

AGENDA
Las Cruces District
Resource Advisory Council Meeting
April 22, 2015

- 9:00 a.m.** **Meet and Greet**
- 9:30 a.m.** **Call to Order, Welcome and Introductions** (Tony Popp)
- 9:35 a.m.** **Review of Agenda and Approve Minutes** (Tony Popp)
- 9:45 a.m.** **Opening Statements and Updates** (Bill Childress and staff)
- Updates on Resource Management Plans (RMPs)
 - Updates on Major Environmental Impact Statements (EISs)
 - Update on Major Environmental Assessment (EAs)
 - Update on other activities in Las Cruces
 - Administrative Details (Rena Gutierrez)
 - Other items
- 10:15 a.m.** **Organ Mountains-Desert Peaks National Monument “What’s Next”** (Bill Childress)
- 11:00 a.m.** **FLAP Dripping Springs/Baylor Canyon Road** (Dave Wallace)
- 11:30 a.m.** **Prehistoric Trackways National Monument Update on Resource Management Plan** (Bill Childress)
- 12:00 a.m.** **Lunch on your own**
- 1:30 p.m.** **ACEC Process** (Jennifer Montoya)
- 2:00 p.m.** **Gila River Resources and issues** (Jack Barnitz)
- 2:30 p.m.** **Public Comment Period** (Tony Popp)
- 3:30 p.m.** **Future meeting topics** (Tony Popp)
- Off Highway Vehicle use
- 3:45 pm** **Next Meeting(s):** (Rena Gutierrez)
- Date: _____
- Start time: _____
- End time: _____
- 4:00 pm** **Adjourn**

ATTENDEES

RAC Members Present:

Tony Popp
Tim Eastep
Jim Hyatt
Greg Magee
Michael Quintana
Norman Walsh
Howard Bartoo
Lynn Ellins
Randy Gray

Designated Federal Official:

Bill Childress

BLM Staff:

Tom Phillips
Jennifer Montoya

Rena Gutierrez
Rico Smith
Corina Pacheco
Rusty Stovall
Leticia Lister
Dave Wallace
Jack Barnitz
Doug Haywood

Public:

Lacy Levine, New Mexico Department of
Agriculture
Jerry G. Schickedanz
Junior D Kerns, White Sands Missile Range
Kim Pettit, LC 4 Wheel Drive Club
Ken Newton, Sierra Club

MEETING MINUTES

CALL TO ORDER, WELCOME AND INTRODUCTIONS; REVIEW OF AGENDA AND APPROVE MINUTES

9:30 AM: Tony Popp – Calls meeting to order. He welcomed and introduced two new council members, Lynn Ellins and Randy Gray.

9:35 AM: Tony Popp – Moved to accept the meeting agenda. The motion to accept the agenda was approved the council.

Recognition of Outgoing Members: Greg Magee, Norman “Mike” Walsh, and Ed Boykin. Presented with a photo depicting an area in the county they represent.

OPENING STATEMENTS AND UPDATES (Bill Childress and staff)

9:40 AM: Bill Childress - He provided updates on the following:

Tri-County Plan – There were no questions from anyone on the council.

New Mexico Copper – Doug Haywood provided an update on New Mexico Copper and the Draft EIS.

Q. Tony Popp: Where is New Mexico Copper located?

A. Doug Haywood: It is located 4 miles east of Hillsboro.

Q. Jim Hyatt: How many acres is the mine?

A. Doug Haywood: It’s approximately 12 acres.

Q. Tim Eastep: Asked a question regarding water rights.

A. Doug Haywood: Stated that the BLM will do nothing regarding water rights. The water will come from four wells.

C. Bill Childress: He commented that the BLM is providing analysis on the groundwater pumping for the mine.

C. Doug Haywood: He commented that all the water will come from reclamation and the four wells.

Q. Howard Bartoo: He stated that there have been protests regarding this issue. What has the BLM done to address this?

A. Bill Childress: He answered that the BLM has held public meetings to address the issue.

Q. Tim Eastep: He asked when the final decision will be provided.

A. Doug Haywood: He answered June of 2016.

Q. Jim Hyatt: What is the effect of the draw down in Percha Creek?

A. Doug Haywood: He answered that the scientists said that the largest draw down will be from the Animas watershed.

C. Tony Popp: He stated that based on their studies, the mine said that they will not use that much water.

Q. Tony Popp: Based on the impacts that put in the statement, is there a maximum amount of water they will use?

A. Doug Haywood: He responded that they will continue to recalculate and change their plan based on how much water is used over a period of time.

Southline EIS and SunZia - 0950: Bill Childress – He provided an update on the Southline Project. He stated that the final EIS will be out in June 2015. Regarding Sun Zia, he said that a right-of-way will be issued after receiving approval from the State land office.

Q. Tony Popp: He commented that he is surprised the State land commissioner has taken 6-7 years on this project. He asked why it has taken so long?

A. Bill Childress: He replied that there has been a new commissioner and he wants to review the project before making a decision.

C. Michael Quintana: He stated that there are still negotiations ongoing and the new commissioner wanted public input.

South Road EA –Bill Childress stated that the road to the Spaceport should be completed soon. There will be meetings held, possibly one in Sierra County and one in Dona Ana County.

ORGAN MOUNTAINS-DESERT PEAKS NATIONAL MONUMENT “WHAT’S NEXT” (Bill Childress)

PowerPoint Presentation—highlighted the 4 distinct areas encompassed by the National Monument [Organ Mountains, Dona Ana Mountains, Desert Peaks (includes Las Uvas, etc.) and the Potrillos]; top destinations, opportunities (hiking, riding, camping, birding, wildlife habitat & hunting, climbing); and historic/pre-historic resources. Outlined the uses and activities currently allowed. Described what was next—develop budget and staffing, inventory, prepare a pre-plan for a Resource Management Plan,

compile a contact list for plan participation, public outreach, and monitor visitor use. Plan start is anticipated in 2016 (12-18 months to Draft stage; realistically 4-5 years, rather than 3 years for completion. Jennifer Montoya, Planning Coordinator will get a handout to council members on the steps and timeline for Planning.

Q. Tony Popp asked Bill to go through the planning process.

A. Bill Childress: Stated that we are in the pre-planning. The Draft is the most difficult task to do. The timeline is approximately 18 months. They give us 3 years to complete an RMP. It usually takes 4-5 years to sign a Record of Decision.

Q. Michael Quintana: There are several hundred thousand acres of state land within the monument. The plan is to trade that land to the Federal government. Will the land traded out be included into the RMP?

A. Bill Childress: Yes, those state lands will be included into the RMP.

Q. Greg Magee: Is the trade (exchange) of land the decision of the State Commissioner to make?

A. Michael Quintana: Yes, it is the discretion of the State Land Commissioner.

Q. Jim Hyatt: Can any state land be traded?

A. Michael Quintana: The trade is based on value, so any state land can be traded not just land within the Monument.

Q. Lynn Ellins: Why does this process take so long (the environmental impact statement)?

A. Bill Childress: He explained the long EIS process. By regulatory timeframe, it takes a while.

Q. Tony Popp: Can we provide some information to the newer RAC members information that explains the EIS process?

A. Bill Childress: He replied that Jennifer Montoya will provide information on the EIS process.

Bill Childress provided more information on the State land exchange process. He explained getting value for value.

Q. Howard Bartoo: Regarding motorized authorized trails. Will they remain open?

A. Bill Childress: The existing roads and routes will remain open and patrolled by our two Law Enforcement Rangers. The patrol is not at the level that we like, based on resources.

C. Jerry Schickendanz (Public) addressed the College Ranch area where motorized use is. He proposed a land exchange of 12 sections of trail, but nothing has happened.

C. Bill Childress: He stated that there is discussion on this area.

Q. Tim Eastep: Is the exchange done as part of the NEPA process or is it separate?

A. Bill Childress: He stated that it is separate. He also said that there could be a plan amendment that could be done.

Q. Jim Hyatt: Who is involved in the development of the draft EIS?

A. Bill Childress: It is our job here in the District, working with cooperators. We brief the State Director and his staff then it is vetted to Washington, DC. The cooperators and solicitors get a copy. A copy is then sent to DC for review.

Q. Mike Walsh: Regarding permitted livestock grazing, how is this affected by the Monument?

A. Bill Childress: The proclamation does not exclude livestock grazing. We will continue to do standards and guides indicators and with permit renewals. We have to protect other resources because of the Monument.

C. Mike Walsh: In other areas of the country he has heard that grazing has been decreased and he is concerned about that.

Q. Mike Walsh: Will County roads be lost?

A. Bill Childress: The County will need to consult with the BLM before making any road changes in any manner of degree.

Q. Tim Eastep: Re: Grazing allotments. Does the change to National Monument status change the rights for grazing?

A. Bill Childress: We use our current process, guidance and regulations for renewing and monitoring permits.

C. Tony Popp: I would like to make a positive statement by saying the grazing is not excluded, but state that grazing is permitted. There are some important areas where grazing may not be permitted.

Q. Michael Quintana: What happens on the sale of a ranch?

A. Bill Childress: We use the same procedures.

Q. Mike Walsh: With what degree of certainty can I tell ranchers that they will be able to graze as they have been doing?

A. Bill Childress: He stated that there will be no change to the current procedure for issuing grazing permits. Some reduction in grazing can be attributed to non-use by permittees. Some of it is based on the health of the rangeland.

FLAP DRIPPING SPRINGS/BAYLOR CANYON ROAD (Dave Wallace)

Dave Wallace, Assistant District Manager, Multi-Resources Division presented an update on the Dripping Springs and Baylor Canyon Road Project. Discussed information on road improvements needed and concerns from Dona Ana County. External scoping issues addressed included: livestock grazing (water, fences, cattle guards), natural resources (planning process, livestock grazing, wildlife, hydrology), safety (speed regulation, bypass). Dave went over the range of alternatives being considered. Public meeting scheduled for May 12 with 30-day public comment period running to the end of May.

Q. Michael Quintana: Asked if there will be any restoration to the sediment dams contracted by the Civilian Conservation Corps?

A. Dave Wallace: No. There will be historical recognition.

Q. Tony Popp: Asked question on the bypass potential.

A. Dave Wallace: The speed limit of 35 mph will reduce the number of vehicles on the road.

Q. Tony Popp: Will there be work done on the existing paved road?

A. Dave Wallace: No.

Q. Lynn Ellins: Which plan will be chosen?

A. Dave Wallace: That decision has not been made. We are awaiting public comments, and will hold public meetings.

PREHISTORIC TRACKWAYS NATIONAL MONUMENT UPDATE ON RESOURCE MANAGEMENT PLAN (Bill Childress)

Bill Childress presented a PowerPoint on the Prehistoric Trackways RMP. He covered features of the trackways, what is “The Trackways”?, Land Use Plan development, Resources, Objects and Values of the Monument, 4 Alternative analyzed, key issues (OHV damage to fossils, level of visitor services and interpretation and education, livestock grazing, target shooting), how does preferred alternative address issues, and monument monitoring plan, and protests received.

Q. Tony Popp: Asked if one of the protests was regarding target shooting.

A. Bill Childress: He answered yes.

Q. Greg Magee: Asked if one of the protests regarded OHV use.

A. Bill Childress: Yes. Of the two proposals, Alternative C was preferred.

Q. Lynn Ellins: How will the fossils be protected?

A. Bill Childress: They will be monitored and protected by patrol.

Q. Tony Popp: Regarding the Community Pit, why wasn’t remediation required before it was closed?

A. Bill Childress: There was never enough money collected to perform remediation.

12:00 NOON LUNCH ON YOUR OWN

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ACEC PROCESS (Jennifer Montoya)

Jennifer discussed the Area of Critical Environmental Concern (ACEC) process—Why does BLM have ACECs; What are ACECs; and How does the ACEC Process Work. She explained that the BLM must have ACECs because it is dictated by Congress and the Federal Land Policy and Management Act (FLPMA). ACECs highlight areas where special management attention is needed to protect, and prevent damage, to resources or processes: biological/ecological, scenic, geologic, research, special status species, cultural/historic, paleontology, natural hazards. Areas are nominated by the BLM or externally. BLM assembles a team of specialists for inventory, data gathering, and evaluation. The BLM looks at whether the area needs special management and whether it meets the relevance and importance criteria. In summary, the Las Cruces District currently manages 30 ACECs; ACECs require special management; ACECs must meet the relevance and importance criteria; ACECs are designated in Resource Management Plans, and ACECs require temporary special management until they are designated.

Q. Tony Popp: Asked if you want an area to be designated as an ACEC, can you include it when the RMP is in review.

A. Jennifer Montoya: ACECs can only be designated in a Plan. The public entities that submit recommendations for ACECs include: environmental groups, private landowners, natural conservationists, everyone can get involved.

C. Bill Childress commented that 18 nominated sites that meet the relevance and importance criteria are being considered in the TriCounty Plan.

Q. Randy Gray: Are proposed ACECs being considered in the monument.

A. Bill Childress: ACECs will still be designated.

- Q. Michael Quintana: What are the total acres of ACECs and what is the total proposed.
- A. Bill Childress: There are 200,000 acres out of 5.4 million acres and that 216,000 acres have been proposed.
- C. Jennifer Montoya suggested that Alternative C be referenced. Each ACEC has a different prescription (Alternative A, B, or C).
- Q. Greg Magee: Asked if the BLM designates research natural areas.
- A. Tom Phillips: Due to policy changes, they are now managed under ACEC designation.
- Q. Tim Eastep: Is there an overlap on the ESA with scruf pea.
- A. Jack Barnitz: Responded that it has been petitioned and if found warranted, new plants in the ACEC will be protected.

GILA RIVER RESOURCES AND ISSUES (Jack Barnitz)

Jack gave a presentation on the BLM areas of the Gila River. His presentation included riparian and aquatic habitat recovery in the Gila Lower Box. He stated that a variety of animal and bird species have been sighted at Beaver Dam including coati, beavers, and bears. In 1994, an electric fence was installed; there was a wide shallow stream with very little riparian habitat. In 2008, the same area has greatly improved with a lot of riparian growth, and the river is a narrow relatively deep channel. He showed various areas in the Gila River which have improved as a result of management for biological values and a flashy, dynamic flow regime. Cottonwood Canyon has been droughted out; there are no southwestern willow flycatchers there. Salt cedar was inventoried in 2007 and then again in 2014. A concern is that there is more salt cedar in 2014 than there was in 2007. BLM's plan for salt cedar eradication is to do it with treatment. He discussed the Arizona Water Settlements Act of 2004. Two of the Phase 2 proposals include diversion and storage of Gila River surface flow; one is in the Cliff-Gila Valley area and the other one is Redrock-Gila Lower Box area. He gave the Council a website to get more information: <http://nmawsa.org/library/presentations/bh>

- Q. Lynn Ellins: What is the issue with the newspaper's account of the Gila.
- A. Jack Barnitz: The issue is with the impacts caused by the diversions to the river. The Arizona Water Settlements Act of 2004 permits New Mexico an additional annual average 14,000 acre-foot consumptive use from the Gila River. The water must be consumed in New Mexico and funding can only be used in Grant, Hidalgo, Luna, and Catron Counties.

PUBLIC COMMENT PERIOD (Tony Popp)

No public comment.

FUTURE MEETING TOPICS (Tony Popp)

- Off Highway Vehicle use
- Renewable Energy Development (wind, solar) Impacts
- Noxious Weed Eradication – Invasive Species
- NEPA --Background on why an EIS vs an EA
- Areas of Critical Environmental Concern
- Background on why an EIS vs an EA

Council is also interested in field trips, being notified more often on projects through emails, list of acronyms, and orientation for new members. Mr. Quintana suggested that we get a good photograph of the RAC members. Bill Childress agreed and said Rena has a camera.

Howard Bartoo asked how long it takes for new members of the RAC to come onboard after someone's appointment expires. Rena gave an insight to the vetting process which has to go up the line. First a selection and recommendation are made then sent up to State Office then to Washington Office where the application will be reviewed and a background check is done on the applicant. The process is taking a long time. Tony Popp asked why Washington is not processing the vetting quicker. Bill Childress informed him that it is not just a problem in New Mexico it is a nation-wide problem. The Las Cruces RAC has four vacancies:

- Category 1 has 1 vacancy
- Category 2 has 1 vacancy, and
- Category 3 has 2 vacancies – one for a 1-year appointment and one for a 2-year appointment

Rena handed out updated and new information for each member's binder. A list with the expiration date of each member of the Las Cruces District RAC is included in the packet. Rena explained a quorum to the council.

Howard Bartoo suggested that the BLM send out emails to the members more often because sometimes it's a long time between meetings, that way they don't think they've missed a meeting or something. Rena will do that.

Randy Gray asked if the RAC can participate in field trips. That would be an opportunity for them to look at an area that is up for discussion. Bill responded that a RAC member can request a field trip. Mr. Popp suggested that the RAC could have an information gathering; it doesn't necessarily have to be an official meeting. That will be added to the list of topics to discuss.

Lynn Ellins would like a list of acronyms. Bill Childress explained some of the acronyms. Michael Quintana suggested that maybe at the beginning of the meetings there could be a quick explanation of the acronyms for new members. Bill agreed to do that. Rena will send a copy of the TriCounty and Trackways documents to Lynn Ellins and Randy Gray in CD form.

Next Meeting(s): (Rena Gutierrez)

Possibly July 2015.

MEETING ADJOURNED AT 3:20 P.M.