



United States Department of the Interior

Bureau of Land Management
Front Range District Office
3028 East Main Street
Cañon City, Colorado 81212



SEP 30 2011

RIO GRANDE NATURAL AREA COMMISSION MEETING NOTES August 5, 2011

Location: Inn of the Rio Grande, Alamosa, CO

Attendees:

Greg Shoop – BLM, Front Range District Manager
Dan Dallas – San Luis Valley Public Lands Center Manager
Helen Hankins – BLM, Colorado State Director
Paul Tigan - BLM, Planning and Environmental Coordinator
Steve Vandiver – Rio Grande Water Conservation District Manager
Craig Cotten - Colorado Division of Water Resources (CDWR), Division Engineer and Engineering Advisor of the Rio Grande Compact
Mike Blenden - USF&WS, San Luis Valley National Wildlife Refuge System Project Leader
Rio de la Vista – Rio Grande Headwaters Land Trust
Harold Anderson – Rancher (Costilla County) and Costilla County Conservation Board Member
Mike Willett – Rancher (Conejos County)
Paul Robertson – Director of San Luis Valley Nature Conservancy

Absent – Rick Basagoitia, Colorado Division of Wildlife (CDOW)

Introductions and Purpose of the Meeting

Members of the Commission introduced themselves and provided some background regarding their interest and involvement with the Rio Grande Natural Area. Greg Shoop thanked the members of the Commission for their participation and the attending members of the public for their interest in the Natural Area and the work of the Commission. He further explained his role as the Designated Federal Official (DFO) and his position as the BLM Front Range District Manager, and that he had currently delegated the authority of the DFO to San Luis Valley Public Lands Center Manager Dan Dallas (Rio Grande National Forest Supervisor). Greg explained that after the transition away from dual delegation with the Forest Service in the San Luis Valley, the responsibility of the DFO would later be reassigned to Andrew Archuleta, who will become the BLM San Luis Valley Field Office Manager October 1, 2011. The purpose of this first meeting of the Rio Grande Natural Area Commission was to explain the role and responsibilities of the Commission, elect a Chairperson and Vice-Chairperson, to review the Natural Area legislation, and to begin thinking about what the Commission needed to accomplish and how to do it.

FACA and the Role of the Commission

Paul Tigan, BLM Planning and Environmental Coordinator, provided a mandatory briefing to the Commission on the function of a Resource Advisory Council (which the Natural Area Commission is), what was expected of the members per the Natural Area Act, and what a RAC could and couldn't do per the Federal Advisory Committee Act (FACA). Paul provided handouts to the members of the Commission and explained to the members of the public in the audience that all handouts and briefing materials provided to members of the Commission would be available online at BLM Colorado's website within 10 days following the meeting.

Paul went on to provide an overview of BLM's Resource Advisory Council's throughout the country, including the Front Range RAC that advises BLM on matters relative to the Royal Gorge Field Office and San Luis Valley BLM. He explained and provided examples of the rules for advising BLM in accordance with FACA, which emphasizes ethical conduct, public transparency and effective record keeping. An explanation of how the Natural Area Commission (NAC) is composed per the Act was provided, and the Commission was informed that they fall under the category of "representatives", not "special government employees", regardless of whether they were a government employee or not. The NAC's purpose is to provide specific advice to the Designated Federal Official, who represents the Secretary of the Interior. Lastly, members of the Commission were made aware that if they had questions regarding ethics or conflicts of interest, etc. that they should contact Greg Shoop to discuss further.

Overview of Rio Grande Natural Area (RGNA) Act and Commission Charter

Paul Tigan reviewed the actual legislation, which was signed into law by President Bush on October 12, 2006 that established two things: 1) the Natural Area and 2) the Commission. The purpose of the Natural Area is to "conserve, restore, and protect the natural, historic, cultural, scientific, scenic, wildlife, and recreational resources of the Natural Area." The Commission was established to advise the Secretary of the Interior (through the DFO) with respect to the Natural Area and to develop a management plan for the roughly 2/3rds of non-federal lands within the Natural Area.

Two plans will result from the legislation; a BLM plan and a non-binding, non-Federal Plan. Both plans are requested as soon as possible and no later than the Commission's Charter expires in 2016.

BLM Plan - The BLM's plan requires compliance with the National Environmental Policy Act (NEPA) and has jurisdiction only on BLM lands. One initial thought for meeting the requirement of a BLM plan is to take the existing Rio Grande Corridor Plan (2000) and updating it, since revising the Resource Management Plan for San Luis Valley BLM is still many years away.

Non-Federal Plan – The Commission is tasked with developing a plan for non-Federal lands located within the Natural Area. As such, that plan is only binding to other levels of government, organizations or individuals if such an entity agrees to it in writing, otherwise, adhering to the non-Federal plan is strictly voluntary and unenforceable. It was confirmed in discussion that the non-Federal plan does not have to comply with NEPA, since it isn't a federal action, though it will consider Federal, State, and other plans relevant to the area. Similarly, the non-Federal plan does not have to follow the BLM planning process either, though BLM confirmed that the Commission would have access to its planners for assistance in the process. Since the non-Federal plan is non-binding to private landowners, one aspect of the Commission is to create public awareness and buy-in, and

encourage and assist non-Federal landowners to manage their lands within the affected area that will benefit the resources the Natural Area was established to protect.

Both plans should be consistent to the greatest extent possible.

RGNA Commission charter and SOP

Commission members have a 5-year appointment, which depends on the type of position members hold. If a member isn't actively involved they can be replaced. Paul Tigan explained that the Commission's Charter expires June 7, 2012 and will be renewed 3 more times until Authority for the Charter expires in October of 2016.

Powers of the Commission:

1. Hold Hearings (meetings)
2. Enter Cooperative Agreements with State organizations.
3. Commission is banned from acquiring real property or interest in any real property.

General Discussion

Feral Horse Trespass Issue - Al Trujillo (State employee representative CDOW) and Ed Nielsen (grazing representative from Saguache) of the Front Range RAC, which advises the BLM Front Range District (Royal Gorge Field Office and San Luis Resource Area), were present at the meeting. The Front Range RAC is also interested in what goes on in the San Luis Valley and the RGNA, and has an existing subcommittee that recently formed to address the livestock trespass issue in the river corridor, which relates to the work of the Commission. Greg felt that it was logical that the Front Range RAC and the Commission work cooperatively on issues related to the Natural Area, such as the livestock trespass issue in the Corridor.

Funding Issue - RAC's cost money and the legislation did not provide for any. Helen Hankins said that there may be possibilities through the Secretary's office, through Great Outdoors Colorado (GOCO - State Lottery funding), the Natural Resources Conservation Service (NRCS), etc. to help fund the work of the Commission, though she stressed that the Commission needed to define its goals and objectives before asking for money. How to work on the non-Federal lands and funding for that work will also be an issue for the Commission, to which Steve Vandiver offered fellow Commissioner and local rancher Mike Willett as an example of the possibilities with private landowners, given Mike's recent conservation easement within the Natural Area.

Harold Anderson - Harold mentioned he had recently attended meetings in San Acacio and private landowners had wondered how the river could still be called Wild and Scenic if the Natural Area was private property on the east side of the river? It was clarified to him that the designation of the Natural Area was partially a direct response to those concerns from the past and was not a Wild or Scenic River designation. Harold requested that the horses in the Rio Grande NA not be called 'Wild' horses, which he felt was inaccurate, and only be referred to as 'Feral horses.' He also expressed that the Costilla and Conejos County Commissioners were important partners to the efforts of the NAC and weren't at the meeting. He felt it was important that they be aware and engaged in the process.

Action Item: Prior to the next meeting, Commission Chairman Steve Vandiver will get on the Conejos and Costilla County Commissioners meetings to explain what the NAC is doing. Greg or Harold will possibly join him.

Costilla County Recreation and Trails Planning - Rio de la Vista brought up the current effort in Costilla County regarding recreation and trails planning and how that might relate to the Commission's planning efforts. It could be a way to engage Costilla County with the related work of the Commission.

Rio Grande Compact and Closed Basin Project – Steve Vandiver shared information about the Rio Grande Compact (1938 Rio Grande Basin Compact between Colorado, New Mexico and Texas) and Closed Basin Project (Public Law 92-514 Closed Basin Division, SLV Project Act) and provided handouts to the Commission to add to their briefing books.

Remote Sensing as a Monitoring Tool – Rio de la Vista explained, and provided examples of, the possibilities of remote sensing technology for use in monitoring the Natural Area, its riparian health and changes over time, the effects of unauthorized grazing (i.e. Feral Horses) and authorized well-managed grazing, as well as the effects on sensitive species, such as the Southwest Willow Flycatcher's habitat.

America's Great Outdoors (AGO) Initiative – Paul Robertson brought up the recent AGO Initiative and wondered about that as an aspect of overlapping interest. Greg gave some background about the recent agreement between Governor Hickenlooper and Secretary Salazar to focus on three areas in Colorado (including the San Luis Valley) as part of the President's AGO Initiative. It remains unclear as to what exactly that will mean for the San Luis Valley in general, or to the Rio Grande Natural Area in particular, though Greg mentioned that the purpose of AGO is to get people outdoors and interested in the outdoors and was of great interest to the White House, Department of Interior and the Governor.

Paul Robertson – Paul provided the example of the Front Range Forest Management partnership as a success story for managing multi-jurisdictional and multi-owner lands in what he considered a much more complex situation than the Rio Grande Natural Area. He said in that case, the work of The Nature Conservancy was to inform and persuade people to work toward collective opportunities and related that to the work of the Commission. He cautioned against just providing the Secretary (or DFO) a list of opportunities that sits on a shelf and doesn't translate into anything meaningful on the ground. He felt a site tour for interested members of the Commission would be beneficial and Greg agreed to facilitate a tour of the area. He also asked if it was o.k. for Commission members to be talking to outside groups as a matter of process, and it was clarified for all that that was acceptable. Paul also suggested the Commission consider holding a meeting in San Luis.

Mike Blenden – Mike wondered how the Commission will know if it's addressing the issues that it needed to in the NAC plan. He wondered about scoping, etc. David Robbins, attorney for the Rio Grande Water Conservation District, related that in the original public meetings held regarding the Natural Area, affected landowners expressed three main concerns:

- 1) Grazing/Riparian issues (20 or so landowners)
- 2) Motorized Recreation along the rim, and
- 3) Preserving the viewshed

Paul Tigan stated that the Act specifically lists the resources the Commission is supposed to consider - to “conserve, restore, and protect the natural, historic, cultural, scientific, scenic, wildlife, and recreational resources of the Natural Area.”

Election of Commission Chairperson

Steve Vandiver was nominated and elected unanimously as Chairperson of the Commission.

Steve, in turn, nominated Rio De la Vista as vice-Chairperson of the Commission and she was elected unanimously as well.

Both begin one year terms, after which elections will be held for their replacements.

Formation of Commission Subcommittees

Subcommittees can be formed to conduct research and are not subject to the same rules of public openness as the Commission meetings are. Additional research into the requirements of subcommittees will be looked into however, subcommittees report back to the Commission as a whole, which is a public meeting.

Greg Shoop explained some models for how subcommittees can operate, such as separately studying an issue then reporting back to the full group. Subcommittees require a Chairperson to represent the work of the subcommittee.

Two subcommittees formed during this first meeting:

1. Natural Resources Data Subcommittee – Rio de la Vista will be the chairperson of this subcommittee that will research what data is available that could benefit the work of the Commission. Members of the subcommittee include: Rio de la Vista, Helen Hankins, Paul Robertson and Mike Blenden. Helen suggested a conference call at a later date to figure out individual assignments.
2. Feral Horse Trespass Subcommittee – Harold Anderson will be the chairperson for this subcommittee that will work cooperatively with the Front Range RAC. Ed Nielsen of the Front Range RAC explained the differences in scope of the two RAC's, given their different Charters. Members of the subcommittee include: Harold Anderson, Mike Blenden and Craig Cotten.

Scheduling Future Meetings

The Commission will meet at least quarterly, and subcommittees can meet as often as needed.

The next meeting of the Commission is proposed for the week of October 3rd and Paul Tigan will contact members of the Commission to solidify the exact date.

A combined Federal Register Notice will announce the next meeting's agenda and site visit to the RGNA. The tentative agenda for the next meeting is as follows:

- A Whole Day meeting:

- Morning - site visit in the morning to the Rio Grande Natural Area with information provided by BLM specialists and a discussion by Ed Nielsen of the feral horse trespass issue in the field.
- Afternoon – meeting at the Inn of the Rio Grande to discuss the following topics:
 1. Review other existing plans associated with the area (Paul Tigan).
 2. Timeline development – a plan for the plan. How does the NAC want to operate? What are its goals, common vision?
 3. History of the Rio Grande Compact and the Closed Basin Project and how water in the Rio Grande Natural Area is affected by both (Steve Vandiver/Craig Cotten).
 4. Initial findings of the Natural Resources Data Subcommittee (Rio de la Vista).

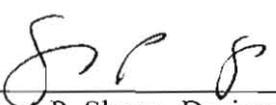
Public Comments

David Robbins – David, an Attorney for the Rio Grande Water Conservation District, provided some background to the development of the Natural Area. He felt strongly that the Commission write a letter to all affected landowners to let them know about the status of the Natural Area and the work of the Commission. Harold Anderson wanted to know how far back the landowners in the area should be contacted. Helen expressed that it was important to differentiate between the directly and indirectly affected landowners. Mike Blenden suggested a mailing list for directly affected landowners and developing an outreach strategy for indirectly affected landowners.

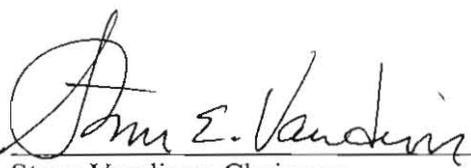
Action Item: Harold Anderson will work with Ben Doone of Costilla County’s Assessor’s office to determine affected landowners. An electronic mailing list will be developed as a result, and BLM will maintain the list for the NAC.

David Robbins also suggested that the Chairman write a letter to Alan Gilbert (Secretary of Interior Ken Salazar’s Chief Aide) to inform him that the Natural Area Commission (NAC) is off and running and engaged in an America’s Great Outdoors Initiative project that is also in need of funding.

With no further public comments, the meeting adjourned at 15:36.



 Gregory P. Shoop, Designated Federal Official
 Front Range District Office
 Bureau of Land Management



 Steve Vandiver, Chairman
 Rio Grande Natural Area Commission