provide a buffer zone for low-density recreation.

Chris Frye, Las Placitas Association Board of Directors

Mr. Frye asked whether there was interest in a gravel mine. Ed Singleton said Mr. Baca was interested in 2006 and would still be interested if it became available.

Mr. Frye said Senator Heinrich's bill would have to be resubmitted, was being pursued, and would probably be attached to a larger bill. Tom thought BLM would support the bill. Ed said Sandoval County owns trailhead property, is interested in low scale improvements, and is committed to the project. Mr. Frye expressed concern over Enterprise Mid-America Pipeline issues, but added that he favors a safe pipeline. Lines go through populated areas, and some were uncovered by flooding in the past. The Las Placitas Association asked the Department of Transportation for help and was stonewalled. BLM is in charge and therefore will be pursued.

Orin Safry, Eastern Sandoval Citizens Association & Las Placitas Association

Mr. Safry said this topic would be #1 at a meeting on June 8. He asked that Farmington Field Office be advised his associations will be addressing this with them. Very poor communication makes them think something else is going on—beyond the exposed pipeline. One spark could cause an explosion. Citizens groups need to be listened to. He added that he was on a field trip to the petrified forest mentioned above. He thanked Tom Gow too, because it is a treasure.

Patience O'Dowd, President of Wild Horses Observers Association

Ms. O'Dowd said she sent a formal request to remove horses from the road in Placitas and have a place they could go. BLM responded but there was no specific agreement. She will take it to the Department of Justice due to pending litigation. Are the 3,000 horse comments in the scope of the RMP? Tom said they were out of the scope and there were no plans for a wild horse sanctuary, state park, etc.

Ed said he thought the response said that BLM would not stand in anyone's way of removing horses from private land. Ms. O'Dowd said no stipulated agreement was offered. Ed said unclaimed horses in the Placitas area are not in BLM's jurisdiction. He read from the letter responding to hers.

Ms. O'Dowd said there is no stipulated agreement in place. A first appeal letter was sent to all agencies concerning removing horses from the road. The second letter went just to BLM

because other agency responses could have been resolved with a stipulated agreement with BLM. Ed thought his letter asserted her organization's right to do what it needed to do. Ms. O'Dowd thought it tied their hands.

Tom said he had received an email for a meeting June 5 with Commissioner Lucero of Sandoval County on this issue. All agencies involved were being asked to reach a solution.

Ms. O'Dowd would like for BLM to agree that there would be no liability for anyone who removed horses. Bob Nordstrum said the roads are not on BLM property. Ms. O'Dowd said she was told that she needs the permission of the owners of the horses to move them. But the horses don't belong to BLM.

Without a public meeting, she said, "Who am I to gather up these horses?" She believes them to be under the jurisdiction of the BLM. Discussion. The public comment period ended.

Adjournment

Motion

Bob Nordsturm moved and Keith Banks seconded to adjourn the meeting at 11:45 a.m.
Motion unanimously approved.

The meeting was followed by a field trip to Placitas.