

**Rio Grande Natural Area Commission
Meeting Notes
14 December 2011**

Location: Hampton Inn, Alamosa, Colorado

Attendees:

Steve Vandiver- Rio Grande Water Conservation District Manager, RGNA Commission Chair
Rio de la Vista- Rio Grande Headwaters Land Trust, RGNA Commission Vice-Chair
Mike Willett- Rancher (Conejos County)
Craig Cotton- Colorado Division of Water Resources (CDWR), Division Engineer and Engineering Advisor of the Rio Grande Compact
Paul Robertson- Director of San Luis Valley Nature Conservancy
Mike Blenden- USFWS, San Luis Valley National Wildlife Refuge System Project Leader
Rick Basagotia- Colorado Division of Parks and Wildlife Area Manager
Harold Anderson- Rancher (Costilla County) and Costilla County Conservation Board Member
Greg Shoop- BLM Front Range District Manager
Andrew Archuleta- BLM San Luis Valley Field Office Manager
Sue Swift-Miller – BLM San Luis Valley Wildlife Biologist, note taker
Denise Adamic – BLM Front Range District Public Affairs Specialist, meeting coordinator

Participants joining via phone:

Helen Hankins, BLM Colorado State Director
Alan Gilbert, Senior Advisor to the Secretary of Interior
Paul Tigan, BLM Planning and Environmental Coordinator

Public in attendance:

Sean Noonan, BLM Outdoor Recreation Planner
Clayton Davy, BLM recreation
Heather Salas, BLM recreation
Erin Minks, Regional Representative for Senator Udall's office
Mike Blakeman, Public Affairs Officer for Rio Grande National Forest and BLM SLVFO
Brenda Felmlee, Regional Representative for Congressman Tipton
Charlotte Bobicki, Regional Representative for Senator Bennet

Commission Member Introductions and Announcements:

All participants introduced themselves, and Greg Shoop introduced Denise Adamic, the new Public Affairs Officer for the Front Range District. Denise will be providing support for the Rio Grande Natural Area Commission.

Greg also announced an official change in the Designated Federal Officer for the Commission. Greg delegated Andrew Archuleta, BLM San Luis Valley Field Office Manager as the new DFO, as Greg felt

it important that the Commission have a local BLM manager since this Commission is focused on a local activity rather than a district-wide activity.

Andrew announced that Paul Tigan will be returning to the San Luis Valley as the BLM SLVFO Assistant Field Office Manager and will continue serving as the Rio Grande Natural Area Coordinator. Paul will be returning to the Valley at the end of January.

Review of Last Meeting's Notes

Rio asked that on the last page of notes that the "Subcommittee on studies, maps, research, plans, etc.", be changed to "Natural Resources Data Sub-Committee".

Steve Vandiver asked that the following (page 3, Closed Basin Project) be changed from "must produce water quality is 300 parts per million TDS or less" to "must produce water quality that is 350 ppm TDS or less in order to be credited for delivery."

The Commission approved the last meeting notes with the above edits.

Overview of resource concerns

Steve Vandiver stated that he thought that the field trip to the Rio Grande Natural Area at the last meeting was very informative. Although some areas were in worse shape, Steve thought it was in better shape overall than the last time he visited the area. He requested that the other Commission members share their resource concerns and wanted to identify the top 5 priorities that the Commission would focus on.

Rio de la Vista agreed with Steve that she saw some improvements on the river and stated that she feels grazing management is an important issue. In order to benefit riparian habitats, grazing management needs to be addressed.

Mike Blenden stated that the difference he saw in habitat from 10 years ago was staggering – for the better. Mike felt that this was a good indicator that if positive grazing management changes could occur that we should see a good response in habitat conditions. His hope is that the Commission can help support the BLM and the counties in their efforts. His focus tends to be on riparian and wildlife habitat.

Rick Basagotia wondered what the mechanism for dealing with the trespass horses would be, and stated this is a hot issue nationwide.

The group then briefly discussed the issue with horses; mentioning that the ban on paying of inspectors at USDA slaughterhouses has been lifted. Whether this results in any change in status of horse slaughter in Colorado is unknown.

Andrew Archuleta stated that this is a new area of management for him, and although he has spent some time on the river, he is looking forward to getting to know this area better. He agreed that some habitat is in better condition but felt there was still room for improvement. Andrew felt that one thing that would be helpful would be to complete the fence that was never completed, and plans to pursue that. He

mentioned some recent successes with getting horses on the river impounded, which involved many partners, and he is hoping we can build on those successes. He also stated that he believes it would be worthwhile to get the Magistrate to the Valley. He thought doing a field trip with the Magistrate may help us get his support for trespass issues.

Paul Robertson agreed with what other Commissioners stated regarding resource concerns, and with wanting to provide support to both BLM and the counties. He also wanted to highlight opportunities for restoration of riparian habitats with both public and private partners. He thought another important issue that needs to be addressed is invasive weed control. He stated that Threatened, Endangered, and Sensitive species would be aided most by grazing management, restoration of riparian habitats and control of noxious weeds.

Rio de la Vista mentioned that the Wetlands Focus Area Committee plans to hold a Wetlands Management Workshop for landowners and might also create a handbook with available resources and thought this could be a useful tool for landowners within the Rio Grande Natural Area boundary.

Craig Cotton suggested the focus needed to be on grazing issues and that other conditions will improve as grazing issues get handled. Craig questioned whether or not it was realistic to try and remove all animals from the area. He agreed that completing the fence project would be good but wondered about other areas that the fence wouldn't protect. He wondered if we should extend the fence to the south – would this be on private land? Would this be feasible? He also wondered if the area might benefit from reseeding or planting, and if that might be a tool to consider for riparian restoration.

Mike Willett wondered if we extend the fence, would we just concentrate animals onto other areas or other private lands. He stated that he saw animals on his place that he hadn't seen in previous years and thought that the lack of available forage might be forcing those animals to move farther.

Harold Anderson stated that Colorado has had a law on the books since the 1800s that stipulates free grazing, but part of that law states that you have to own or control enough of your own land to support your own herd. He wondered if the Commission could play a role in either finding a way to help enforce the open range law or to do away with the open range law. He thought that unregulated grazing was the primary problem and stressed the importance of cracking down on people that 'steal grass'. He added that he thinks education of the public and legislators is one of the biggest roles that the Commission could play.

Rick Basagotia stated that the Rio Grande Natural Area is just a component of the larger landscape, both public and private. Right now, grazing is the critical issue and we need to get that hemorrhage to stop. Rick hopes the plan will put standards in place for grazing management. He also stated that this area could greatly help the Habitat Conservation Plan by helping to protect Southwestern Willow Flycatcher habitats. Deer and elk are being driven out of the area by the livestock because there is very little forage left. Rick explained that deer and elk need the highest quality forage and when that is gone, they have to move on. Rick felt that the health of the system makes it functional – "If you build it, they will come." He speculated about water being lost from the system from the lack of riparian health and stated for fish, the better the riparian vegetation and the better the bank condition, the better the fish habitats will be, including water temperatures.

Rio de la Vista is interested in the potential for conservation easement opportunities, if funds are available. She believes this is a good way to protect water and land.

Helen Hankins thought the main resource concerns that the Commission should look at includes invasive species, recreation, trespass grazing issues and grazing management that is focused on protecting riparian habitats and that is consistent with carrying capacities. Helen thought the Commission might want to look for opportunities to address recreation access.

The group then discussed how it felt recreation might be addressed in the Plan. Steve Vandiver responded that it seemed that recreation should be addressed in the BLM plan but wasn't sure what to do for recreation on the privately held side of the river. He also stated that most landowners are absentee and that most county roads go to the river. He wondered if county roads would have to be blocked to minimize conflicts.

Helen Hankins suggested identifying areas where the public could get access, or where it is important to block access to minimize conflicts. If there are issues either gaining or restricting access, she thinks it is important that it be addressed in the plan. There might be opportunities for signing also.

Sean Noonan commented that so far the Commission has focused on biological concerns but added that he thinks the social component is also critical. He stated that Costilla County is working on a master recreation plan and is working with BLM and others on recreation opportunities through the America's Great Outdoors Initiative. He also mentioned that there might be the opportunity to look for access easements with private landowners through the Rio Grande Natural Area planning process. He also felt there were great education and interpretation opportunities through this process.

Greg Shoop mentioned that maybe we should do outreach to the county on what their concerns about recreation might be.

Steve Vandiver agreed with that idea. In terms of general outreach for this effort, Steve mentioned that he needs financial assistance to help with outreach efforts. He stated that the Rio Grande Water Conservation District has already spent a fair amount of money investigating land ownership within the Rio Grande Natural Area boundary. Pete McGee with the GIS/GPS Authority has been assisting with this effort. There are 878 parcels with 425 landowners within the boundary. Sixteen parcels occur on the Conejos County side. Steve stated the sheer volume of parcels and number of landowners is huge. If we are going to be sending letters of outreach to landowners, the Commission will need funding to do that work. Steve also mentioned that he thought working with the Blue Bonnet Ranch would be a good idea – he thought contacting them and asking for their thoughts/concerns and asking for support would be particularly helpful. Steve stated that he thinks grazing management is the key, and that all the other issues would likely fall into place once this is taken care of. He added that although trails and recreation are part of the issues that the Commission has been asked to address, he feels that it is important for the Commission to focus on key issues at this time.

Greg Shoop responded to the financial issue and suggested that Steve and the Commission needs to detail their funding needs in order for Greg to be able to move forward and request those funds.

Helen added that if the Commission could detail what it is going to do with the money and what the product is that Commission will deliver, that makes it easier to get funding.

Greg suggested a budget subcommittee to develop a budget with the main line items. Steve added that the urgent need for funding is for the cost of outreach, including sending someone down to Costilla County and working with them. Andrew suggested he and Steve get together to discuss immediate budget needs for outreach, agreeing that outreach needs to occur as soon as possible. Andrew mentioned that in his experience outreaching early is important because sometimes your stakeholders bring up issues that hadn't come up previously. Rio and Mike Blenden also offered to be on the budget subcommittee. Rick added that there might be opportunities for funding to assist with habitat needs, but a lot of this is federal money. Craig mentioned that they have a water commissioner in Costilla County who could possibly help by going to the county office to gather data.

The group then had a discussion regarding the general form the plan would take. Greg asked the Commission what they want the Corridor to look like, to paint that picture in the plan and then identify the steps necessary to get there. Greg asked the Commission what it feels is keeping the area from achieving that vision, suggesting that those things would likely be the primary issues that need to be addressed. The group generally agreed that important aspects of this include restoring riparian health and supporting high biodiversity, and that unauthorized livestock use is what is preventing that. Others added that it is also important to include the social aspect and recreation opportunities. In terms of recreation, Sean mentioned that the area might not necessarily be a highly visited recreation area but might provide a specialized recreation opportunity like Heritage Tourism. He thought it might be important to include Karla Shriver in this effort.

Greg brought up the idea of having Paul Tigan work on a rough draft of the Plan to provide something for the group to respond to. He thought Paul could produce a draft vision statement and outline that might be a starting point for the Commission to work from. Steve stated that he appreciated the offer and asked that the draft be distributed to the Commission prior to the next meeting so that they would have enough time to digest the draft and be ready to comment at the next meeting. Steve asked Paul to feel free to call anyone on the Commission if he needs assistance, questions answered, etc.

Steve asked the Commission if there were any other issues or concerns that they felt needed to be addressed in the Plan, to wrap up the agenda topic of Resource Concerns. Steve wondered if providing livestock wells might help provide an alternate water source to keep animals away from the river. He wondered if there might be money available for a solar pump and if developing alternate water sources might help resolve the resource concerns on the river. The group then discussed whether there were any existing wells in the area **and asked the BLM to bring back to the Commission any information it may have on wells in the area.**

Mike asked if there were other issues not yet discussed that the Commission needs to address to comply with the legislation. Rio asked about mineral development and whether the act removed mineral entry in the Rio Grande Natural Area boundary. She also asked what the ownership of the mineral estate was on the east side of the river. Greg then brought up questions regarding NEPA compliance. He stated that the regional Solicitors Office advised that NEPA compliance would not be necessary for the Plan addressing the private property on the east side of the river. Greg also suggested that the BLM could pull the private land plan into the BLM plan as a Coordinated Action to cover NEPA compliance. Greg

suggested if the Commission's Plan could be finished first, then the BLM could do that. Paul Tigan agreed with this approach.

Lunch Break

BLM Presentation on Tribal Consultation- Alicia Beat, Renewable Energy Team archeologist

Alicia thanked the Commission for the invitation to give a presentation on Tribal Consultation. Alicia explained that for the BLM process, Tribal Consultation is triggered by a project or undertaking, including planning efforts. Small projects with limited disturbance typically require just a letter to the tribes. For planning, or large scale projects, Tribal Consultation is required. BLM's process involves sending a letter to the tribes with a map and draft Purpose and Need statement early on in the project planning process. At that time, the tribes are asked whether they want to be involved in consultation for the project. Depending on the project, response varies, depending on the level of concern and type of project, etc. Often if tribes are interested in being involved with the consultation, BLM will meet in person with the Tribal Counsel to discuss the project. They often have ideas on alternatives, mitigation and other feedback.

Alicia explained that Tribal Consultation is not required for a project on private land, including the Commission's Plan that addresses private land, unless the Commission is receiving federal funds. She said that although it is not required, she felt it would be a "good neighbor" thing to do. She recommended sending a letter to the tribes outlining what the Commission is doing and asking what involvement, if any, they would like to have.

When BLM does Tribal Consultation, the BLM consults with 17 different tribes. Alicia explained that the 17 tribes that BLM consults with are included because these tribes lived in the Valley at some point in time.

A question was raised regarding how much influence the tribes have over the project, for example, do they have veto power over a project? Alicia answered that, no, they don't have veto power; the tribes play an advisory role, and often provide good feedback that can enhance a project. Greg added that BLM will be doing Tribal Consultation for the BLM Plan on the west side of the river, so the tribes will be aware of efforts occurring in the Rio Grande Natural Area. Greg asked if we could do a consultation request for both the BLM and the private plan in one consultation with the tribes. This possibility was discussed by the Commission and some pros and concerns were discussed; one pro being cost savings, because letters to the tribes are sent registered return receipt required which can be expensive. Other pros included that it is a "good neighbor" thing to do. Some questions were raised including why take on the extra work of consultation if it is not required; given the timeline for the project, were there concerns that Tribal Consultation might slow the project down; and, do we know if any of the tribes even have any interest in the area and would want to participate?

In response to this question, the group thought it would be worthwhile to know what previous input the tribes might have provided on the Rio Grande Corridor Plan and the BLM's Resource Management Plan. Other questions arose regarding what cultural inventories may have been completed and what was found. ***Andrew and Alicia will research these questions and send that information out to the

Commission along with a draft letter to the tribes for review and consideration for a later discussion. Andrew will get this information to the Commission prior to the next meeting.

Stakeholder and Scoping Discussion

The Commission discussed who to outreach to and coordinate with for this effort. The group brainstormed the following list of potential groups to outreach to:

- Private landowners
- Counties
- Tribes
- State legislators
- Department of Agriculture
- Sportsman's groups
- Recreation groups
- Environmental conservation organizations
- Groups originally involved during the legislation

Greg proposed that the critical stakeholders needing to be involved at this point are the Counties and the private landowners, and that all other groups and entities could be engaged later through the draft document. The group agreed with this approach.

General Discussion

Rio shared with the group a proposal being looked at by the Rio Grande Roundtable for grant funding. This proposal is seeking grant assistance to fund a Watershed Flow Evaluation Tool that helps evaluate environmental and water needs. The potential grant funding would also fund monitoring riparian conditions and wetlands across the valley in relation to groundwater and other parameters. It is possible that this work could have application to the river corridor.

Public Comment Period

Mike Blakeman mentioned that some groups that might be interested in the Rio Grande Natural Area might have funds available to assist with implementation needs, and that the group might want to outreach those entities up front.

Sean Noonan mentioned that this project might be a good fit for a GOCO planning grant. Additional supporters listed below might help this project compete well for this type of grant.

- Sangre de Cristo Heritage Area
- Heritage Tourism
- Colorado Natural Area Program
- Colorado State Parks and Wildlife
- Colorado Division of Water Resources
- Adams State College
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A question was raised as to whether GOCO could fund the Commission's Plan on private land. ***Rio will follow up on this to find out if GOCO can fund this type of planning effort.

Next meeting scheduled: March 14, 2012, 10 a.m. – 3 p.m., Alamosa Hampton Inn

Steve Vandiver thanked everyone for attending and the meeting was adjourned.