

Summary Minutes
Farmington District Resource Advisory Council Meeting
November 13 and 14, 2013
Farmington, New Mexico

November 13 attendees

RAC Members Present:

Norman Norvelle (Category 3)
Jude Gabaldon (Category 1)
Jerry Sims (Category 2)
Kathy McKim (Category 3)
Evert Oldham (Category 2)
Steve Wamel (Category 1)
Nickie Vigil (Category 3)
Anthony Benson (Category 3)

BLM Staff Present:

Dave Evans, FD
Gary Torres, FFO
Peggy Draton, FFO (a.m. only)
Allison Sandoval, State Office
Theresa Herrera, State Office
Sam DesGeorges, TFO
Brad Higdon, TFO
Adam Madigan, FFO (p.m. only)
Christine Horton, FFO

Visitors Present:

Martha Brown
Jim Ramakka
Brandon Velivis
Kristin Langenfeld, Scribe

November 13 Morning Session (9:00-11:45 a.m.)

Call to Order, Introductions

RAC Chair Kathy McKim called the meeting to order at 9:01 a.m.
RAC, BLM, and support personnel introduced themselves to the public.

Discussion of the Agenda, Introductory Remarks

Chairman Kathy McKim noted that future agendas need to allot time for housekeeping issues. Evert Oldham asked the group to consider when the RAC should discuss RAC business—as a sidebar during lunch, cut into time allotted for presentations, tack on at the end of the day?

Dave Evans provided an overview history of the RAC, which went from a single council for the state to those specific to BLM districts. He also shared his thoughts on the RAC’s role in the unique and difficult times that characterize the BLM’s current financial situation.

Approval of Minutes of February 20-21 RAC Meeting

As most members had not read the minutes of the previous meeting, a motion was made and seconded to move approval of the minutes to the first item of business for tomorrow’s session. Motion passed unanimously.

Farmington Field Office Updates and Ongoing Planning Efforts—Dave Evans

Examples of ongoing science-based FFO planning efforts include the WPX-sponsored study of game migration patterns and New Mexico Highlands range studies. Such projects ensure that initiatives are based on data and provide substantial bases for ground-based decisions. The upcoming oil and gas EIS analysis will employ science-based planning and will also provide opportunities for many to participate in the plan.

Discussion

Anthony Benson asked who from New Mexico Highlands was heading the vegetation management survey. Dave Evans said he would get the information.

Steve Wamel asked about oil and gas feedback on the BLM's SUPO (surface use plan of operation) process. After summarizing the SUPO process for new RAC members, Dave Evans noted that feedback has been favorable. BLM offered to work with each company to help institute the process, and each company accepted the offer. Mr. Wamel discussed the seed mix, noting that the cost can be \$1,000/acre. Mr. Evans pointed out if the seed costs more and the reclamation result is better, then it is a good investment, especially given that the land must be in a healthy, productive state before BLM takes it back.

Steve Wamel asked how BLM staff reductions will impact permit processing for oil and gas. Dave Evans responded that BLM is looking at master agreements whereby companies pay for staff as necessary.

Taos Field Office Updates and Ongoing Planning Efforts—Sam DesGeorges

The following summary supplements a PowerPoint presentation that Sam DesGeorges provided on eleven TFO projects.

1. San Luis Collaboration—working across agency and state lines there is the potential for a large landscape proposal that would conserve lands of high value in the upper Rio Grande. Land acquisition is possible through the Land and Water Conservation Fund. Landscape-scale treatment projects are now being examined.
2. Rio Grande del Norte National Monument—working to establish guideposts for management of the newly designated monument, which has resource values related to both geology and cultural resources. TFO is establishing portals and leading introductory hikes.
3. Transportation Planning—majority of routes on El Palacio-Sambrillo have had Class III inventories. Work done here will be the model on how to proceed with TFO's other transportation areas.
4. Rio Grand Gorge Raptor Surveys—ongoing. Goal is to optimize recreational experience while maintaining sustainable populations of important wildlife species.
5. Cerro Montoso Habitat Project—fuel wood thinning project to improve wildlife habitat. Wood is provided to local community through permits.
6. La Puebla Recreation Area—BLM did planning and environmental work for facilities, segregating use to reduce the potential for conflict among users and to protect cultural and paleontological sites.
7. Highway Improvements—the example of a gravel pit north of Pojaque shows how BLM is making decisions that take into account land use and community needs.
8. Cebolla Oil and Gas Lease—BLM is working with citizens and Rio Arriba County on activities related to leasing. Further discussion of the plan will occur later today.
9. Santa Fe Youthworks—received a Department of Interior grant to promote work on a number of TFO projects and facilities.
10. Petaca Campground Reconstruction—a road reroute established to protect flycatcher habitat has resulted in safer and more secluded camping sites.
11. Taos Valley Overlook Trailhead—BLM is working with the county and city to give access to the overlook. Recent acquisition of some 76 acres will allow for two trailheads to the overlook while providing assistance to a private landowner.

Discussion

Sam DesGeorges said he hopes to engage the RAC in discussion where there is community interest; the RAC has the ability to connect with people who are interested in a topic and to input with recommendations. There is value to taking the time necessary to develop an action that can be lived with.

In response to two questions from Kathy McKim about the administration of the national monument and allowed activities, Sam DesGeorges indicated that the proclamation determines important values. For example, hunting and fishing are key values of the Rio Grande del Norte National Monument, and the Game and Fish Department will continue to regulate. He further noted that habitat-stamp funding could be valuable on landscape-scale projects, such as those in the San Luis collaboration, where Colorado doesn't have stamp fund options.

Noting that he and Nickie Vigil are the only TFO-area RAC members, Anthony Benson expressed his reservation that they could relate to the various interest groups when it comes to community engagement. This led to a larger discussion of RAC involvement with the community and the groups they represent. Evert Oldham stated that downsizing of government is a continuing trend and the RAC is in a unique position to offer assistance and provide resources. He asked members to consider their individual commitment; his opinion is that it will require more than attendance at quarterly meetings to be effective. The RAC needs to promote community involvement. Dave Evans noted that the BLM will continue to support the RAC because the council can engage stakeholders, community members, and NGOs in a way the government cannot. Using the example of a student who is paid by UNM-Taos, Sam DesGeorges noted that the RAC can also make connections that can provide volunteers, etc.

Taos Field Office Planning Updates: Rio Grande del Norte National Monument, El Palacio/Sombrillo Travel Management Plan, and Sabinoso Wilderness—Brad Higdon

The notes below supplement a PowerPoint presentation on three TFO planning updates.

Rio Grande del Norte National Monument

President Obama designed the monument in March 2013. The Antiquities Act can be used to save “objects of value;” in this case ecological values, wildlife habitat, geology, and cultural and historic values. On one level, the proclamation establishes the scope of planning.

BLM's next step will be to develop a Monument Plan, beginning in January 2014. A management fellow from Washington will come to TFO to take the lead on this planning.

Preliminary planning is taking place now; specifically, the development of a communications strategy to effectively engage the public in the planning process.

BLM will manage recreation opportunities (increased visitation, guiding services) and utilities transmission (the proclamation provides for utilities to increase as well as for hunting and grazing and wood gathering in the monument).

Sam DesGeorges noted that during this planning process the RAC can help look at alternatives, bring forth issues that haven't been addressed, weigh in on options. Formal cooperating agencies may include the Soil and Water Conservation District, Taos and Rio Arriba counties, and New Mexico Game and Fish Department.

Anthony Benson asked for clarification of the “Coalition” and the role that it plays. Brad Higdon responded that a number of special interest groups have been involved. They will not be formal partners, but can contribute information and suggestions at the public-participation level.

Mr. Benson asked about safety concerns in this rather remote area and the gorge bridge, where vendors outnumber tourists. Sam DesGeorges answered that the BLM will establish standards. NMDOT has invited BLM to try to make vendors “legal;” that is, find a location outside the road where vending can take place.

Mr. Benson asked if monies would be available for wildlife habitat and vegetation restoration. Dave Evans and Sam DesGeorges answered that there is no budgetary increase with the monument designation, so money is reallocated. BLM will look at partnership opportunities.

Evert Oldham said that he believed that multiple groups were involved in the designation. He knows environmental groups, Anthony knows agricultural groups, so there is the opportunity to bring them to the plate with resources.

Travel Management Planning (El Palacio and Sambrillo)

Building on information presented at previous RAC meetings, this update focused on opportunities to engage the public. The area is much used, and used for activities of very different types; thus, there is the potential for conflict. In addition to the NEPA process, TFO wants to go to the public/land users with the road inventory, asking: Did we get it right? Are the roads accurate? What are they used for? Are there conflicts with a given road? Should routes be eliminated? Designated? Following this step, each road will be evaluated to provide the basis of the EA alternatives. Public will be involved in the review and comment period. There is an expectation of public involvement at the implementation level (e.g., trailhead establishment, enforcement).

TFO feels they have done a good job upfront with cultural surveys and soliciting Native American concerns. An example is the multiple OHV routes on the western edge of OK Owingeh land. The tribe wants to talk about a land exchange. This will present a conflict.

Currently there is no timeline for completing the steps for public input, but public input must be complete before moving forward with the planning process.

Sabinoso Wilderness

This was a 2009 designation for an area of San Miguel County east of Las Vegas and encompassing approximately 16,000 acres. Currently there is no public access, as the wilderness is surrounded by private land. There is also an inholding that will require access.

A priority is to acquire lands that will allow access, but even in the absence of such, planning for management must move forward. Because the area was designated under the Wilderness Act, BLM is required to protect strict wilderness values. Grazing is the only real allowed use. TFO is learning that in addition to the wilderness value, there are supplemental values in the Sabinoso, including cultural and paleontological values.

Most comments to the EA spoke to the limitation imposed by the Wilderness Act (e.g., road improvements). BLM has no jurisdiction/discretion over these limitations.

Kathy McKim: How many landowners/permittees are there? BLM: 12 landowners, 6 permittees.

Anthony Benson: Can you thin in the area? BLM: It is a nonmotorized area; no chainsaws allowed.

November 13 Afternoon Session (1:00-4:00 p.m.)

Taos Field Office Presentation and Discussion: The Tri-State Transmission Valley Corridor Proposal—Sam DesGeorges

Using a map to orient RAC members and guide discussion, TFO staff presented the Tri-State Transmission Valley Corridor proposal, a potential route for connecting the Ojo Caliente substation with the San Luis Valley substation. As shown, the route goes through the newly established Rio

Grande del Norte National Monument. A variety of monument proponents (referred to as the Coalition) are concerned about any transmission line across the monument. BLM's position is that if they receive a proposal for a transmission line, they will evaluate it (although probably not until the Monument management plan is complete). The proclamation that designated the monument is vague on the subject of new transmission lines. The project is in very preliminary stages, but is something that will be coming up and TFO would like the RAC on board right away, given the potential for conflict.

Sam DesGeorges suggested that the RAC consider meeting with Tri-State (seven power collectives, not all of which support this project) and members of the Coalition to inquire about their respective interests and objectives. He further hopes that the RAC will work on the Monument management plan, which will have alternatives for transmission lines. BLM policy says it won't cross monument lands if it is not necessary.

In answer to a question from Evert Oldham, Sam DesGeorges stated that this would be a redundant transmission line.

Responding to a comment from Gary Torres about Tri-State sponsoring an EIS, Brad Higdon stated that Tri-State needs to present options.

The group discussed Tri-State's Shiprock-Ignacio line. There were numerous scoping sessions that began in 2009. The transmission line is still not complete. Relating the Shiprock-Ignacio project to the Valley Corridor, Gary Torres noted that scoping doesn't pay unless the company has a plan.

To this point, Jerry Sims wondered how to hold discussions with stakeholders if Tri-State doesn't have a plan.

Evert Oldham noted that there could be a huge impact on small parcels of private land. He pointed out a problem with establishing a footprint across the monument without knowing what's going on to the north or south. What is the real need/purpose of the line?

Gary Torres offered that sometimes it is worth looking at macroroutes, for example, routes east of the monument, through the monument, west of the monument, and establishing what the issues are.

Mr. Torres asked if Hwy 285 was a corridor. TFO staff answered that it is not, and while it seems logical, there are visual considerations along that road.

Kathy McKim: Where in the process does a RAC recommendation fit in? BLM: Early on in scoping, where alternatives are being formulated. BLM can arrange for the RAC to meet with coalition members. In informal meetings, the question could be asked: If BLM were to consider a transmission right-of-way across the monument, where would that be that you (the stakeholder) could live with? This is an example of RAC role expansion; they would have discussions with groups before BLM does.

Brad Higdon added that scoping is likely to take place between January 1-April 30, 2014, and may stretch into June.

Taos Field Office Presentation and Discussion: The Cebolla Oil and Gas Lease Environmental Assessment—Brad Higdon

The notes below supplement a PowerPoint presentation on the October 2014 TFO oil and gas lease sale of 16 parcels (13,332 acres) near Cebolla in rural Rio Arriba County. Seventy-six percent of the acreage is split estate: surface is private, BLM manages the minerals. This situation presents a challenge.

Originally, the lease sale was scheduled for January 2013. In the fall of 2012, after the NEPA process had begun, BLM realized that they had not engaged the public effectively. They also

realized that they did not understand the geology and groundwater of the lease area well enough. Thus, the sale was deferred.

During the spring and summer of 2013, BLM held meetings with surface owners and Rio Arriba County, which had been invited to be a formal cooperating agency. This contact included three days in the field during an August meeting with landowners. All parcels proposed for sale were visited.

Based on the TFO RMP, 17,400 acres are closed and 68,980 acres are allocated as open with constraints, which include timing limitations, controlled surface occupancy, and no surface occupancy. Stipulations apply to big game winter and spring migration corridors, the Old Spanish National Historic Trail, visual resources, riparian and aquatic areas, slopes and fragile soils, and occupied structures or dwellings.

Not covered in the RMP are issues such as target drilling that goes to the same area as groundwater. In fact, BLM does not currently know which formation contains groundwater. Unlike much of the San Juan Basin proper, the geology at the basin's edge is not well known. In places, the Mancos formation outcrops and oil flows at the surface.

Anthony Benson: Who does the BLM have looking at the groundwater? BLM: Petroleum geologists in house, and also working with the state.

Crafting the preferred alternative will require applying the RMP stipulations; dealing with groundwater issues; incorporating the three critical management areas of headwater, riparian and floodplain, and irrigated agricultural land as identified by Rio Arriba County; incorporating the information gathered during site visits; incorporating the measures developed by the interdisciplinary team; incorporating input from the public.

Specific areas where the RAC might provide assistance include: sources of information on groundwater; concurrence on assumption for analysis (see below); recommendations on process (especially given the fact last year's process did not work well).

Brad laid out the draft assumptions for analysis, which are based on the following change agents: number of wells, acreage of disturbance, number of wells per year, level of traffic, use of hydraulic fracturing, water usage, and well direction. He asked the RAC to consider whether the draft assumptions were reasonable and if other things should be considered.

Open Discussion

Evert Oldham began the open discussion period by summarizing the RAC's June 2012 discussion in Taos that resulted in some operational guidelines. He noted that in order to create an enduring organization it is necessary to understand what you are trying to do, and have mechanisms to guide you there.

Mr. Oldham further noted that, to date, there have been three official RAC recommendations.

Individual RAC members have also forwarded their comments and recommendations to the BLM.

Mr. Oldham said that the RAC website has not been used much, although he feels that there are advantages to website collaboration. It breaks the barriers of time and place, important considerations for a diverse, geographically separated group such as the RAC. He asked the group to consider whether they wanted to continue using the site. In response, Kathy McKim said that the website has been used in the past to work on the recommendations to the BLM and that if the BLM is now asking more of the RAC, the website might be a good way to discuss issues. Jude Gabaldon added that while he was in favor of website collaboration, a 15-minute conference call often accomplishes quite a lot. He asked who determined the need for a conference. Ms. McKim responded that it could be any member of the group. There followed additional discussion of how to

best discuss issues. Ideas included: one-half day at the beginning or end of each RAC meeting just for discussion; email discussions; having a plan before leaving the formal meeting.

Kathy McKim said that she had been the RAC chairman for 1½ years. She asked if anyone else was interested in the position and that it could be an item for discussion.

The group took some time to explain to each other why they had chosen to join the RAC.

Steve Wamel asked how agenda items were determined. Gary Torres responded that because it had been so long since the last meeting and because there were several new council members, much of the agenda for this meeting was geared to updates. Kathy McKim added that in the past a request was made of the BLM when a member wanted more information.

Adjournment

There being no more business, Norman Norvelle made a motion to adjourn. Seconded by Evert Oldham. Meeting adjourned at 4:00 p.m.

November 14 attendees

RAC Members Present:

Norman Norvelle (Category 3)
Jude Gabaldon (Category 1)
Jerry Sims (Category 2)
Kathy McKim (Category 3)
Evert Oldham (Category 2)
Anthony Benson (Category 3)
Myke Lane (Category 1)
Nickie Vigil (Category 3)

BLM Staff Present:

Dave Evans, FD
Gary Torres, FFO
Peggy Draton, FFO
Allison Sandoval, State Office
Theresa Herrera, State Office
Christine Horton, FFO
Janelle Alleman, FFO (a.m. only)
Lindsey Eoff, FFO (a.m. only)
Jim Copeland, FFO (p.m. only)
Angela Yemma, FFO (p.m. only)
Maureen Joe, FFO
Dale Wirth, FFO (a.m. only)
Esther Willetto, FFO
Dave Mankiewicz, FFO (p.m. only)

Visitors Present:

Martha Brown
Jim Ramakka
Danny Simpson
Jerry Crockford
Gloria Chiquito
Rechanda Lee
Lauren Seip
Kristin Langenfeld, Scribe

November 14 Morning Session (9:00-11:05)

RAC Chair Kathy McKim called the meeting to order at 9:00 a.m.

Approve minutes for February 20-21, 2013 RAC Meeting

This item was deferred yesterday to the first item on today's agenda. Evert Oldham made a motion to table action on the approval until the next board meeting in order to give RAC members time to review the minutes. Motion seconded by Nickie Vigil. In a point of order, BLM indicated that it was necessary to have minutes approved and posted within 30 days, and that approval of the February meeting minutes was overdue. Mr. Oldham amended his motion to request RAC approval within one week; individual approvals to be sent by email to Christine Horton. The second to the motion stood. Motion passed unanimously.

Unscheduled Presentation to the RAC—Allison Sandoval

Allison Sandoval of the New Mexico State BLM office and former National RAC coordinator provided information and shared thoughts and concerns, specifically with regard to the use of the group's website, which was discussed near the end of yesterday's meeting.

RAC Process

BLM's Federal Advisory Commission Act (FACA) regulations spell out and govern process and the relevant laws and regulations are contained in the 300+ page informational binder that each RAC member receives. Ms. Sandoval made the following points with regard to the RAC process:

- Scheduling will facilitate public participation.
- BLM is required to publish, 30 days in advance, notice of a public meeting.
- The RAC cannot have private teleconferences. In order to teleconference, a meeting notice must be published, as noted above; the public must be allowed to listen to the teleconference; a public comment period must be included.
- The district field office (DFO) works with the RAC to establish the meeting agenda. BLM ultimately sets and publishes the agenda. Once set, the agenda cannot be changed. The RAC can change the order of agenda items but the topic list cannot change. Items on the agenda can be omitted so long as members of the public who came to the meeting can speak to those topics during the public comment period. Both action items and information items must be published, although there are options for extenuating circumstances.

Within this context, the group discussed the FDO RAC website, which was developed and is maintained by RAC members, not the BLM. A website such as this is not in conflict with the regulations so long as there is public interface. Concern is with a "back room" where the RAC may meet in private. The distinction between "information gathering" and "developing/coming to consensus" is important. The RAC can meet in any way they wish outside of a noticed, public meeting for the purpose of gathering information. As long as no decisions are made, working together on the website is not in conflict with the regulations. In reality, it is a fine line to walk. Putting all documents and having all conversations on a public page might stifle robust, direct conversations, or the conversations might offend a stakeholder. While the BLM might be more comfortable with all conversations taking place in the public arena, there is agreement that the public does not need to be involved in information gathering. When the RAC reaches consensus and conclusions, it must to be done in a public forum.

Discussion then turned to RAC recommendations to the BLM. Recommendations must be made in a public forum. Moreover, to be forwarded, a recommendation must be approved by a majority of the members in each category, not a simple majority of the membership. Formal recommendations must be signed by the RAC chairman, and submitted in a formal letter to the Secretary of the Interior, the DFO committee chairman, and the state BLM director. In most cases, a formal recommendation is not necessary. The RAC can provide informal advice to the BLM, and this is probably the great value of the council. Informal advice can come to the BLM in a variety of ways. For example, minutes of the RAC meetings can serve as informal advice. A letter of support from the RAC to the BLM on a specific topic is also an option. A vote of the majority of each category is necessary to issue a letter of support.

Finally, based on the preceding discussions, the group focused on the general content of future meetings and the agendas for those meetings. If meetings are to be used to build consensus and make recommendations, if more action items are to be on the agenda, then either additional "informational" meetings will be necessary, or information must be funneled to the RAC well in

advance of meetings where decisions are to be made. Topical information can be posted on the website and RAC members notified when postings are made. Each agenda should be scrutinized.

Update and Brief Question and Answer on the Glade Run Recreation Area (GRRR) Recreation and Travel Management Plan RMP Amendment-- Janelle Alleman

Since the last RAC meeting, public comments on the amendment to the GRRR Recreation and Travel Management Plan have been received, reviewed, and addressed as appropriate. The tentative new timeline includes public review of the draft EA with a public comment period set for January 2014, although that part of the timeline might be changed to accommodate the RAC. Tentative completion of the EA is set for early spring 2014.

Discussion

Myke Lane: Has BLM considered the relevant portions of the 10th District Court's recent ruling?
Janelle Alleman: FFO is seeking advice from the state and national office as to what in that ruling might be relevant to the Glade document.

Anthony Benson: Is it possible to have a concise statement regarding the changes made in the document based on public comment? Ms. Alleman replied that there have been minor modifications to the open area, and a motorcycle route has been added but that there is not time in this presentation to go through the alternatives in detail. Gary Torres summarized the plan as taking an unstructured area and structuring how, when, and what type of recreation will occur. In answer to another question from Mr. Benson, Mr. Torres noted that a press release will be crafted that will provide a synopsis suitable for the public.

Myke Lane asked if the BLM was requesting another deliverable from the RAC on the Glade Plan. Gary Torres replied that BLM was providing an update and not necessarily asking for another letter of support.

This led to a discussion of the logistical problems if the RAC wanted to comment as a group, given the proposed timeline for completion of the amendment. Opinions voiced included that the GRRR is an important topic to the community and that there are diverse opinions; the RAC should consider putting another letter of support on the agenda for another scheduled RAC meeting. Gary Torres indicated that if the GRRR is an important project for the RAC, then the schedule for completion could change on the BLM end. Jude Gabaldon stated that he is in favor of a formal letter of support. Myke Lane suggested that a motion and vote at the meeting to be reflected in the minutes would be an alternative.

Motion Concerning the GRRR Recreation and Transportation Management Plan Amendment

Evert Oldham moved that the RAC request BLM to modify the GRRR EA timeline to accommodate a RAC meeting during the public comment period on the RMP. Nickie Vigil seconded the motion. There followed a discussion and a number of proposed modifications/amendments to the motion, none of which were formalized. Jerry Sims and Jude Gabaldon both noted that the motion as stated could delay BLM's final decision and expressed concern that it was time to get a plan in place. Evert Oldham suggested that it might not be necessary to modify the timeline, so long as the RAC has time to review the document before meeting. Ultimately, the original motion was amended by Myke Lane to read that the RAC requests BLM to accommodate the RAC with a meeting during the comment period. Evert Oldham seconded the motion. After a little more discussion, the question was called. The motion passed unanimously.

Update and Brief Question and Answer on the Visual Resource Management (VRM) RMP Amendment—Lindsey Eoff

A PowerPoint was used to summarize the purpose and need for the VRM RMP Amendment. The visual resource inventory was contracted out and completed in 2009. Since then a draft was developed, public comment taken, and new information and comments incorporated as necessary. As of today, the final EA along with the signed decision record and finding of no significant impact are expected by the end of November. This milestone triggers the 45-day appeal period.

Discussion

Myke Lane asked about wind and solar installations, which are referred to in the VRM handbook, and how those will not have visual impacts. Lindsey Eoff responded that any lease for renewable resources must be compatible with the visual management class.

In answer to a question about how the VRM RMP Amendment will affect energy development around Chaco Canyon, Ms. Eoff noted that new leases will have to follow the VRM class requirement. Valid existing lease rights supersede the requirements.

Presentation and Discussion: The Mancos/Gallup Shale Resource Management Plan Amendment—Lindsey Eoff

This presentation was an introduction of the project to the RAC; an overview of “how we got to where we are.” The plan amendment is in early stages and BLM would like the RAC’s participation to ensure that everything that should be looked at has been looked at. Employing a series of slides, Lindsey Eoff’s overview covered improvements and innovations in horizontal drilling technology that characterize the development of the Mancos/Gallup Shale; the resources and resource uses in the planning area for which decisions will be made; related studies (some in-house, some contracted out); the planning area; planning criteria; and planning process.

Discussion

In answer to a question concerning related studies that BLM is contracting out, specifically the Reasonable and Foreseeable Development Scenario, Dave Evans indicated that proposal price is not a factor. Rather, company experience, staffing, and ability to meet BLM goals are important criteria. BLM noted that this is an agency-driven proposal, so BLM is paying for it. There may be less room for criticism because it is not funded by industry.

The notice of intent, scheduled for January 2014, will be preceded by invitations to cooperating agencies.

In answer to a question from Anthony Benson, BLM stated that the plan amendment’s related study of groundwater will allow for inferences relevant to the groundwater issue discussed yesterday in the TFO presentation on the Cebolla Oil and Gas Lease EA.

In answer to a question from Myke Lane, BLM said that the hydrologic study will look at useable water; so it will take into consideration the produced water in the oil and gas zone.

Dave Evans said he did not have the name of the company doing the air study, but that he would share that information with the RAC via email.

November 14 Afternoon Session (12:30-4:10 p.m.)

Presentation and Discussion: Oil and Gas Leasing near Chaco Canyon National Historic Park—Gary Torres and Jim Copeland

By way of context, Gary Torres discussed the fact that the Mineral Leasing Act requires leasing. All FFO land must be accounted for under the act. The resource management plan (RMP) speaks to how you lease: not at all or with few or many constraints.

Current interest is in the southern portion of the San Juan Basin because of the liquids play. There is less development in this area and as a result leasing takes longer. Mr. Torres referenced a pack of news releases that he had provided for the RAC. Most state opposition to the idea of leasing in the Chaco area.

The subject of oil and gas leasing near Chaco Canyon will not go away. Of 38-39 parcels originally presented for consideration, only 3-4 have gone forward. The RMP identifies some of these lands as leasable; no matter what is done, someone will be unhappy.

Mr. Torres noted that some conservation organizations advocate protection measures to which the BLM cannot respond. For example, an idea for a “buffer” around the park violates BLM’s multiple-use directive. He suggests that there are other ways to provide protection, such as NSO (no surface occupancy) designations, which already cover 70,000 acres of BLM land. Another example, Chaco’s Dark Skies designation, did not come from a public process (such as NEPA) and BLM has no policy to offer protection. More recently, a request has been made that the BLM create an ACEC (area of critical environmental concern). This is a request that BLM can respond to.

With regard to RAC involvement in the process, Mr. Torres noted that:

- The Mancos Shale EIS will take 3-4 years, therefore providing opportunity for long-term involvement with a major initiative
- Oil and gas leasing, and how it occurs near Chaco Canyon, will be around for a long time

Cultural Resources

Jim Copeland, FFO Archaeologist, provided an introduction to the cultural sites of the area around Chaco Canyon that included maps showing sites containing large, “great house” structures and a network of prehistoric roads that link the sites. Because the structures do not appear to be residential in nature and because the roads don’t seem to serve a utilitarian function, archaeologists speculate they may be indicators of political/economic/religious control.

Mr. Copeland noted that in 2009 the BLM withdrew a proposal to sell oil and gas leases in the area because of cultural resource concerns expressed by NGOs and the Hopi Tribe.

The National Trust for Historic Preservation designated Chaco Canyon National Historic Park an endangered site; another example of a nonpublic process to which the BLM cannot respond. BLM has tried to work with the National Park Service on the “Chaco landscape,” although NPS has not defined the concept. FFO conducted an analysis where the “landscape” generally corresponded to watersheds in the area. Survey documented 1,800 cultural sites. Reconnaissance suggests that there are not many cultural sites in the parcels being considered for lease.

Discussion

Norman Norvelle: Are well locations lit at night? BLM: During the period from spud to flaring, locations are lit, but not otherwise. There are also headlights from service vehicles. There was some additional discussion of the dark skies concept.

Evert Oldham urged caution in how the RAC deals with this issue collectively. He suggested engaging objectors to help quantify and come up with the metrics necessary to measure dark skies, natural sounds, and spiritual landscapes. BLM feels that the EIS and NEPA process are the processes by which engagement should occur.

In response to a question, BLM said that HBP (hold by production) avoids multiple leases by horizons. Sometimes multiple horizons are developed concurrently.

Wild Horse Gatherings—Angela Yemma

This presentation offered updates on the Jicarilla Wild Horse Management EA, Jicarilla wild horse nuisance gather, PZP training, other updates, and general conclusions. The notes below supplement the annotated outline that Angela Yemma provided to RAC members.

The Jicarilla Management EA is currently being updated. December 2013 is the target date for the release of the final EA.

In the spring of 2013, private landowners requested removal of horses from outside the joint management area (JMA). The National Wild Horse and Burro Program funded removal of up to 65 horses until February 2014. To date, 44 horses have been removed and taken to Mustang Camp.

BLM staff and volunteers attended PZP (porcine zona pellucida) fertility control training. Ms. Yemma detailed the protocols for fertility control and the methods for contraception delivery. She noted that in the absence of gathers, PZP would not reduce overpopulation for many years.

In the U.S. in 2012 some \$75 million was spent on wild horses; over half of this money was for holding costs. Costs don't take into account the land taken out of production. This is not a sustainable situation. There are more horses in holding than on the range. Because the national situation is such that there is no room for horses in sanctuaries, large-scale removal and population survey in 2014 for the Jicarilla herd is unlikely.

Discussion

Myke Lane said that it appears that the law needs to be changed or that consideration needs to be given to more effective herd management. This comment led the RAC to discuss crafting a letter to the Secretary of the Interior. BLM is currently in the "no action" alternative and there is an economic effect as well as a direct effect on livestock and wildlife. A letter would need to include a cost analysis; quantify the economic impact (forage, cattle, wildlife). The letter should recommend that the Secretary look at all aspects of the wild horse situation; for example, can BLM effectively meet its multiple-use mandate? The suggestion was made that cost analyses have already been done.

For 2014, BLM proposes not to gather, to minimize water delivery, and to sterilize. Nuisance gathers will continue. This strategy is geared to get Congress to revisit the Wild Horse and Burro Law.

Jerry Sims wondered how many horses are being adopted, and how many are good horses. BLM: Some are adopted locally. Evert Oldham: How many adopted horses go feral on the Navajo Nation? BLM answered that this does occur. Mr. Oldham noted that the transfer of the problem to the Navajo Nation presents yet another aspect to consider.

In response to a question, BLM said that there is currently no immediately effective permanent sterilization method. Some methods could affect physiology or behavior.

Myke Lane: Are wild game herds in the Rosa area were being monitored for change? Are rangelands in the same area monitored for quality? Kathy McKim noted that Game and Fish has done helicopter survey, counting elk and deer. Horses have been seen during the surveys. Dave

Evans said that BLM has a vegetation study and that there has been a significant decline in wild game, but no reasons have been offered at this point.

Jude Gabaldon asked if there was interest in drafting a letter to the Secretary of the Interior on the subject of wild horses. There was consensus among RAC members, and a desire to make it an agenda item for the next meeting; not, however, to displace a January meeting focus on the GRRRA.

Public Comment Period 3:00-3:30

Two people signed up for the public comment period. Their comments are summarized below.

Jim Ramakka

Jim Ramakka introduced himself as a biologist who had worked for the BLM in the 1980s and 1990s, and as a land use planner from 2001 to 2007. Currently, he serves on the Southwest Section of the Wildlife Society's Conservation Affairs Committee. He stated that NGOs such as the Wildlife Society are paying more attention to public lands; something that the BLM should have done 30 years ago. He believes that the RAC can provide important feedback and can network in ways that the BLM cannot.

Mr. Ramakka said he came before the RAC today to speak particularly about wild horses. He stated that the government's budget for wild horses is more than the entire budget for all wildlife (\$27-32 million). This fact has come to the attention of those with policy influence in Washington. The National Horse and Burro Rangelands Management Coalition is a large group with some nontraditional partners. Their belief is that the feral horse and burro population/situation is untenable. With regard to the RAC's earlier discussion of rangeland studies, Mr. Ramakka stated that in his opinion local range condition has gone downhill since the big kill of horses in the 1970s. He offered that while working for the BLM he did browse transect surveys, the data from which might be useful for study. His survey information was eventually transferred to the New Mexico Department of Game and Fish.

Stating that it is imperative that members understand how dire the situation is, Myke Lane asked Mr. Ramakka if part of the coalition's agenda was education of the groups' memberships. Mr. Ramakka answered that he did not know, but would ask.

Evert Oldham said that his recollection was that the 1970's herd that Mr. Ramakka mentioned consisted of plow horses, not mustangs. Mr. Raamaka said that accounts going back to the 1930s speak of feral horses on the Jicarilla.

Jerry Crockford

Jerry Crockford introduced himself as a retired BLM employee (1988-2001). He was previously involved with a RAC when he worked on a pipeline project out of Nevada and showed the group a reclamation program with which he was involved. Mr. Crockford said he came today to speak briefly to the Mancos/Gallup EIS. He noted that the planning handbook and Task 5 of the statement of work mention collaboration. There are no criteria listed for collaborating parties/people. He encourages the BLM to reach out to the public with regard to the EIS. The timing is right to reach out, now, before the public meeting phase. There is an opportunity for members of the public to provide expertise and historical knowledge that can benefit the BLM as the EIS moves forward.

Open Discussion

New Process for Approval of Minutes

With regard to process for the approval of minutes, which the RAC learned yesterday must occur within 30 days of a meeting, and therefore cannot wait until the following meeting: Draft minutes will be distributed electronically for review; the group can either accept the minutes or ask for

changes; a final set of minutes will be distributed to ensure that everyone agrees with corrections/changes; as soon as a quorum of responses is received, the minutes will be considered approved and all members will have/receive a final copy. The task of determining a quorum by category will fall to FDO RAC Coordinator Christine Horton.

Considerations for the Next RAC Meeting

Chairman McKim said that election of a RAC Chairman will be on the agenda of the next meeting. The group discussed action items, agenda, and schedule for the next meeting. Ultimately, four topics and a 2-day meeting were proposed: Proposed agenda items are:

1. Collaborate and develop a response on the GRRRA RMP Amendment (action item)
2. Collaborate and develop a formal letter to the Secretary of the Interior regarding recommendations on wild horses and burros (action item)
3. Update on Mancos EIS
4. Rio Grande del Norte National Monument

It was suggested that one half day of the next meeting be set aside for deliberation, to deal with the action items. The group preferred that this occur on the morning of the second day of the meeting. Rough drafts of both action items should be crafted in advance so the RAC has something to work with.

Can use terms like “information, discussion, and/or action.” If the public notice includes an “action item,” then it implies there will be a motion and action taken at the meeting. BLM noted that only topics, not times, need to be published in the Federal Register.

As the group discussed how to schedule time for the next meeting, Myke Lane suggested that a draft agenda be sent to members.

There is a need for up-front information gathering so that the body will be able to effectively deliberate at the scheduled meeting.

Myke Lane suggested that background and informational materials presented to the RAC be accompanied by a “brief” or “synopsis” or “executive summary.” Mr. Lane further requested that for each topic the BLM include “what you are looking for from the RAC on this item.”

Christine Horton said that the next agenda will include links to the BLM website for each topic.

Public Comment

Gary Torres noted that the public comment period should be toward the end of a meeting so that the public has maximum time to hear what is being presented/discussed.

Kathy McKim felt that the amount of time given to individual commenters should be consistent; for example, 5 minutes per person. BLM indicated that the statement in the National Register sets the time for public comment at 30 minutes. Those who want to speak must sign in by 2:30. Then, Christine Horton will divide the number of people who wish to address the RAC into the 30-minute comment period and derive the amount of time for each person. Thus, the length of time for individual comments will vary from meeting to meeting.

Adjournment

There being no further business, Evert Oldham made a motion to adjourn the meeting. Seconded by Norman Norvelle. Meeting adjourned at 4:10 p.m.