

**LAS CRUCES DISTRICT  
RESOURCE ADVISORY COUNCIL MEETING  
LAS CRUCES, NEW MEXICO  
AUGUST 22, 2013**

**AGENDA**

- 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.**                    **Elections** (Tony Popp and RAC members)
- 10:00 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
  - RAC Charter and Standard Operating Procedures  
(Allison Sandoval)
- 10:45 a.m.**                    **TriCounty Draft Resource Management Plan** (Jennifer Montoya)
- 12:00 noon**                    **Lunch on your own**
- 1:30 p.m.**                    **Fuel Treatments and Wildland Fire Program** (Mark Bernal)
- 2:15 p.m.**                    **Update on Access Issues** (Bill Childress/Tony Popp)
- 2:30 p.m.**                    **Target Shooting** (Bill Childress)
- 3:00 p.m.**                    **Public Comment Period** (Tony Popp)
- 3:30 p.m.**                    **Future meeting topics** (Tony Popp)
- Off Highway Vehicle Use - Travel Management
  - Budget Process
  - Prehistoric Trackways National Monument RMP-Final
  - TriCounty RMP- Comment overview
- 3:45 p.m.**                    **Next Meeting(s):** (Rena Gutierrez)
- Date and Time: \_\_\_\_\_
- 4:00 p.m.**                    **Adjourn**

## **ATTENDEES**

### **RAC Members Present:**

Tony Popp  
Billy Garrett  
Tim Eastep  
Jim Hyatt  
Greg Magee  
Michael Quintana  
Paul Turner  
Norman Walsh

### **Absent:**

Ed Boykin  
Howard Bartoo

### **Designated Federal Official:**

Bill Childress

### **BLM Staff:**

Edward Seum  
Jennifer Montoya  
Rena Gutierrez  
Rico Smith  
Allison Sandoval, NMSO  
Christine Horten, Farmington  
Ray Lister  
Rusty Stovall  
Leticia Lister  
Mark Bernal  
Dave Wallace

### **Public:**

Ryan Ward, NM Department of Agriculture  
Kevin Rodden, NM Department of Game and Fish  
Will McCleery, NM Department of Game and Fish  
James Pitman, NM Department of Game and Fish  
Jim Bates, Sportsmen Representative  
Sandy Schemnitz  
Joe Herman  
John Cornell, Dona Ana County Associated Sportsmen  
Tim Sanders  
Patrick Kell, IMBA

## MEETING MINUTES

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

09:30: Tony Popp – Calls meeting to order.

0930: Council member and Visitors introduced.

0935: Tony Popp asked members to review previous meeting minutes.

There were no amendments or comments. Tony Popp motioned to accept minutes.

Motion to accept agenda accepted and minutes accepted and set. He also stated that there are new operating procedures in place and the minutes only have to be approved by the Chairperson.

0940: Bill Childress welcomed everyone and provided opening statement and updates. He also introduced Allison Sandoval from the BLM State Office of Communications. He informed the group of the changes to the Standard Operating Procedures (SOPs).

0942: Allison Sandoval, Office of Public Affairs, discussed changes to the SOPs. She stated that she was formerly the National RAC Coordinator and help the State of New Mexico write its' RAC SOPs. She explained why alternate council members should not be at the table for RAC meetings and discussed the misunderstanding of the role of the alternate. Alternates do not have a role at committee meetings. She also discussed a second issue regarding the SOPs and the change to the role of the alternate included in the SOPs. The change now states that alternates will not be part of the Council.

Question (Q.) – Tony Popp: Asked if alternates were previously vetted as alternate and received letters.

Answer (A.) – Allison Sandoval: Replied that alternates should not have received letters. Alternates are vetted, but if they are not selected as a primary council member, they no longer have a role on the committee.

Comment (C.) – Bill Childress: He further explained the confusion regarding the role of alternates. He stated that alternates may be used on committees and for other RAC issues. They may also join the meetings and may comment during the open comment period, but do not sit at the table as a council member.

C. – Tony Popp: Stated that if a member steps down, an alternate must be resubmitted to Washington, DC to be vetted and that anyone may be on a subcommittee. He clarified the misunderstanding that alternates had an official role on a RAC council.

Q. -- Greg Magee: Asked who the official RAC members are.

A.-Bill Childress: Read the names of the RAC committee members.

C. - Tony Popp: He congratulated the new reelected RAC council members. He also noted that the term 'alternate' has now been removed from the bylaws and SOPs. He stated that the term 'alternate' will be removed from RAC council meeting language.

C. - Allison Sandoval: She explained how the minutes are approved. She stated that the minutes are certified by the Chairperson. She further stated that the minutes must be certified within 30 days.

C. - Tony Popp: He stated that he would like the minutes certified within 30 days.

C. - Bill Childress: He addressed changes to the approval process of the agenda.

0955 – Council member Jim Hyatt arrived. The council now has a quorum.

C. - Tony Popp: Raised the agenda item of elections and took nominations from the floor.

C. - Paul Turner: Nominated Tony Popp as Chairman. The formal vote was made to elect Tony Popp as Chairman and Tony Popp was reelected as Chairman.

C. - Tony Popp: Opened the floor for nominations for vice-chair. Tim Eastep was nominated for vice-chair. Tony Popp moved the council to vote. The vote was made and was unanimous in favor of Tim Eastep.

C. - Rena Gutierrez: She stated that four member's 3-year terms will end in April 2014.

Q. Tony Popp: He asked Allison Sandoval if all RACs are run like this one, with no alternates.

A. Allison Sandoval: She replied that previously there were alternates, but now throughout the BLM, there are 43 RAC councils and none have alternates.

C. Bill Childress: He stated that an alternate would be required for each council member if alternates were allowed.

Q. Tony Popp: He asked if any other changes need to be made to the bylaws and the SOPs.

A. Allison Sandoval: She stated that a new charter will be required on January 8, 2014, so any changes can be made to our RAC for this council. She also stated that it is possible to have three alternates per category and that we would have to have a 13 member RAC. She further stated that this RAC has lacked an alternate in Category 3, and that each category has to have an elected official.

Q. Paul Turner: Are we as council members allowed to invite an interested party without approval?

A. Tony Popp: He replied that the general public is allowed and may comment during the open comment period. They may not be involved in a council general discussion.

Q. Bill Childress: May questions be asked of an audience member?

A. Allison Sandoval: She replied that yes, they may be asked a question, but not be involved in the general discussion.

C. Tony Popp: He addressed the issue of elected alternates for each of the three categories. He would want alternates to be at the meeting. He asked the council to weigh in.

Q. Jim Hyatt: He asked that if an alternate cannot vote and has minimal input, why would we have an alternate.

A. Tony Popp: He answered that if we revise the charter, under the new charter recommendations, the alternate would have a role and a vote.

C. Billy Garrett: He suggested that the alternate could be available, and not be required to be at the meeting unless called to fill in for a primary RAC member.

Q. Greg Magee: He asked if the alternate is not at the meetings, how will he be kept abreast of agenda items and issues?

Q. Tim Eastep: Has there been a problem with quorums?

A. Bill Childress: There have been a few problems, but not many.

Q. Paul Turner: How long would it take to get an alternate vetted and approved?

A. Allison Sandoval: She replied that a call to nomination is made and it depends on how many calls for nominations are received. She added that it is a very lengthy process.

C. Bill Childress: He stated that if we lacked a quorum or lost a member, we would probably lose a meeting.

1020 AM: Motion made by Mike Walsh to move the alternate agenda item to the next meeting. Moved by Tony Popp and approved.

## **OPENING STATEMENTS AND UPDATES (BILL CHILDRESS AND STAFF)**

### **Prehistoric Trackways National Monument RMP**

1022 AM: Bill Childress updated the agenda items and addressed the Prehistoric Trackways National Monument.

Q. Tim Eastep: Is the comment period closed on the Prehistoric Trackways/

A. Bill Childress: He replied that yes, the comment period has been closed for almost a years.

C. Bill Childress: He continued to provide updates on agenda items from the previous meeting.

### **Sun Zia Transmission Project**

Q. Michael Quintana: He asked for an update on the progress of the Sun-Zia project comment period; objection by the military.

A. Bill Childress: No decision; protests received on the Preferred Alternatives are being addressed; and once the decision is made, there is an appeal period on the Record of Decision.

C. Tony Popp: If BLM approves preferred, there can be appeals.

C. Bill Childress: Traditionally Federal Agencies do not appeal.

### **New Mexico Copper EIS**

C. Bill Childress: He addressed the EIS for New Mexico Copper. The draft for the public has not been completed for comment.

Q. Tim Eastep: How long is this process going to take? More than a year?

A. Bill Childress: He answered that it will be completed with a few months.

### **Other Ongoing Projects**

C. Bill Childress: He provided an update on the Southroad Project and the Title V right-of-way. He also provided updates on the Cooke's Peak Environmental Assessment.

C. Tony Popp: He provided information on the boundary of the Cooke's Peak Wilderness Study Area.

Q. Greg Magee: In what area are they considering?

A. Bill Childress: He explained which areas in Luna County will be bought.

Q. Jim Hyatt: He asked how the transaction was made in Luna County. Was it a sale or transfer?

A. Bill Childress: He replied that it was a sale.

## **Permit Renewals**

1035 AM: Update provided by Leticia Lister on permit renewals. She stated that NEPA documents were written for 82 allotments. Teams were created to collect data and 90 percent of the permittees participated. The teams are now summarizing data and afterwards will begin to write the EAs.

Q. Tony Popp: Do you have to do an EA for each permit renewal?

A. Leticia Lister: She replied, yes, when the EA is completed and reviewed, it is sent out for a 30-day comment period. There will be 82 decisions issued, but the EAs will be written in batches for the next year; with additional funding, they will monitor 13 more allotments. She also stated that there will be a 58 percent to 75 percent increase in monitoring projects over the next year.

C. Jim McCormick: He praised the efforts of the Leticia Lister and Ray Lister for the efforts in planning and implementing the monitoring projects. He stated that there is a very successful working relationship with the permittees. He stated that we have fought hard to maintain the range positions on the Las Cruces District Renewable Resources staff. The EAs have taxed the range staff in their complexity and length.

## **EQIP**

1045 AM: Ray Lister provided an update on EQIP and stated that in partnership with NRCS, contracts will go into effect this fall. In 2012, the BLM partnered with NRCS on 13 projects and contracts. He also stated that it takes a year to get NEPA done on each project and that NEPA has been completed on seven contracts, but funding is decreasing each year. He said that there are initiatives with a focus on the Bootheel, the Jornada, and the counties of Otero and Sierra. He stated that we are identifying all of our areas as focal areas and we are reacting to the NRCS applications, which are submitted by the permittees. There is a proposed Tebuthiron contract for this year to treat 35,000 acres for creosote.

Q. Greg Magee: Are maps available for each of those areas?

A. Ray Lister: He replied, no, the areas are not posted on a webpage, but told him that he would provide copies.

Q. Paul Turner: How are the areas determined?

A. Ray Lister: He replied that they design the brush control projects to avoid areas of drainage and water sources.

C. Jim McCormick: He stated that there was a shift in funds to arrest salt cedar. Of the 40 percent of the State's budget for lands, we get less than 12 percent (11.5) for projects from the State.

Q. Michael Quintana: How many acres were treated last year?

A. Ray Lister: 40,000.

Q. Michael Quintana: How many acres will be treated next year?

A. Ray Lister: 35,000.

## **1100 AM – BREAK**

## **1110 AM – MEETING RESUMED**

### **TRICOUNTY DRAFT RESOURCE MANAGEMENT PLAN (Jennifer Montoya)**

1110 AM – Bill Childress presented members with opportunities to comment on the TriCounty draft plan. He stated that the District Staff have traveled and talked to water districts.

1115 AM – Jennifer Montoya presented an update on the TriCounty draft resource management plan. She stated that the general public has had a difficult time understanding the plan. She used the OHV use on roads as an example. Regarding comments, she said that they are now 90 days into the comment period and have received 500 form letters and 40 emails. They have also received 170 emails specific to wilderness characteristics.

C. Bill Childress: He stated that we have received many requests.

Q. Tony Popp: What is going on with the oil and gas leases?

A. Jennifer Montoya: She answered that there is oil and gas leases being evaluated in the plan.

A. Bill Childress: He stated that the leases are being evaluated on a case-by-case basis.

C. Jennifer Montoya: She stated that there is some confusion, but there has been a change in the chapters of the document.

C. Jim Hyatt: He stated that the comment period extension would allow the public to get a better handle on some of the language in the plan. It would allow for less conflict later.

Q. Jim Hyatt: He asked questions about the issue of the increase in forage for livestock and wildlife.

C. Bill Childress: He replied that the brush control treatments will benefit the operator. It will allow them to operate at full allotment of their numbers and any forage areas above and beyond that would benefit the wildlife and the watershed.

Q. Tony Popp: Can we submit the comments that we are making as official comments?



A. Jennifer Montoya: She answered, “Yes”.

Q. Tim Eastep: If oil and gas leases are on 10-year lease terms, will they be renewed?

A. Bill Childress: He replied that we are accepting applications for oil and gas leases until a decision is made on the record of decision for the plan. He said nominations are being accepted and they will be honored even if oil and gas leasing is deferred.

Q. Michael Quintana: May parties reapply at the end of their 10-year lease?

A. Bill Childress: He answered, yes, if the decision has not been made prior to their reapplication. When the decision is signed, any new lease nominations will be deferred.

C. Jim Hyatt: He stated that ‘multiple-use’ sometimes gets pushed aside to accommodate special use.

C. Bill Childress: He encouraged readers of the plan to look at it carefully for discrepancies and provide comment. He said that ‘multiple-use’ means that there is not always multiple-use on the landscape.

C. Jim Hyatt: He commented that on page 254, regarding supplemental salt and minerals, that it has to be ½ mile away from a water source. If you have to put in a road to bring in salt and minerals, you could be concentrating supplements in one area.

C. Jim McCormick: He stated that a lot of what you see in the grazing section in the RMP is from EISs from the 1980s. He pointed out that each grazing allotment has an assessment that is analyzed. It is a general guideline. He encouraged ranchers to identify sections and comment on it.

Q. Tony Popp: He asked if the term “special recreation areas” has been used for a long time.

A. Bill Childress: He answered that yes, it is new to our area, but it has been used before.

Q. Tony Popp: What does this apply to when we talk about this plan?

A. Bill Childress: He responded by explaining the areas and said that these areas will be provided with special resources and presence in the area, for example, Dripping Springs, Aguirre Spring, and “A” Mountain. We are expecting greater visitation and more activity in these areas.

C. Jennifer Montoya: She clarified by stating that these areas are defined as extensive recreation areas that we want to give additional focus. She also said that we want to encourage people to go there and recreate and it helps us communicate internally by calling these areas ‘special’.

C. Tony Popp: He stated that he needed clarifications on the buffer zones in these areas.

C. Dave Wallace: He further explained the difference between SRMA (Special Recreation Management Area) and ERMA (Extensive Recreation Management Area), using mountain biking in the Dona Ana Mountains as a focused recreation area.

Q. Tony Popp: Where is the buffer zone on the Sierra Vista Trail?

A. Jennifer Montoya: She answered that it is a ½ mile on either side.

C. Jim Hyatt: He commented that didn't understand the language on page 4-45 of the RMP on reducing AUMs.

A. Leticia Lister: She responded that if you go to Chapter 2, page 2-55, an example explaining how the AUMs are reduced is shown. She said that there are a lot of areas that have limited vegetation potential. In discussions with the Washington, DC office, every decision they make is covered by laws and regulations. There is a lot of work involved in monitoring. The teams had to come up with a broad range of alternatives. The permittees took a 25 percent reduction in AUMs in areas of limited potential. We will go back and explain how this will happen in the RMP.

C. Bill Childress: He stated that a no-graze alternative will be included in the plan. The old RMPs and EISs do not apply today.

C. Michael Quintana: He commented that there is a public perception that a no-graze alternative is already in place.

Q. Michael Quintana: How would you lay out the benefits of allowing grazing and the impact of no grazing?

A. Jim McCormick: He replied that new standards and guidelines are being used.

Q. Jim Hyatt: Referring to Chapter 4, page 4-37 of the RMP, he asked in regards to the rotation system, the continuing pumping of wells, and the cost of private water rights, should the Federal government force you to pump water from your own water rights to benefit wildlife and human consumption?

A. Leticia Lister: She answered that this impact is common to all alternatives.

Q. Tony Popp (to Jim Hyatt): How is your cattle rotated in this system?

A. Jim Hyatt: He said that part of the cost of the producer is to cut cost and to rest the pasture.

A. Leticia Lister: She said that the BLM has stated that we work with permittees to insure that when they have cattle in their pastures, leave water in it for the cattle.

A. Jennifer Montoya: She added that in the best management practice, there is some flexibility.

Q. Michael Quintana: Is there a plan in place to address the costs and can you force them to do it? The rancher gets nothing for providing the resource.

A. Jim McCormick: He responded that an economic analysis was made and gave significant provision in the grazing fees that addressed the costs of providing this resource. The authorized officer (permittee) has great discretion in how the water resource is provided.

Q. Michael Quintana: Is it being addressed in the RMP?

A. Jim McCormick: He answered, probably not.

C. Jim Hyatt: He addressed the issue of having water in every area when the water is not accessed.

## **1220 – LUNCH BREAK**

## **FUELS TREATMENTS AND WILDLAND FIRE PROGRAM**

### 1335 – MEETING RECONVENED

C. Bill Childress: He introduced Mark Bernal, Fire Management Officer for the Las Cruces District.

#### Highlights of Power Point Presentation:

- Diverse landscape with multiple agency coordination:
- 5.4 million acres in 6 counties (BLM)
- 14 people per square mile
- 68 Fire Departments
- 5 Federal Agencies
- 3 Military Installations

#### Challenges:

- Declining Budgets
- Limited resources for size of administrative area
- Limited resources for communications/interagency coordination and training

#### Fire Program Goals:

- Prevention—fire restrictions, talk to the general public; limiting human caused fires; focus on who will hear us.
- Promote—improve ecological resources; prescribed fires

Q. Tony Popp: Is there a commitment to do prescribed burns when we have the opportunity to do so?

A. Mark Bernal: He responded, yes, we have plans for the future, over the next few months.

Q. Greg Magee: Is there any data that shows that fire favors Lehmans Lovegrass that doesn't resist it?

A. Mark Bernal: He replied that it is an invasive grass and if an area is cleared, it will burn.

C. Bill Childress: He commented that wildland fires in the spring can wreak havoc on an ecosystem.

Q. Paul Turner (to Bill Childress): Do you have problems with falcon habitats with prescribed fires?

A. Bill Childress: He answered that Yes, sometimes, but it is minimal.

### **UPDATE ON ACCESS ISSUES** (Bill Childress)

C. Bill Childress: He introduced the access issue topic. He opened by stating there are more groups that want additional access to public land.

Q. Tony Popp (to Rusty Stovall): Have we been getting more questions from the counties concerning public access issues?

A. Rusty Stovall: He answered stating that there is up-to-date material available for the counties and it has been provided to them.

C. Bill Childress: He stated that there are gaps in the two versions of the maps as far as who controls which areas and which are designated as a county road.

Q. Tim Eastep: How did you prioritize which areas required changes to access?

A. Bill Childress: He stated that with the limited budget, we are being careful using the funding to make incremental progress.

### **TARGET SHOOTING**

C. Bill Childress: He introduced the topic and Dave Wallace provided a Power Point presentation on the subject, referencing the TriCounty RMP Appendix N and Map 2-44. He also stated that we are not against firearm use, we just want the use to be safe and in a proper area.

C. Dave Wallace: He opened the floor for questions on the target shooting issue.

C. Bill Childress: He commented that in the RMP for the Trackways National Monument, it doesn't limit regulated shooting or hunting.

Q. Tony Popp: He stated that it is appropriate not to allow shooting in special recreation areas and that there should be alternative areas provided for areas that are closed to shooting. He also stated that he agreed that multiple-use does not mean all activities are allowed in all areas. He noted the Sierra Vista Trail as an example.

Q. Tony Popp (to Game & Fish): What is the rifle hunting period for deer along the Sierra Vista Trail?

A. Game & Fish Officer: He replied that depending on the area, it runs from 19 October until mid-December.

C. Tony Popp: He commented that his feelings are that he would prefer that there would be no restrictions in the areas on the Sierra Vista Trail. He said he not sure why there is a ½ mile restriction around Baylor Pass.

Q. Greg Magee: Would you place signs a half-mile out from the trail?

A. Dave Wallace: He responded that we would place signs at the trailhead.

A. Bill Childress: He stated that signs would also be placed at access points.

C. Jennifer Montoya: She stated that the Department of Game & Fish made a proclamation that hunters contact BLM before hunting in those areas.

Q. Jim Hyatt (to the Game & Fish): He asked what the impact would be on them, from a workload perspective, to enforce hunting laws.

A. Game & Fish Officer: He responded that it would increase their workload and resources and that it would increase even more during certain hunting seasons.

C. Jennifer Montoya: She stated that the ½ mile buffer is consistent with other designated recreation areas.

C. Paul Turner: He commented that restrictions should be made for rifle use within 100 yards.

**PUBLIC COMMENT** (Tony Popp)

*John Cornell, President, Dona Ana County Associated Sportsman:* He read a short letter from the association. He also stated that one of the biggest obstacles to accessing BLM land are the counties themselves.

*Jim Bates, representing Responsible Sportsman:* He stated that decisions should be made on factual issues regarding target shooting. He also addressed access issues, stating that public land access is the biggest issue for sportsman and recreation users. He further stated that the concerned public will stay on these issues, including problems that ranchers have on allotment lands.

*Patrick Kell, IMBA (International Mountain Bike Association) Southwest Regional Coordinator:* He presented information about IMBA and the program.

*Tim Sanders, representing himself:* Commented on land access issues and talked about the success story in the Alamo Hueco area access to the Bootheel. County road maps need to identify what's County maintained and not maintained. Need to know why certain roads disappeared; dropped because roads got locked by landowners.

*Joe Hermann, representing the general public sportsman group:* Commented on land access concerns.

### **1525 – BREAK**

### **1535 – MEETING RECONVENED**

C. Tony Popp: He reopened the topic of target shooting in recreation areas.

C. Bill Childress: He asked members to think about the target shooting and hunting concerns on the Sierra Vista Trail and to contact him with their feedback.

### **PLANNED FUTURE MEETING TOPICS (MEETING DATE TO BE DETERMINED)**

C. Tony Popp: Provided future meeting topics and opened the floor for topic suggestions.

1. Off-Highway Vehicle Use – Travel Management
2. Land Tenure
3. Site Visit-Restore NM/RX
4. Wilderness Study Areas
5. Prehistoric Trackways National Monument RMP/Final
6. TriCounty RMP Comment Review

For next meeting, discussed the next meeting include a field visit in the District.  
NEXT MEETING – November 7-8 or November 14-15, 2013

### **1550 – MEETING ADJOURNED**