



Northwest Colorado Resource Advisory Council (RAC) Meeting Minutes

February 28, 2024

Location: Little Snake Field Office (LSFO)

RAC Members:

Name	Location	Cat.	Interest Represented
Mike Camblin	Maybell	I	Federal Grazing
Scott Braden	Grand Junction	III	Public-at-Large
Kathleen Steele	Grand Junction	III	Public-at-Large
Callie H. Scritchfield	Meeker	II	Environmental Organizations
Jeff Comstock	Craig	I	Rights-of-Way Interests
Merrit Linke (Zoom)	Granby	III	Elected Official
Carl Conner	Grand Junction	II	Archaeological and Historical
Scott Robertson	Rangely	I	Federal Grazing
Kathy Chandler-Henry	Eagle	III	Elected Official
Kris Middledorf	Steamboat Springs	III	State Natural Resources
Hattie Johnson (Zoom)	Carbondale	II	Dispersed Recreation
Sean Burke (Zoom)	Fraser	II	Dispersed Recreation
Beatriz Soto Ruvalcaba (Zoom)	New Castle	II	Environmental Organizations
Shawn Brennan (Zoom)	Glenwood Springs	I	Energy and Mineral Development
Absent: Kirk Daehling	Rifle	I	Energy and Mineral Development

Bureau of Land Management (BLM) Staff:

Name	Title	Office
James Michels	Acting District Manager	Northwest District Office
Erin Jones	Associate District Manager	Upper Colorado River District Office
JD Emerson	Public Affairs Specialist	Northwest District Office
James Roberts	Assistant Field Manager	White River Field Office
Larry Sandoval	Field Manager	Colorado River Valley Field Office
Phillip Cooley	Acting District Manager	Upper Colorado River District Office
Pete Doan	Acting Assistant Field Manager	White River Field Office
Steve Leonard	Field Manager	Kremmling Field Office
Kymm Gresset	Field Manager	Little Snake Field Office
Brad Husby	Emerging Leaders (BLM Fire)	Little Snake Field Office
Bill Mills	Field Manager	White River Field Office
Kyle Arnold	Acting Associate District Manager	Northwest District Office
Tracy Prefors	Planning and Environmental Coordinator	Colorado State Office
Heather Sauls	Project Manager	Colorado State Office
Laria Lovec	State Range Program Lead	Colorado State Office
Diane Mastin Dixon	Natural Resource Specialist	Grand Junction Field Office
Shawn Wiser	Wildlife Biologist	White River Field Office

Congressional Staff Attendees:

Name	Office
McKenna Farley	Representative Lauren Boebert
John Whitney	Senator Michael Bennet
Julie Sutor	Representative Joe Neguse
Matthew Kireker	Senator Michael Bennet

Public Attendees:

Name	Office
Ed Smercina	Rio Blanco County
Jonathan Lambert	Colorado Parks and Wildlife
Soren Jespersen (Zoom)	Colorado Wildlands Project
Jennifer O’Hearon	Rio Blanco County Commissioner
Skyler Pixley (Zoom)	DU Student in Resource Management and Policy
Amber Swasey (Zoom)	Mesa County
Brian Holmes	Colorado Parks and Wildlife
Keeley Meehan (Zoom)	
Dana Pollack (Zoom)	

Meeting Minutes

Agenda Item: Housekeeping, Introductions, and Opening Remarks

Presenters: James Michels, Acting Northwest District Manager and Designated Federal Official (DFO) for the Northwest (NW) Colorado Resource Advisory Council (RAC); Scott Braden, NW RAC Chair; BLM staff, RAC members.

James Michels and Scott Braden welcomed the attendees, facilitated introductions, provided an overview of the agenda, and discussed logistics and “housekeeping” items for the hybrid meeting.

Agenda Item: Presentation on Orphaned Wells

Presenters: James Roberts, White River Field Office, Associate Field Manager

James Roberts provided an overview of the Orphan Well program. Roberts identified current issues within the orphan well program and the status of orphan wells program. An idle well is non-operational for 7 or more years and has no anticipated future use. An orphan well is a well that has no liable party and BLM must now plug and reclaim the well. Section 30 (a & b) of the Mineral Lasing Act of 1920 and 43 CFR 3106.7-2(b) and 3162.3-4 (a & c) are the legal authorities that apply to well administration. This issue arises with those idle well operators who become non-responsive and there is no other responsible party. BLM has a process to attempt to rectify the well before identifying an orphan well. As part of this process, demand letters are issued, and fees and civil penalties can be applied. Next step is bond capture. Then the operator can be banned from holding a lease. Many of these wells are historical wells that were previously released from bond.

In the NW District there are 12 identified Orphan wells (3 LSFO, 9 WRFO). Some well casings are

leaking and still need plugged. Some wells have already been plugged. 8 operators are being prioritized who have lost the ability to operate in Colorado consisting of 150-200 wells. These operators banned from holding leases will need to go through the process to be designated as orphan wells. The group was familiar with the company Wolverine who will be subject to this process.

Roberts answered a few questions from the group to clarify the BLM released wells and was asked if BLM has the funding needed to manage these wells and processes.

Agenda Item: Planning Updates for Greater Sage Grouse, Big Game, Upper Colorado River Resource Management Plan, Solar, Thompson Divide.

Presenters: Diane Mastin Dixon, Shawn Wiser, Heather Sauls, Tracy Prefors

Greater Sage Grouse

Diane Mastin Dixon provided an update on the greater sage grouse plan and amendment. The first plan amendments were completed across western states in 2015. Then, in 2019 a few states did another amendment planning process. Shortly after these plans were enjoined and no ruling has been made resulting in continuing to operate under the 2015 plans.

The current planning effort started in 2021 building off successes of previous plans and includes new science and information since then concerning population trends to improve GRSG conservation. This approach is different including one plan to cover range wide across 10 western states (CA, CO, ID, MT, NV, ND, SD, UT, WY). Inclusive of all habitat, only those issues needing readdressed are included. Those that were sufficient remain the same as the 2015 planning. Colorado remapped habitat classification in 2019 (Priority/General habitat) with only a few minor changes. Adaptive management, habitat objectives, and impacts of predators are all included in this planning process. Resource uses including minerals, renewable energy, livestock grazing, wild horse & burro are also included in the alternatives for analyzing disturbance caps. This planning effort is focusing on state specific circumstances that may be different than the rest of the range.

The document is almost ready for the public draft EIS expected to be released mid-March. Public meeting dates will be announced when finalized with a location to be in Craig mid-April. Comments will be incorporated from that period, and it is expected that the final document will be completed by the end of the calendar year. Six alternatives are included – 2015 plan, 2019 plan, Preservation plan, New Science Plan, New Science no ACECs, and New Science + ACECs. One potential ACEC has been identified (Case Flats, Jackson County) because the area has a unique winter concentration area of GRSG (100s of birds gather across the landscape) but also has a high likelihood of lease development, current oil & gas development, highway 14 and ex-urban development.

Maston Dixon also provided a suggestion for reviewing the document and providing comments. Additionally, she explained that 2.6 is cross cutting inclusive of all habitat and 2.7 is state specific for those reviewing the document. Colorado will have a state specific Record of Decision that may look different from other states. The document will be published for review on the BLM eplanning site (<https://eplanning.blm.gov/eplanning-ui//project/2016719/510>).

Jeff Comstock commended Maston Dixon on her work including cooperating agencies as part of

this planning process especially prior to the release of the draft document.

Big Game

Shawn Wisner provided an update on the Big Game Habitat Conservation for Oil and Gas Management in Colorado. The public comment period has closed (beginning of February) and they are in the process of evaluating comments and responding. The public meetings were held in December. 27 cooperating agencies and working group working on the document. Administrative draft expected by April 5. The biological assessment is also in progress. Record of Decision anticipated in November 2024.

The purpose and need are to maintain, conserve, and protect big game corridors and other big game high priority habitat along with a settlement lawsuit. Inclusive of the state of Colorado but the decision area applies only to BLM surface and federal minerals. 6.17 million surface acres and 15.94 million acres federal mineral estate. Four alternatives in the EIS - No action, Conservation and Cooperation (preferred alternative), Enhanced Conservation; Balance Use for Split-Estate, and Greater Conservation. Shawn provided some data of the acreages and closures compared between each alternative scenario. Impact analysis included primarily big game but also socioeconomics, other wildlife (GRSG planning), and air quality. 744 total comments submissions were received. Shawn broke down the categories of comments and support for different alternatives. Moving forward the group is looking at implementation and how surface disturbance would be tracked, changes in herd dynamics, etc.

Kathleen Steele asked about the impact of recreation on Big Game and Wisner relayed that the decision only applies to oil and gas development, but recreation impacts were included in cumulative impacts. Kris Middendorf asked Jeff Comstock about the process of this EIS and Comstock shared his concern about the process that initiated it as well as some of the inclusions in the alternatives. Carl Conner noted that the primary impacts to big game and GRSG are more aligned with climate, fire regime, urban development, etc. than to the concentrated oil and gas development this EIS addresses.

Merrit Linke commented that the hard winter impacted the big game herds last year and that may be exponential with future impacts from wolves. Kris Middendorf responded from CPW that herd populations will be evaluated, and they will adjust their licenses accordingly but there isn't necessarily a connection to the proposed alternative in this EIS. Linke appreciated that the population evaluation will be attributed to the correct impact causing agent will be identified (i.e. wolf predation on elk wouldn't be blamed on oil and gas development). Callie Scritchfield thanked BLM for looking at predator impacts on sage grouse and hopes that the same is done in this Big Game EIS, which is focused solely on Oil and Gas. Beatriz Soto also commented on the impact of one singular well and the cumulative impact of the larger scale development. Wisner relayed that the cumulative impacts are primarily analyzed in the air quality section of this EIS.

Upper Colorado River Valley Resource Management Plan

Heather Sauls summarized that this project is in response to litigation. A 2019 settlement agreed to reanalyze greenhouse gas emissions and a broader range of areas closed to oil and gas leasing. The Grand Junction RMP was also found deficient, so the planning processes were joined. Areas in this plan include the Colorado River Valley and Grand Junction Field Offices. Six alternatives are currently identified in this Supplemental EIS (only adding to analyses in the original EIS documents) – No Action, Approved 2015 RMPs, Conservation focused, Development focused,

Preferred (2015 RMPs with additional areas closed to leasing), Scoping Alternative (includes preferred with included public scoping input closures). Closures by alternative are heavily driven by potential for oil and gas presence. 346 unique submissions were submitted during public comment period (November 2023). Heather pointed out that we are required to identify a preferred alternative in the draft but not required to select that alternative. In this case, they have created a 7th alternative that incorporates portions of the analysis in multiple alternatives that will be in the Final EIS targeted for June 2024 then two separate records of decision in October 2024. Consultations are happening concurrently (ESA, NHPA, Tribal).

Callie Scritchfield asked about the percentage of closure in the new alternative G. Erin Jones responded that they are currently calculating that number. Carl Conner commented on the quality of this SEIS and the amount of change that may be coming in areas. Scott Braden commented that the BLM has shown an effort to look at all aspects when completing this plan that will have a larger benefit in the long term. Kathy Chandler-Henry also thanked the BLM for listening to them in Eagle County when they expressed their input.

Western Solar Plan EIS

Tracy Prefors provided a picture to explain the scope of solar field development. In 2012, BLM completed a planning effort in 6 states in the SW (including CO) but since that time the technology has changed considerably associated with solar development. 11 western states now include in this planning effort led by BLM headquarters. This plan identifies areas open to applications that will then be subject to site specific screening and further analysis, it applies only to solar projects 5 megawatts or larger, addresses slope limitation, removes limitation for development based on solar intensity, builds on 2012 exclusion criteria, and updates additions made to programmatic design features (for environmental mitigation). Industry needs indicated a potential need for 700,000 acres in the next 20 years. BLM administered land potentially available was 22 million acres. Colorado would potentially need 45,000 acres by 2045.

Prefors covered Alternative 3, Close to Transmission which is the draft preferred alternative. Remembering that the Final Plan can draw from aspects within the range of all alternatives. They defined close as within 10 miles of transmission. Additionally, 10% slope was excluded. With these parameters 93% of BLM Colorado acres were excluded from potential development. For the remaining 7% (550,000 acres) available they have drawn from experience of more experienced southern states to establish mitigation and design features for resources of concern. She pointed out the improved use of water during construction and vegetation maintenance improvements within the solar fields. This EIS provides a consistent framework for proposals but at time of application site specific analysis will still be completed for a more detailed look at project development applications. Tracy also provided NW specific slides. There are acres in every field office available in the preferred alternative. This EIS is currently in the public comment period (<https://eplanning.blm.gov/eplanning-ui/project/2022371/510>).

Callie Scritchfield asked about the life expectancy of these facilities and the reclamation expectancies. Prefors reported that these are currently 30-year ROWs with opportunity to renew with a 50-year timeline being considered. Project proposals require a plan to describe reclamation plans along with a bond to provide for work if company were to default.

Kathleen Steele inquired about impacts to birds and migration routes and Prefors responded that

it was not an exclusion at the statewide potential level but would likely be analyzed at the time of site-specific analysis.

Beatriz Soto asked if communities that are carrying the burden of impacts are receiving any additional support as a result of the location or project developments. Prefors explained how local government permit requirements for development would have the opportunity address impacts to communities separate from BLM Colorado.

Thompson Divide Withdrawal

Tracy Prefors explained how the Thompson Divide Withdrawal touches in the NW district near Carbondale to Crested Butte including 15,465 acres of BLM lands (in addition to Forest System, reserved federal mineral interests) encompassing identified wilderness areas as well.

A withdrawal (43 CFR 2300.0 5(h)) is a means of withholding federal land from settlement, sale location or entry mineral development and land acquisition for a set amount of time up to 20 years. There must be a particular reason for the withdrawal. It does not affect existing valid rights, private surface and private minerals are not affected, land management (recreation, grazing, vegetation management) are not affected – mineral development affected focus. The Secretary of the Department approves or denies most withdrawals. In this case, the majority of the land is Forest Service, so they have led this planning effort. The purpose of the requested withdrawal is to protect and preserve cultural agricultural, ranching wildlife air quality recreation ecological and scenic values in the Thompson Divide area of Colorado from potential mineral development. In 2022, a notice was published for a 90-day comment period. This initiated a two-year period to complete the environmental review. October of 2024 the two-year segregation period ends. Decision can be inclusive or cut and piece portions of the proposal (<https://fs.usda.gov/project/?project=63679>).

Jeff Comstock asked where Garfield County stands and if a withdrawal has to be approved by Congress. Prefors relayed that they have been a cooperating agency and have been supportive but provided their site-specific input as well. Prefors said Congress doesn't have to approve but are notified after the decision. This is an administrative withdrawal (vs. legislative withdrawal), so this measure is often used while legislative actions take place. Callie Scritchfield asked if this sets precedent for similar actions. Prefors relayed that this isn't the first action of its kind but has emerged after decades of work to protect this area prior to this NEPA being initiated.

Agenda Item: Colorado Parks and Wildlife Sage Grouse Presentation

Presenters: Brian Holmes

Brian Holmes gave a presentation that focused on the NW Colorado greater sage grouse (GRSG) populations primarily in Moffat County but included also included Routt and Rio Blanco Counties. Sage grouse are present at 5,500-8,800 ft in 10-28 inches of annual precipitation with a variety of diverse vegetation associations inclusive of several sage species. Holmes presented pictures of the variety of landscapes important to GRSG. Populations are monitored through annual lek counting, which is a huge effort by CPW, NRCS, BLM and private landowners. NW Colorado population trends seem to cycle on 10-year trends moving up and down instead of seeing annual spikes along the trends. More recent years data has increased effort in lek counting attributed to some increases. 2023 extreme winter impacts didn't seem to affect sage grouse populations. Carl Conner pointed out that the solar cycle also is on a 10-year cycle. CPW

manages by zone to evaluate trends and uses the 2016 peak to compare as potential. One graph showed the correlation in a decrease in reaching this potential in areas of heavy use by wild horse herds in the Sand Wash HMA.

Holmes also presented on the impact of fire to GRS habitat. Post fire, there isn't sage grouse habitat without the presence of sagebrush which increases over time as habitats reach the potential to move towards becoming sage grouse habitat again in the future. Fire has positive and negative effects on sage grouse habitat. Landscapes can be in good ecological health but not yet returned to GRS habitat. General research findings in our area indicate that fire in more arid, low elevation areas doesn't improve habitat. In comparison at higher elevation higher precipitation areas the habitat, at response does improve GRS habitat. Pre-burn vegetation does impact the recovery success and is impacted by cheatgrass and other invasive weed presence. Passing of time and timing of recovery or fire repetition can affect habitat as well. Colorado habitat recovery is typically more successful when compared to fires in other western states as well as the size of our fires is less impactful in comparison to other areas. Brian showed maps and graphs of lek populations that have zeroed out following fires (mixed sizes) in two locations while in another location population spiked following fire. Impacts of small fast burns with access to unburned country are not as high as areas where leks are buffered by large scale acres of burned habitat. In conclusion 250,000 burned acres across NW Colorado over 30 years of monitoring has had minimal effects on total population trends over time.

Agenda Item: Field Manager Updates

Presenters: Steve Leonard, Kremmling Field Office Manager; Bill Mills, White River Field Office Field Manager; Kymm Gresset, Little Snake Field Manager; Erin Jones, Upper Colorado River Associate District Manager (spoke on District updates, Grand Junction Field Office updates, and the NCAs); Larry Sandoval, Colorado River Valley Field Manager; RAC members.

Packets include updates from Field Managers. Field Managers and the RAC discussed current events in the field across the spectrum of land management programs. One clarification of the publication of Supplemental Rules is that these were decisions made in RMPs that have been delayed in the administrative procedure of getting them published in the Federal Register, not new decisions.

For the complete report, see Attachment 1: Northwest Resource Advisory Council Field Manager Updates, February 2024.

Agenda Item: Public Comment Period

John Whitney, a representative for Senator Bennet's office spoke to Sen. Bennet's continued legislative work with well bonding regarding the Orphan Well presentation. Another issue moving forward in the Senate is Good Samaritan well cleanup allowing unaffiliated groups to do cleanup at sites without any liability passed to them. Whitney also provided comment on the Thompson Divide withdrawal presentation that Sen. Bennett had supported. Sen. Bennet has sent a letter in support of the Public Lands rule along with comments. They are also working on the Dolores NCA. Sen. Bennet is also working to support firefighting efforts. Flexible partnership plan being looked into to lease BLM parcels for housing use similar to the Forest Service process.

Julie Sutor spoke from Representative Neguse's office mentioning legislative work to lease Forest Service parcels for workforce housing and community uses.

McKenna Farley spoke from Representative Boebert's office. Some updates regarding today's meeting including the Clifton Parcel and the Convey Act which has passed the house. Farley spoke to the natural asset legislation that recently was withdrawn.

One comment was also received via email (attached).

Agenda Item: Closing Remarks and Open Discussion

Presenters: James Michels, Northwest District Acting Manager; Scott Braden, NW RAC Chair; BLM staff, RAC members.

Scott Braden encouraged the RAC to fill the role of advising the BLM not just listening to updates. This agenda item is also a time for this advice to be passed along as appropriate or needed.

The next meeting is in Delta with a combined RAC meeting on May 1 and 2, 2024. The first day will include a field day with business meetings the second day. The next Northwest RAC meeting will be held in Grand Junction August 21 and 22, 2024. These official notices are pending posting in the Federal Register. It is important to submit any agenda items to Elijah significantly in advance so they can be included in Federal Register notices for public meetings.

Subcommittees can be formed to further research issues and provide advice to the RAC to consider for advising to BLM.

Jeff also recommended inviting the Colorado State Director to RAC meetings.

Agenda Item: Adjourn

Meeting adjourned by Chairman Scott Braden at 3:30 p.m.