



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Uncompahgre Field Office
2465 S. Townsend Avenue
Montrose, CO 81401

RESOURCE ADVISORY COUNCIL SUBGROUP MEETING #5

Friday, October 1, 2010 (9:00 AM – 12:00 PM)

Meeting Location:

Holiday Inn Express (Jordan Room)
1391 South Townsend Avenue, Montrose, CO

Meeting Minutes

Attendees: Angie Adams (EMPSi), Robbie Baird-LeValley, Shelby Bear, Walt Blackburn, Bill Day, Richard Durnan, Desty Dyer (BLM Uncompahgre Field Office), William Ela, Robert Ernst (BLM Uncompahgre Field Office), Barbara Hawke, Julie Jackson (BLM Uncompahgre Field Office), Bruce Krickbaum (BLM Uncompahgre Field Office), Peter Mueller, Linda Reed (BLM Uncompahgre Field Office), Barb Sharrow (BLM Uncompahgre Field Office), Thane Stranathan (BLM Uncompahgre Field Office), Steven Weist, Kathy Welt, Kate Wynant (EMPSi)

Handouts: Agenda; Highlights of the Resource Management Planning Process to Date; RMP Planning Fact Sheet 7.2: Uranium and Other Mineral Resources; RMP Planning Fact Sheet 7.1: Coal, Oil & Gas Resources; Locatable, Solid and Fluid Leasable, and Salable Minerals PowerPoint presentation; RMP Planning Fact Sheet 8.1: Land Tenure; Lands and Realty PowerPoint Presentation; RMP Planning Fact Sheet 3.3: Visual Resource Management; Visual Resource Management PowerPoint Presentation

1. Welcome (Bruce Krickbaum)

2. Introductions (All Present)

3. Planning Process to Date (Angie Adams)

- See handout: Highlights of the Resource Management Planning Process to Date.
- Gray highlighting indicate changes from last meeting.
- Class I cultural resource overview is a collection of existing data and info on cultural resources in the planning area. It includes a sensitivity model that tells us where they would expect resources based on several things.
- There are not many changes to the final Areas of Critical Environmental Concern (ACEC) Evaluation Report based on comments received on the draft report. There was a boundary change to one ACEC and some description changes but nothing major. The draft report is on the Web site and the final report will be available soon. The report studies areas nominated by the public and also internally for resources or values of a high nature. The areas have to meet certain criteria: rare plants, soils, cultural/historic, scenic, recreational, wildlife, etc., that is very unique to the area. Areas either make the cut or not and those that make the cut have to be analyzed in the RMP under at least one alternative. It doesn't automatically make them an ACEC, just means we have to consider them.

- The Draft Lands with Wilderness Characteristics report will be finished in a few weeks. BLM can't designate Wilderness Study Areas but they can look for areas that have wilderness characteristics and decide whether or not to manage for them. BLM is not mandated to protect those wilderness characteristics outside of Wilderness Study Areas, they just have to consider them.
- The wild and scenic river (WSR) suitability process is still underway.
- *Question:* Do I understand that the air quality report is going on? *Answer:* We say that it will happen this winter but the BLM Colorado State Office is still making some decisions on timing. What happens is that a comprehensive model is run on the alternatives so it can't be done in advance of the alternatives being pretty complete. It will happen sometime after the draft alternatives are prepared.

4. Resource/Resource Use Discussions

- Visual Resources (Julie Jackson)
 - See handouts: RMP Planning Fact Sheet 3.3: Visual Resource Management; Visual Resource Management PowerPoint Presentation
 - *Action:* BLM will e-mail Visual Resource Inventory map to group.
 - *Question:* When you did the visual resource inventory process, how did you incorporate distance zone? *Answer:* The process is very specific. The person doing the inventory stands at key observation points and then take into account foreground, middle ground, and background. *Question:* So you can see it but you can't travel there? *Answer:* No, the key observation points are taken from places where people would travel or see the view, so usually they're taken from a road.
 - The decision space in our RMP is by alternative so based on the actions in that alternative we'll come up with proposed visual resource management (VRM) classes. So each alternative might have a different VRM Class. We have the decision space to determine the VRM Class based on that alternative. The whole field office won't be one VRM Class, it'll vary throughout the field office. ACECs might be higher and areas where we want to concentrate development it might be lower.
 - *Question:* Are there limitations in policy based on class? *Answer:* Yes. In Class I we have more limitations.
 - *Question:* So no range treatments in Class I? *Answer:* It would be more difficult but maybe not precluded. There would be more stipulations and mitigation measures involved in Class I areas.
 - Often times projects can be moved a little or painted a certain color in order to mitigate visual impacts.
 - *Question:* Can you provide us more detail on the classes? What would be allowed and not allowed? *Answer:* There isn't a list of what would be precluded because it doesn't outright preclude anything. As long as you can meet the objectives of the class a project would be ok. *Action:* We can come up with some more examples and beefed up descriptions of the objectives and will send with the map.
 - *Question:* Do you base the classes based on daylight? *Answer:* Yes, but we'll be dealing with some night time visual impacts in the RMP.
 - *Question:* What if there are cows or something in the area? *Answer:* The livestock themselves don't impact the landscape in terms of visual, but developments such as barns or corrals or other structures would have to be considered.
- Lands and Realty (Linda Reed)
 - See handouts: RMP Planning Fact Sheet 8.1: Land Tenure; Lands and Realty PowerPoint Presentation
 - *Question:* Do we know of lands identified for disposal or acquisition? *Answer:* We received very few scoping comments that identified specific tracts of lands for disposal. For retention people have requested that we keep land near public access points.

- *Question:* Are there examples of places where people said the BLM should get rid of areas? *Answer:* Yes, some people did identify specific tracts of land and I assume it's because people want to purchase those lands.
- *Question:* What's our role in looking at a list like that? *Answer:* If you know of a specific tract that you would like us to sell, let us know. The BLM's policy is trending towards land exchanges and not sales. The BLM is still working on the list, but when you see it you can provide us feedback. You have to make sure that we analyze a range of alternatives and that we don't say the same thing across every alternative. We'll analyze different criteria across the alternatives.
- *Question:* So there will be specific parcels identified? That sounds like a decision and not planning. *Answer:* It's required of us at this time. It doesn't mean it's going to happen. Our old plans have those lists, too and some of those tracts were disposed of and some we still hold. It just sets up the framework for disposal later. We don't mean to say that as soon as the RMP is over we'll be selling land.
- *Question:* If the BLM has an inholding surrounded by private land is it offered to the surrounding landowners? *Answer:* Yes, in that situation, but otherwise we like to go out for competitive bid.
- Any time we offer land for disposal we have to consider its potential mineral value. For example, there's a parcel we have that we would like to get rid of but it used to be a waste dump. Since it doesn't pass the hazardous materials test, we can't dispose of it.
- In the RMP, any time we have a list of criteria for certain things, such as land disposal criteria, that is an area that we could use input from this group.
- *Question:* Does "special designations" mean the same thing as WSR? *Answer:* No, not necessarily lands that have been designated by Congress, but could also include wilderness study areas, ACECs, etc.
- Minerals (Rob Ernst)
 - See handouts: Locatable, Solid and Fluid Leasable, and Salable Minerals PowerPoint presentation; RMP Planning Fact Sheet 7.2: Uranium and Other Mineral Resources; and RMP Planning Fact Sheet 7.1: Coal, Oil & Gas Resources
 - *Question:* How are the 1872 mining law and the 1980 law compatible with WSRs? *Answer:* A WSR segment designated [by Congress] as "wild" could withdraw the area from mineral entry. It would impact current claims but it would prevent future claims. Similarly, the Dominguez-Escalante National Conservation Area was withdrawn from mineral entry the date that Act was passed. Any claims filed prior to the date of designation are recognized but future claims are precluded. This only applies to locatable minerals and not to coal, oil and gas, and others.
 - Stipulations for fluid mineral leasing must be made in the RMP (or amendment); we can't come up with new stipulations for lease sales. Lease notices don't have to be in the RMP as an RMP decision. Stipulations don't retroactively apply to leases that have already been sold, only leases in the future. If leases expire, then stipulations would if released.
 - Stipulations have been used in the past, they're not new, but we have to relook at them.
 - *Question:* Where does your information come from to reevaluate the areas available for leasing? *Answer:* Each alternative will have different areas that might not be available or be available with stipulations (ACECs, steep slopes, threatened and endangered species, etc). We can't be arbitrary and capricious; we have to have a reason for restrictions. Timing limitations are developed with the Colorado Division of Wildlife, they give us their recommendations.
 - *Comment:* So the stipulations rely on all of the information that goes into them such as soils, wildlife, recreation, visual, etc.
 - Lease stipulations are applied at a higher level, so there are some generalities. At the development stage we ensure that the stipulation is applied correctly and take into account visual resource impacts and other site-specific impacts.

- *Question:* As far as dealing with noise, is that something that should be in a stipulation for a big area in RMP planning? I'm thinking of mostly the compressors. *Answer:* It's not required in RMP-level planning. It does get considered in the impact analysis. For example, in the wildlife section it will say that there might be additional noise from vehicular travel or development, etc. We might be able to address that through best management practices. The State sets the thresholds for levels and are responsible for enforcing the thresholds but the BLM works with the State to get impacts mitigated. At the leasing level it's something that we notify the lesee of the standards and we don't have a standard at the leasing level.
- *Question:* The RMP decision to close areas to fluid mineral leasing and how it dovetails with WSR... *Answer:* In our land use plan we will make a decision whether areas are closed to fluid mineral leasing or open with stipulations. Locatable minerals would be withdrawn in a wild segment if designated by Congress.
- If suitable, locatable mineral developers have to submit a mine plan but could still mine. Either way we do surveys for cultural resources, threatened and endangered species, tell them to avoid these areas. With a mine plan we can add more stipulations.
- For WSR, there is an economic need to drill for oil and gas. In the RMP we can close or limit areas to oil and gas leasing depending upon the outstandingly remarkable value in the area.
- *Question:* Could you put a stipulation in the lease that there be full disclosure in the event of frac'ing? Like they couldn't lease unless they made that disclosure? *Answer:* We might be able to but it's becoming a standard that at the development stage operators have to disclose that at the Application for Permit to Drill stage. There is legislation that may require us to require operators to disclose that at the lease stage and also in Colorado they are working towards tying frac'ing to safe drinking water. We are finding that, since operators know this is coming, they are disclosing that without us asking for it. Companies are also moving towards using safer materials.
- *Question:* How are you handling in the alternatives the coal that is not currently being applied for now but is there? *Answer:* We'll look at a range of alternatives from open to leasing to closed to leasing if warranted.
- *Question:* Will the split-estate be disclosed in the RMP? *Answer:* Yes.
- *Question:* I'm assuming the potential is based on information from industry so as they drill the potential maps could change? *Answer:* Well for coal the potential that info comes from geologists because we know what formations have the potential for coal resources. Coal isn't speculative like oil and gas is.
- *Question:* How will you differentiate known versus speculative in the RMP? *Answer:* For coal we know based on the geology high, medium, and low potential for coal.
- *Question:* When is the Reasonably Foreseeable Development Scenario coming out? *Answer:* It's still in draft stages.
- *Question:* Will the WSA be withdrawn or released from WSA status or designated? *Answer:* It will remain a WSA, that's all we can do. But we will have info on what would happen if released by Congress form wilderness consideration.

5. Alternatives Development (Barb Sharrow)

- We spent time this week developing alternatives. In order to get things to a point that you can really provide us meaningful feedback, we are going to cancel the November meeting and reschedule for January.
- WSR stakeholder meetings.
 - The Gunnison first meeting was held and it was determined that a broader process was needed; a second meeting was held last week. At the end of the second meeting it was determined that a stakeholder process was needed and the next meeting was scheduled for October 12 in the evening at the Delta County Courthouse.
 - *Action:* The BLM Web site will be kept up-to-date with meetings being held.

- Meetings regarding the San Miguel and Dolores Rivers systems are sponsored by RAC Subgroup. We (RAC Subgroup) solicited some people to facilitate and design the process and have selected Eileen Rogensack in Grand Junction. We are working with her to come up with a plan of attack to solicit information from the public.
- *Question:* Will the meetings for the San Miguel and Dolores Rivers be in Norwood? *Answer:* We want to make sure we're getting an exchange of dialogue and opinions from all members of the public, not just in certain areas.
- We originally wanted feedback from stakeholder groups by the end of November 2010 but now we are asking for March 2011.

6. Other Items Not on the Agenda

- *Question:* What is our homework? *Answer/Action:* Review Chapters 1 and 3 and provide comments by October 22. We had also asked you to comment on travel management (open or closed to off-highway vehicle use) and Special Recreation Management Areas but we didn't have any maps associated with those yet. Open areas mean cross-country is ok. The request was if you had any other areas that you wanted to bring up. Also any comments on goals and themes.
- We sent the group an announcement regarding our land health assessments and we are going out in the field on Monday [October 4]. If you are going to participate, let Barb, Bruce, or Amanda Clements know. They are meeting at the BLM office on Monday at 7:00am.
- The RAC is meeting next week. On Thursday [October 7] we are going to take an auto tour of the upper San Miguel River. We'll be going up to the Ledges site near Pinyon and then driving back stopping at several points along the way. You are welcome to come, let us know.
- Southwest RAC appointments were made. RAC is a three-year appointment; 15 person group, five people are reconsidered each year.
- *Question:* On Monday where will you be going? West Paradox. They'll probably be back around 6:00pm. Next year we'll be doing field work for the Gunnison Gorge area.

7. Public Comments / Questions

- *Question:* On the Web site there were some areas not classified for VRM. Are they going to be classified? *Answer:* The old RMPs did not classify all lands so some areas don't have a designation. The visual resource inventory looked at all lands.
- *Question:* Does the class take into account public things like scenic byways? *Answer:* A component of the visual resource inventory does take into account public sensitivity, so the byway was sort of factored in then. During VRM designation, scenic byways will be taken into account.
- *Question:* Does the RMP take into account some national decisions such as instruction memoranda or other info for sage-grouse or other items? *Answer:* Yes, as much as we can, but at some point we have to put our pens down. We'll do the best that we can.

8. Action Items / Next Meeting

- The November 5 meeting has been cancelled. We will probably reschedule for January. Very tentatively January 28.
- *Action:* BLM will e-mail Visual Resource Inventory map to group.
- *Action:* We can come up with some more examples and beefed up descriptions of the objectives and will send with the map.
- *Action:* Review Chapters 1 and 3 and provide comments by October 22.
- *Action:* Comment on travel management (open or closed to off-highway vehicle use) and Special Recreation Management Areas per information from meeting on August 20).
- *Action:* Comments on draft goals and themes by October 22.