

**SUMMARY MINUTES  
PECOS DISTRICT RESOURCE ADVISORY COUNCIL  
January 21, 2016  
Roswell, NM**

**RAC Members Present:**

**George Farmer  
Ron Hillman  
Tish McDaniel  
Jack Callaway  
Steve Peerman  
Alisa Ogden  
George Veni  
Reginald Richey**

**RAC Members Absent :**

**Steve West  
Greg Fulfer**

**Designated Federal Official:**

**Jim Stovall, District Manager  
(George MacDonell, Acting)**

**BLM Staff/Meeting Support:**

**Chuck Schmidt, RFO  
George MacDonell, CFO  
Howard Parman, RFO  
Kyle Arnold, RFO  
Randy Howard, RFO  
Scott Carleton, NMSU  
Adam Ortega, RFO  
Tania Sanchez, CFO  
Nathan Curnutt, RFO  
Helen Miller, RFO  
Ruben Sanchez, RFO  
Glen Garnand, RFO  
Jim Goodbar, CFO  
Terry Heslin, NMSO  
Marikay Ramsey, NMSO  
Michael McGee, RFO  
Knutt Peterson, RFO**

**SCRIBE:**

**Betty Hicks**

**PUBLIC:**

**Kyle Dillard  
Carol Belski, SWR/NSS  
Dave Belski, SWR/NSS  
Catherine Green, Matador Resources  
Bret Riley  
Ken Harrington, SWR/NSS**

**January 21, 2016**

**CALL TO ORDER, WELCOME & OPENING STATEMENTS**

The meeting was called to order by Field Manager Chuck Schmidt, explaining that Council Chairman West was unable to attend. Vice Chairman Alisa Ogden will preside. Mr. Schmidt will be leaving early and Carlsbad Field Manager George MacDonell will be the Designated Federal Officer.

**Election of Chairman** – Ms. Ogden called for nominations and Council member Tish McDaniel nominated Ms. Ogden. This was seconded by Jack Callaway. It was pointed out that Ms. Ogden's term will expire in April 2016 and nomination was withdrawn. It was suggested that someone be nominated who would be serving a longer term.

Council member Jack Callaway nominated Steve Peerman, nomination was seconded and **Mr. Peerman was elected by acclamation.** Mr. Peerman then called for a nomination for Vice-Chairman. Ron Hillman was nominated for Vice-chairman by Alisa Ogden, seconded by Steve Peerman and **Mr. Hillman was elected by acclamation.**

## **STATUS OF CARLSBAD PLAN REVISION – George MacDonell**

Mr. MacDonell showed the Council a power point presentation of the Carlsbad RMP/DEIS Schedule. The process began in June 2010. A Notice of Intent (NOI) and a *Federal Register* notice were issued. A Contractor (SWCA) was hired in 2011, workshops were held and a newsletter was published. Reasonable and Foreseeable Development was done in 2012 and many resource inventories completed in 2013. The Washington Office and the New Mexico State Office were briefed; comments returned and are being addressed.

The Draft document should be completed in January 2016. The State Director will be briefed, the draft published in the *Federal Register* and a 90-day comment period will begin in February 2016. The public review should conclude in June and completion of the document is planned for December 2016.

Mr. MacDonell stated that the State Director will visit Roswell and Carlsbad District Offices beginning in early February. Mr. Schmidt explained that tours will be given, and coffee meetings with invitees will be held in both offices. Council members are among the invitees. He also explained that the Planner on the document will be leaving after its completion and a new Planner, not known as yet, will be addressing the public meetings.

### **PUBLIC COMMENT PERIOD**

The Public Comment Period was called for and Ms. Alisa Ogden stated that she had questions concerning new regulations on APDs regarding the Migratory Bird Treaty Act. Inventories must be in compliance and since large projects are difficult to accomplish with employees (BLM) would like Companies to hire contractors to assist. She asked if using only employees will impact the timeframe of completing APDs.

It was responded that requirements of water source, material, etc. must be in the application when first submitted. BLM will be looking at these requirements closer.

Ms. Ogden asked if companies are no longer in business, how much delay is anticipated in work being done. She was told that if conditions are still valid, initial NEPA should apply. These will be looked at on a case-by-case basis.

Ms. Ogden commented that there needs to be overview observation of what companies have currently in operation and assure compliance prior to having any more work authorized. If there are violations, they must take care of these before new permits are issued.

She was told that inspection is very difficult with the inability to staff in the area.

Ms. Ogden also feels that all regulations should be done statewide and that all implementation should be reasonable.

It was asked if BLM looks at fee restructuring for cost to be returned to the office involved and the response was that it has been implemented.

It was stated that all resources impacted should share the same regulation implementation.

It was asked if the State management is more lenient than the Federal and the answer was yes.

There were no further public comments.

It was brought up that the Minutes from the last meeting had not yet been approved, as well as one due to lack of a quorum. Mr. Peerman called for any comments and, as a quorum was present, the minutes of the two previous meetings were approved by acclamation.

## **DISCUSSION OF CAVE MANAGEMENT AND WHITE NOSE SYNDROME –**

Jim Goodbar/Marikay Ramsey/Steve Peerman

Mr. Peerman asked if the Council wished to hear presentations as given at the last meeting. It was suggested that the presentation be printed out and submitted to members as part of the minutes.

Mr. Peerman gave all a handout and then showed a power point presentation of the agenda item. He explained that White Nose Syndrome is a bad disease affecting bats in the northeast part of the United States, killing these bats. Much research is being done and BLM should find a balance between public access and mortality. The concern is of Ft. Stanton Cave access.

Mr. Peerman gave a history of the cave and cave management. He mentioned that the first Cave Specialist for BLM was Don Sawyer.

The disease was first detected in Howe Caverns. The argument that humans brought the disease from Europe to this cave is problematic. It is conceivable that translocation was the way the disease arrived. By 2010 it had spread up and down the Appalachian mountains. There was suspected occurrence in Oklahoma in 2010. This is disturbing to BLM, as this is an adjacent state.

BLM took action, did an Environmental Assessment (EA), called for closures in 2011, and all closures were not to exceed 24 months from date of closure (1/25/2013). Many caves in the Pecos District and others in the State were shown. All recreation caves and gated caves are in the Pecos District.

BLM has a document explaining the reason for the temporary closure and why. Concern is that it does not become a defacto permanent closure without public input. In January 2013 the notice expired, and it was asked what is the plan.

Permits are at BLM's discretion to gated caves, what about the others? A cave in Las Cruces area was visited immediately after expiration and much vandalism was found. Cleanup was done and there has been no additional vandalism. Ft. Stanton has a gate, a fence and a sign and entry was attempted.

Research has been done on bats with and without the disease to see if I would spread and healthy bats remained healthy. Mode of transmission not by air, fungus was the cause. In 2013 a paper was written with a diagram showing what is known about transmission - likely bat to bat. Do not know what role humans have, there is no evidence.

It was stated that the incidence map is very similar to the migratory map.

Many caves in NM have the right conditions for syndrome to flourish. A chart of progression was shown and as far west it has come is Delaware County, Oklahoma. It appears we have until 2020 for it to arrive in the New Mexico Ft. Stanton Cave, if progression continues.

July 2014, an interim management policy said discretionary permits adopted.

A Colorado plan says they will monitor and watch and when it gets to 100 miles they will adopt more stringent rules. Cavers would like the same kind of plan in New Mexico.

It was stated that the State requires certain cleaning of boats before entering waters of New Mexico.

Mr. Peerman showed the group what the Cavers would like the RAC to recommend to BLM. These were listed on the handout. He stated that he had changed No. 4 on the handout to read “develop a plan” rather than an EA as shown in the previous presentation.

Marikay Ramsey of the BLM New Mexico State Office then addressed the group. She discussed the science perspective. The infectious disease caused by a fungus appeared in North America in 2006 and 2007. There is no absolute proof that humans played a role in bringing the fungus to North America from Europe, but all evidence points to the possibility that human vectors were involved in the disease transmission. This is not a determination, made only by wildlife biologists, but by many others including epidemiologists, disease pathologists, microbiologists and others.

The disease only infects hibernating bats – has killed 6.7 million in the eastern and central parts of North America. It spread rapidly and has the potential to decimate bat populations and cause species extinction.

Because bats in the U.S. are insect eaters, it was asked what about bugs in these areas of high bat mortality. It was explained that because of this disease, many metric tons of bugs are not being eaten. This has a large economic impact on forests and agriculture where bats save these industries approximately \$23 billion per year in the United States alone.

There have been major strides in research on WNS; however, information on how to control the disease spread is lacking. The primary management goal is how to contain or slow disease spread to allow solutions to be found. Some of the efforts to control spread are restricting access, monitoring and reporting disease and spread in all areas, public education and habitat management. Reduce additional stress on bats by limiting disturbance.

Bat to bat contact is the primary method of disease spread. However, there are published papers that show why it is thought that humans can be a viable vector. The supporting evidence for limiting access was listed.

A study by Langwig et al. (2015) called Invasion Dynamics of WNS determined that bats can bring fungal spores into a disease-free hibernation site during the first winter, and deposit the spores on the substrate. During the following summer, most bats clear the fungus when their body temperatures are too high to allow the fungus to grow. At the beginning of the 2<sup>nd</sup> winter when bats return to the hibernation site, the fungus is widespread on both bats and substrate. This suggests that the bats are becoming infected from the fungus that is surviving on the substrate. This environmental reservoir of the fungus is contributing to the persistence of WNS at these sites. The conclusion is that bats can clear the disease in summer but widespread occurrence happens in the winter.

Standard disease management procedures known as Universal Precautions have been implemented to reduce WNS transmission (National Wildlife Health Center). The three precautions relevant to WNS management are - decontamination, equipment restrictions, and

restricting human access to sensitive habitats. All three must be done in order to minimize disease spread.

The U. S. Fish & Wildlife Service Cave Advisory of 2009 is being updated. Their recommendations were shown, and include the Universal Precautions. There are no current treatments available for bats or caves to prevent the spread of the fungus.

The response to this epidemic demonstrates the necessity of collaboration across many groups and many recommendations are the result of this collaboration.

Jim Goodbar, BLM Carlsbad stated that he has been involved since the disease was first discovered. As BLM New Mexico is adjacent to Oklahoma, this triggered involvement in how to deal with disease.

A Washington Office Instruction Memorandum was issued in 2010. It discussed outreach, considering restricting access, current decontamination procedures, participation in state response plans, and identifying sites for testing and support research.

There are many partners on the national level dealing with this issue. In New Mexico there is an interagency working group developing a plan as well.

The primary objective is to focus on preventing potential human transmission. A Response Plan is under revision and should be completed this year. BLM New Mexico is working with many different entities when making decisions.

The 2-year temporary closure was done in 2011 after much work being done with the public, caving community, etc.. He stated that "closure" is a misnomer, but is restrictive access. Do not want to risk large mortality rate which is known where infections occur.

In 2013 the restrictions in place expired, an EA was done and comments requested. There were none received. The existing permit practice is discretionary for many resource values and it has been decided not to open for recreational use, only for WNS research, rescue or other research and survey.

There is 35 miles of ongoing surveying in Ft. Stanton Cave. Many opportunities for entrance do exist. Much data is being collected for the fungus, bat count, etc. BLM is using risk management.

Bats do not cross breed but will occupy the same cave. A karst corridor for bat movement exists from Oklahoma to New Mexico.

It was asked if there is research on the migration of possibly contaminated bats. Mr. Goodbar relayed that studies have been done on predictions/modeling across the US. Want to contain the spread and not have it get to New Mexico but be able to address it if it does get here. Research papers have been provided showing cases of human transmission.

Spores can "hitch hike" from one bat to another.

Mr. Peerman stated that research indicates that a vector might be a mite, as well. This disputes the human vector as there is no research showing that humans are transmitters, only a possibility. He asked if management should be based on fear forever or should science be considered and caves managed on what current research says. He stated he was asking that the RAC endorse the recommendations to the BLM.

There is work done by USGS on three (3) species that shows nationwide migration. Many use the entire continent within a year. The potential for spreading east to west is known.

It is known that natural immunity is occurring. It is shown that no problems occur in caves that have humans traveling between them.

The fungus occurs in both dry areas as well as those with high humidity. The National response is that the probability of human transmission exists.

Mr. Peerman asked for a motion that the Council endorse a recommendation as presented on his handout.

Mr. George Veni, RAC member, stated he would like to recommend that a small group be formed to address this.

It was stated that the RAC is already working with BLM on this issue.

It was asked how the human element is managed on caves not being considered. Mr. Goodbar stated that there are 26 restricted out of 490.

**A motion was made that BLM work with a committee of interested parties to develop recommendations with regard to cave closures associated with WNS.**

The motion was seconded and after discussion a vote was taken. **The motion failed.**

#### **Activity Plan for the Lesser Prairie Chicken LPC) ACEC – Glen Garnand**

Mr. Garnand explained that the Area of Critical Environmental Concern (ACEC) boundary was formed during the 2008 RMPA for on-the-ground resource management of special status species. The management goal is to protect the biological qualities to enhance the biodiversity of the ecosystem, particular habitats for the lesser prairie chicken and the dune sagebrush lizard.

A Subcommittee formed by the Resource Advisory Council held several public meetings were held. The Roswell Field Office is currently consulting with area Tribes and will have a public meeting on January 28, 2016.

Planning issues also include increasing connectivity of existing LPC, recreational use and facility development, safety and quality for all visitors and users, minimize conflicts, and provide a transportation system that reduces fragmentation and conflicts etc..

Other issues include the use of grazing and fire to manage forage quality and availability, and reduce catastrophic fires, environmental education and conserve habits near lek sites.

The area will be closed to new oil and gas leasing and RMPA management prescriptions will be carried into management of the ACEC. Inventories of wilderness characteristics are currently being done and road inventories will be done as well.

Comment reviews will be done in March with a Draft to be done by April. There will be a 30-day comment period for the draft and a final Plan to be done by the end of April or early May.

Recommendations of subcommittee will be carried into Plan. The use of grazing is already in Plan as a management tool.

It was asked if BLM is working with anyone on the grazing process as yet and it was stated that this will not take place until after May.

### **REPORT FROM THE LPC ACEC SUBCOMMITTEE AND RESEARCH AT THE ACEC - Randy Howard/Adam Ortega/Scott Carlton**

Randy Howard stated that after the 2008 ACEC designation there was a large fire in the area in 2009. BLM began looking at what was limiting chickens in the area. Funding was acquired and under FLPMA and BLM manual 6500 directed to support and carry out research necessary for efficient management of wildlife and special status species.

Monitoring done on LPC indicated a need to create disturbance on the area. The RAC subcommittee formed recommendations. These included three (3) strategies :

- 1 – Fire
- 2 – Fire & Grazing
- 3 – Grazing

Scott Carlton was introduced and explained that he is a Biologist with the US Geological Survey, a professor at NMSU and works through the NM Cooperative Fish and Wildlife Research Unit at NMSU. He works with entities to design projects to help them manage areas.

He explained that three (3) years ago a project was formed to see why over the last 30 years there had been a drop in lek attendance, what is happening in this particular area.

Space use – how is species moving around, using the landscape, estimate of survival and resource selection were looked at and how the previous study applies to the proposal being presented.

A map showing the study area was shown. Movement patterns of LPC over 3 years were studied. Five (5) leks were used for trapping. High use was shown around lek sites. Females select areas for brooding. Birds have the potential to disperse and require large areas to move in.

There was no movement to the west of these lek sites, only to the east. This seems to be determined by mesquite density and Cato road.

Resource selection tells characteristics of LPC use. If this can be identified, can manage. It was found that in New Mexico six (6) kilometers encompasses 99% of birds in the study.

Colors on the map defined the amount of use around leks and it was explained that a lek area is where birds congregate and mate.

A buffer around a lek and a reason to only move in certain way was looked for. A trend for selection of sites was looked for and no selection on the north section was found. Habitat within the area is the same. It was found that the old fire area is all the same. Brooding needs for density.

There is three (3) years of data where no treatment has been applied. There is recommendation for fire and grazing to see how this influences the species.

Work is also being done with OSU, looking at the vegetation community. Many responses will be looked at, including fuel load affects. Want to avoid catastrophic wildfire.

The research proposal includes Phase 1 – Fire first, Phase 2 – Fire and Grazing. The reason is to try to control as many variables as possible.

Mr. Carlton stated that they would like to keep grazing from confounding the results; use fire first and be able to say what the affect is. Control for grazing this way.

A 3-year study for fire affects to be known is proposed. Fire Management Units are defined, each has the ability to contain fire. Proposed burn units were shown. The goal is to see how birds will react to burn areas/non-burn areas and at the end of three years, bring in rotational burn/grazing.

Ms. McDaniel, RAC subcommittee member, commented that research has been done for many years showing that birds also go where oil and gas and agriculture fields have been decimated. Leks are not the only limiting factor for movement. This is a drought area and must be managed as such.

It was asked what the justification for waiting three (3) years before introducing grazing. The response was that the vegetation area completely recovers in that period of time. There is no research on how long takes to recover from grazing.

It was commented that should have all variables take place in 2016, with different time frames.

Discussion followed re burning and grazing, with burning on different soils presenting problems in these areas.

It was stated that it is not known whether or not this will enhance the chicken and that there are risks associated with fire.

It was asked if there are any bladed fire lines and the response was that there are not lines around the area that existing roads are being used as fire lines.

There was discussion re grazing of old grasses vs. new grass and if the subcommittee recommends only 37% of fire isn't there still fuel for large fire.

Chairman Peerman asked to close out the presentation and discussion and Mr. Carlton suggested that the way to get what BLM wants is to compromise by changing where his proposal would burn to accommodate seeing what both would do.

It was suggested that Mr. Carlton condense the proposal to be able to make an informed decision. The timeframe must be prior to the final ACEC Management Plan.

It was stated that between April 15 and July 15, no burning may occur. Fuel conditions are a consideration for prior to April 15 cut off.

**A motion was made by RAC member Richey that Mr. Carlton, Nate Curnutt (BLM Fire) and the Subcommittee meet and make a final recommendation to the RAC electronically. The motion was seconded.**

Mr. Peerman asked for discussion and Field Manager Schmidt stated that he endorsed the motion as stated. A vote was taken and the **motion passed by acclamation.**



**Next Meeting** - April 21, 2016 at Fort Stanton. Agenda topics should be sent Mr. Peerman or to Howard Parman at BLM.

1 Attachment

WNS Handout – Steve Peerman