



Minutes of the D-E NCA Advisory Council

July 31, 2013, 3:00--6:00 p.m.

Delta County Courthouse, Room 234

501 Palmer Street, Delta, Colorado

Council members attending: Katie Steele, Tamera Minnick, Oscar Massey, Doug Atchley, Steven Boyle, Mike Wilson, and Terry Kimber (by phone for part of the meeting).

Council members absent: Joe Neuhof and Steve Acquafresca

BLM staff attending: Collin Ewing, Andy Windsor, and Marie Lawrence from Grand Junction Field Office; Barbara Sharrow and Lynae Rogers from Uncompahgre Field Office.

Members of the public attending: Robbie LeValley, Kaye Simonson, Joyce D. Olson, Jan Burch, Jim Cooper, Janice Shepherd, Eric Rechel, Sherry Schenk, Terry Gray, Mark Roeder, Chris Miller, Emily Hornback, Kate Graham, Terrell Lindberg, Suzanne Sellers, Therese Davis, Jolene George, Kent Davis, Dick Miller, Theresa Davis, Mark Roeber, Austin Massey, Ross Allen, Brad Banulis, Renzo DelPiccolo, and others.

Call to order and introductory remarks

3:05 p.m.: Chair Katie Steele called the meeting to order. Council members, BLM staff, and members of the public introduced themselves.

Role of the Council, agenda review, and meeting objectives

Collin Ewing: Dominguez-Escalante NCA was designated by Congress in 2009 Omnibus Public Land Management Act. The Act withdrew the NCA from mineral laws, directed BLM to put together RMP and Advisory Council of people who represent the NCA's purposes and the viewpoints of stake holders. The Council met 24 times in first sixteen months, 28 times in total so far; have put in a lot of feedback. There has been a lot of public involvement so far. Draft RMP is out for comment. Advisory Council is looking at the Preferred Alternative.

Katie Steele: This meeting is about biological systems and grazing, to discuss the Advisory Council's recommendations and how they compare to the BLM's Preferred Alternative. Alternatives A through D give a range of options. Alternative E [Preferred Alternative] is an amalgam of all the other four alternatives. Council is going to have all the major topics

discussed prior to the August 22nd deadline for submitting comments. Remind public to put route comments in writing.

(Some time was spent trying to get phone connection with Terry Kimber to work)

Council discussion: biological resources

Steve Boyle: Went over biological sections with Tamera. Reporting back on the outcome of subcommittee meetings. Committee had almost complete consensus on all the points, with full consensus on some. Biological resources are represented by 45 pages of management actions in Preferred Alternative. Council does not have very many specific comments. BLM did outstanding job with biological resources in Preferred Alternative.

3: 16 p.m.: Oscar Massey arrived.

Boyle: Concerning sagebrush and additional travel routes described in draft RMP on Page 51, row 1, in Alternatives Matrix, Tamera brought up an issue.

Tamera Minnick: Alternatives B and C prohibit new routes in existing unfragmented sagebrush. The Advisory Council supports no new routes in unfragmented sagebrush. According to a recent paper¹, it's very important to keep sagebrush unfragmented: 350 species depend on it. Sagebrush is important for economics only if it is in good shape. Fragmentation introduces conifers and invasives like cheat grass. In a conservation area, I think we should focus on avoiding fragmentation in areas 60 acres or greater. In other words, the Council recommends Alternatives B and C but not D.

Ewing: What Dominguez-Escalante interdisciplinary team was thinking is BLM needs to preserve some flexibility for where we can put routes in for hiking or motorized use.

Andy Windsor: If BLM had to do something in sagebrush, we would have to mitigate.

Minnick: Can't reproduce functions of undisturbed sagebrush with mitigation. Grazing and biological restoration should take precedence. Put routes outside the perimeter of sagebrush patch.

Boyle: Only talking about acreage of 60 acres or more. Smaller patches are fair game. This is a wildlife management issue. In 2005, I wrote Colorado sagebrush document² with Colorado Parks and Wildlife. This document prioritizes sagebrush in landscape. Alternative C is most consistent with CPW's recommendations. It's not just about the sagebrush, it's also about declining songbirds and other species. CPW has a higher standard of conservation for sagebrush than for other plant communities because of its importance.

¹ Davies, K.W., C.S. Boyd, J.L. Beck, J.D. Bates, T.J. Svejcar, and M.A. Gregg. 2011. Saving the sagebrush sea: an ecosystem conservation plan for big sagebrush communities. *Biological Conservation* 144(11):2573-2584.

² Boyle, S., and D. Reeder. 2005. *Colorado Sagebrush: A Conservation Assessment and Strategy*. Colorado Division of Wildlife, Denver, CO. Online at <http://wildlife.state.co.us/WildlifeSpecies/SagebrushConservation/Pages/ColoradoSagebrush.aspx>.

Steele: Right now, the Council is on a fact-finding mission, an exploration. After comment period is over, the Council will make formal recommendations to BLM.

Minnick: For sagebrush 60 acres or greater, don't touch it, but offset [mitigation] is a good idea for up to 60 acres.

Lynae: Have question for Tamera: Are you looking at any disturbance?

Tamera: This management action is specific to travel routes.

Doug Atchley: What about existing routes in a 60-acre patch? Is it 60 acres or more exclusive of routes?

Ewing/Minnick: Unfragmented means no routes there.

Boyle: This is not about closing existing routes.

Mike Wilson: From the point of view of the ATV community, it's more scenic to go around sagebrush rather than through it.

Boyle: Before the Advisory Council makes its final recommendations, we're interested in to what extent BLM wants to add routes to existing sagebrush patches.

Andy: From the recreation perspective, there are a lot of recreation-based actions in the Cactus Park area, but there is also a lot of sagebrush. We're looking at moving existing routes in sagebrush to edge of sagebrush. Alternative E was to help us keep the BLM's hands untied. We're not looking at new routes now. Based on guidance we get, BLM will determine new routes going forward.

Atchley: Want to clarify that we're talking about Cactus Park North.

Ewing: The BLM preferred alternative has specific recreational objectives for Cactus Park North that would mean additional routes.

Boyle: The Preferred Alternative has a management action about mountain shrubland communities. The Council is concerned that Alternative B was selected as preferred. With most other plant communities, Alternative C was selected as preferred, so not a big issue, but interested in BLM's rationale for the hands-off approach of Alternative B.

Ewing: Steve compared it to pinyon-juniper community. These are both in good shape. Didn't feel like we needed leeway to do treatments in mountain shrub community, as it didn't need this.

Rogers: For pinyon-juniper, want to be able to do treatments; want to see more tall vegetation in these areas for treatment purposes.

Minnick: By doing it this way, you're tying your hands so can't do treatments in future, even if you need them.

Boyle: Winter range requirements of big game may require vegetation treatments.

Ewing: It looks like we left a little flexibility; there are some exceptions, but doesn't focus on big game, so can look at that more closely.

Boyle: (Referred to draft RMP, Page 61, row 2). Sometimes recreational demands for river flows aren't always consistent with what's important for biological resources. Real issue is we're not sure that in a national conservation area, it's appropriate to put recreational river flow demands, such as from outfitters, over demands of biological resources. Even suggest that the BLM removes recreation from the list of water-dependent values. Doug and other commissioners agree that river flow is already prescribed extensively.

Ewing: What I would look at is what is in the recreational objectives for that stretch of river and make sure they don't conflict with biological objectives.

Atchley: Why put it in at all? Just leave it out, because flow is already prescribed. Agree with Steve to leave recreation out.

Minnick: Can't maximize outcomes for all actions; have to make choices where some actions may lose out.

Atchley: To single out recreation here isn't going to work. The discussion about water is 100 years old. Water demands are only going to increase. We don't have enough for all the demands as it is.

Minnick: Preferred alternative wants to do both; that's less controversial (referred to draft RMP, Page 58, top line), but by doing that, you're avoiding making a decision about it.

Barbara Sharrow: The BLM can manage for both in an SRMA if it is large enough.

Minnick: Yes, but you can't do it "most efficiently" for both types of resources. It's the same question as Steve's question about fish and recreation. Can't maximize two things.

Boyle: When it comes to grazing, we didn't go into specifics when we looked at grazing before; we took a broad brush approach, so the Council's formal recommendations will go into specifics.

Oscar Massey: We've done a lot of work on sagebrush on our ranges. Would be good to go back and look at what actually works. If we moved the blade on the rotochopper, it left every other sage; think this would address some of the concerns for biological resources. When we did work in conjunction with the Forest Service, we started with 6-inch high brush; we now have 6-foot-high brush after restoration. Don't know of any sage grouse that could reach that high.

Boyle: That's adaptive management. We've been doing some of that for CPW and BLM in the Gunnison Basin. Even after five years, we can't measure a difference between pre- and post-treatment. Oscar's idea is a good one. I'm an advocate of habitat treatment to make it look like

it should for wildlife. Nothing in the Preferred Alternative is backing away from vegetation treatment. It's all about conditions.

Ewing: To follow up on what Oscar said, because of the NCA status and the importance of science in our NLCS units, we are able to compete fairly well for funding for scientific research on treatments to meet our biological objectives.

Public comments

Austin Massey: For sagebrush flats, existing routes are best left alone. Wildlife rest in trees and use them for cover. If alternative routes go through these areas, not protecting wildlife.

Janice Shepherd: Regarding bighorn sheep and the SRMA for ATVs in Alternative E in Cactus Park: SRMA seems to overlap with bighorn sheep production area. Bighorn sheep recommendations say no routes in bighorn sheep area, so that's a contradiction. If a new road fragments winter range, when compensating, don't you need to consider the quality and size of the piece that's being restored compared with the one being fragmented? In another section of the draft RMP, it, talks about seeps and springs staying untrammled, but measuring that by percentage alone doesn't take into consideration other important factors.

Ewing: We'll put the KML of bighorn sheep on the Web.

Steele: The Council's recommendations to the BLM are now on Dominguez-Escalante website.

Eric Rechel: It would be nice to have the routes in each prairie dog community be for administrative use only. For other colonies, the BLM has closed roads around those colonies, which is great.

Suzanne Sellers: I'm on staff of Colorado Water Conservation Board: The Board wants to make comments on Cottonwood Creek. The Board is asking the BLM to defer a decision so that the BLM and the CWCB can work on potential instream flow for protecting habitat. Will provide a copy of letter to BLM.

Ross Allen: Will the Advisory Council be involved in day-to-day management after the RMP is completed?

Ewing: Day to day management will be up to BLM. We still have advisory councils throughout the State. We have a northwest resource advisory council and a southwest resource advisory council, but they won't be able to cover things in as much detail as this advisory council. That's why it's important to have these conversations now to get things right.

Steele: That's why we focus on objectives, because that's what drives the BLM's decisions.

4:15-4:30 p.m.: Break

Council discussion: grazing

Boyle: I'll just sort of lead in terms of giving outline and point to Doug and Oscar to explain the issues. Steve Acquafresca brought an issue up and Doug did too: What to do in situation where there's a sheep allotment that BLM will request closing. To what extent will BLM offer the permittee a workable alternative? If in high-risk area, will permittee be given an alternative allotment?

Atchley: Concern is travel time, etc., how that will work.

Boyle: Will it be a mandatory closure?

Boyle/Minnick: The plan is to allow for swapping.

Atchley: I just don't want to see that be mandatory.

Boyle: The Advisory Council doesn't have an issue with how that's worded. There is a requirement that domestic sheep be bred before putting out there. Livestock operators do all they can to breed all their sheep before putting out onto BLM land, but there may be some that aren't bred. The single biggest and most important issue for operators is to prevent disease transmission.

Atchley: From the operator's standpoint, that's the goal.

Steele: The Preferred Alternative covers what we're talking about.

Boyle: About the requirement for guard dogs, the draft RMP calls for a particular number of dogs. That's bit of over-management. One dog may be a good one, but others, not so much. Recommend that draft plan just says "guard dogs sufficient to do the job" instead of specifying number of dogs, and leave it up to the operator as to how many dogs.

Atchley: Felt very strongly about that, that it should be left up to discretion of operator, as the operator has the same goal as BLM in this regard.

Minnick: Where did guidelines come from? What is the rationale?

Rogers: They came from meetings with sheep people themselves.

Steele: The point is let's not be specific.

Ewing: I see how one good dog could be more effective than 3 bad dogs.

Boyle: Also have issue with smaller herd numbers in draft RMP.

Ewing: Grazing issue was still being worked on in meetings with BLM, permittees, and CPW after Preferred Alternative was developed.

Rogers: We do have some corrections to make to that section.

Boyle: Oscar is concerned about the language in the Preferred Alternative, where needs of recreationists may force the shutdown of livestock use in winter along river.

Massey: The language is the issue: Is it trailing or grazing? Language kind of confusing.

Steele: On Page 152 of the draft plan, it talks about intensively managed grazing for recreation.

Minnick: The overall objective is unclear.

Atchley: The point Oscar made is that recreation shouldn't trump grazing. (Handed out copy of letter to Secretary Salazar). Back then, there were four categories important to Delta County: 1) Economic--2011 CSU report says sales from livestock grazing 36 million. Grazing written into legislation itself. 2) Grazing is part of cultural resources. 3) Grazing is historical, since the time Utes were forcibly removed. Delta County not opposed to recreation, but very concerned that historical use of grazing continues and not suffer because of other uses such as recreation. Delta County is also concerned about private property rights. Most of that grazing is on private property. Bighorn sheep should not take precedence. 4) In Colorado, water rights are still private property rights; BLM should understand that when considering riparian decisions. In winter, cattle will go to the water source.

Massey: We only have cattle there in winter; we use a winter allotment.

Steele: Advisory Council wants to know what "intensively managed to address recreation conflicts" would look like. Draft RMP talks about forming a committee between recreationists and grazers.

Windsor: Way I understand it is that the BLM might try developing water away from riparian habitats and using fencing to protect recreational resources.

Boyle: Will that also mean changing numbers and timing?

Rogers: Yes, with cooperation from landowners; e.g., maybe they would be asked not to trail livestock on holiday weekends, etc.

Boyle: Regarding trailing versus grazing (referred to draft RMP, Map 2-4a through Map 2-4e, Page 151 at bottom): One of the issues is where trailing is required, and the other is trailing versus drifting. What is the definition of trailing?

Rogers: Trailing is an annual authorized activity that occurs outside of the grazing time frame on the grazing permit. For example, if open gate within grazing time frame, cows can just drift through the gate. The permittee needs a special agreement with the BLM to trail livestock, and the trailing permit will specify a certain time frame in which to complete the trailing.

Steele: Isn't trailing more destructive than drifting, because cows are pushed over a larger area?

Rogers: The cows are going through the canyons anyway.

Boyle: (Referred to draft RMP, Page 151, second row). In Big Dominguez, Little Dominguez, and Escalante canyons, except for Dry Fork of Escalante, those are the existing conditions anyway.

Rogers: It's not like you can push 1,000 head of cows at once. If you have 24-hour period to trail, you have to do it in that time. Drifting can take several days and is guided by the stipulations of the grazing permit.

Atchley: Need to clarify this distinction in the alternatives.

Boyle: Suggest adding the word "trailing" to glossary.

Massey: The cows know where they're going. How cows are moved should be a management tool, left up to grazers. Grazers won't damage land because it's against their interests. Don't like it to be a disciplinary thing.

Rogers: Federal law requires trailing permits if the activity is conducted outside of grazing permit stipulations or permittee's allocations.

Boyle: The Advisory Council has no issue with closure of two allotments in Preferred Alternative: Rose Creek allotment and Bean Ranch allotment. Bean Ranch is unworkable, and Rose Creek is a very difficult patch.

Massey: The only concern is about 300 acres. Might be that the adjoining operator needs water on that land. Maybe the BLM should give the operator the right to take cattle in there to water them.

Atchley: Why not leave Rose Creek alone? It doesn't seem to make a difference one way or the other, in practical terms.

Kent Davis: Even though we don't use Rose Creek now, we have used it in the past to bring cattle out. Why put more restrictions when there's no issue right now?

(More discussion along the same lines ensued)

Massey: I thought it would be of benefit to people to be allowed to use that.

Public comments

Austin Massey: (More discussion of difference between trailing and drifting). We don't trail through riparian areas; it's not in conditions of permit.

Ross Allen: Our sheep permits are for wintertime use. These are sheep permits because there is very little water there. Sheep graze on snow. Snow has to be there for sheep to graze. Our permits allow us to graze close to the river when there is no snow. Only concerns ever come up have to do with surprises, like campers where they are not expected, or river rafters encountering sheep. Railroad crossing is also of concern to us, but river only issue when there is no snow. We're only there for one month or less out of the year. Maybe one way to manage situation is to discourage bighorns from being in that vicinity at that time of year. BLM doesn't need to micromanage; it already has the ability to manage these situations.

Robbie LeValley: In Chapter 2 of draft RMP, talk about land health standards, but need more specifics. Long term trend monitoring needs to be spelled out in livestock grazing section. The draft RMP needs to say that the BLM should first determine what is causing resource degradation, not just blame it on livestock.

Kent Davis: (Discussed discrepancy between area closed to grazing shown on Map 2-4e and text of draft RMP). Also, micromanaging should be left up to permittee.

Windsor: You can trail through an area that's closed to grazing. That needs clarification in RMP.

Final remarks

Steele: Thanks to all who came. (Gave schedule and agenda for next two meetings.)

Meeting adjournment

5:55 p.m.: Steele adjourned meeting.