



# 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 #3

Friday, July 23, 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), Shelby Bear, Robbie Baird-LeValley, Bill Day, Richard Durnan, William Ela, Glade Hadden (BLM Uncompahgre Field Office), Bruce Krickbaum (BLM Uncompahgre Field Office), Jeff Litteral (BLM Uncompahgre Field Office), John Reams, Charlie Sharp (BLM Uncompahgre Field Office), Barb Sharrow (BLM Uncompahgre Field Office), Steven Weist, Kathy Welt, Kate Wynant (EMPSi)

**Handouts:** Agenda, Highlights of the Resource Management Planning Process to Date, RMP Planning Area Fact Sheet 3.4 (Cultural and Paleontological Resources), Archaeology PowerPoint slides, RMP Planning Area Fact Sheet 5.1 (Managing Special Status Plant & Wildlife Species), Threatened, Endangered, and Sensitive Species of the Uncompahgre Field Office PowerPoint slides, RMP Planning Area Fact Sheet 4.2, Wild and Scenic Rivers, Wild and Scenic Rivers PowerPoint slides, Potential Impacts of Wild and Scenic River Suitability Determination or Designation by Congress on Existing and Potential Uses Within River Corridors, Letter to Interested Parties Soliciting Comments on Suitability Criteria for Eligible Segments, Appendix C (Program/Resource-specific Decision Guidance) of BLM Handbook H-1601-1 (Land Use Planning), Uncompahgre RMP Internal Working Draft Goals, Example of Resource Management Plan Alternative Themes, Draft Uncompahgre RMP Action Alternatives Themes

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### 1. Welcome (Angie Adams)

### 2. Introductions (All present)

### 3. Planning Process to Date (Angie Adams)

- Handout: Highlights of the Resource Management Planning Process to Date.
- The Draft Areas of Critical Environmental Concern evaluation report is on BLM Web site ([www.uformp.com](http://www.uformp.com)). We're accepting comments on the report through August 20. The report is an evaluation of all the special areas that the public nominated or BLM knows about that has a special value (cultural, biological scenic, etc) that warrants protection. The report evaluates whether the areas meet certain criteria. The summary is that there are a handful of areas that do meet the criteria and those areas have to be considered in at least one alternative of the RMP. It doesn't make any decisions, just tells us what met the criteria. It doesn't mean that they'll be designated or not.

- The Final Wild and Scenic River (WSR) Eligibility report is available on the RMP Web site ([www.uformp.com](http://www.uformp.com)). Also on the Web is a solicitation for feedback on the suitability criteria, which is the next phase.
- This week we met with the BLM Interdisciplinary Team to talk about alternatives.

#### 4. Resource/Resource Use Discussions

- Cultural and Paleontological Resources (Glade Hadden)
  - Refer to handouts: RMP Planning Area Fact Sheet 3.4 (Cultural and Paleontological Resources) and Archaeology PowerPoint slides.
  - BLM land in the UFO has over 8,000 archaeological sites.
  - Paradox Valley Rock Art site will likely be evaluated as an Area of Critical Environmental Concern or a National Register Historic District.
- Special Status Species (Charlie Sharp)
  - Refer to handouts: RMP Planning Area Fact Sheet 5.1 (Managing Special Status Plant & Wildlife Species) and Threatened, Endangered, and Sensitive Species of the UFO PowerPoint slides.
  - There are about 400 threatened, endangered, candidate, and proposed species.
  - *Question:* Is this US Fish and Wildlife Service looking at these? *Answer:* Yes, the US Fish and Wildlife Service is the agency in charge of categorizing the species and planning for their recovery.
  - *Question:* Can you end up with a “no affect” by mitigation? *Answer:* Yes, or we might have adverse impacts and can mitigate them to “not likely to adversely affect.” That might be the most important thing and a lot of project proponents are informed enough to know how to mitigate or locate projects to avoid adverse impacts to sensitive species.
  - *Question:* Where do you find black-footed ferret? *Answer:* There are none in this area but there is potential habitat and fossil evidence that they were here and you find that mostly South of Paonia and Hotchkiss. You find black-footed ferret mostly in places you find prairie dogs, but in this area we don’t have dense enough populations of prairie dogs to support the black-footed ferrets. There is a population in Craig but populations are stronger in Utah.
  - *Question:* Has there been any discussion about the cessation of tamarisk removal because of the threat to southwestern willow flycatcher? *Answer:* The background is that we’ve been removing tamarisk (weed) from riparian areas. Flycatchers rely on mostly willow riparian habitat, which have been overtaken by tamarisk. Entities are looking at putting a halt on removing tamarisk not to threaten the flycatcher.
    - *Comment:* I think most of the concern is south in St. George where there is tamarisk and nothing else. Flycatchers nest a few miles where they are hatched so if they come back and there is only tamarisk, then they’ll nest there. Here in the Uncompahgre Field Office we don’t have that problem so tamarisk removal is probably not an issue for the flycatcher here.
    - *Question:* Do flycatchers eat beetles? *Answer:* Maybe but they’re not going to impact the number of beetles. The beetles are a Chinese species from the same area as the tamarisk that only feed on tamarisk. They’ve been brought here to try to control the tamarisk since there is so much of it.
    - Overall, studies suggest that the flycatchers in the area are not the southwestern willow flycatcher in this area.
    - *Question:* Where does that come from? I’ve tried to get them to analyze the DNA of the flycatchers but they won’t do it. It’s nearly impossible to tell the difference between a southwestern willow flycatcher and other subspecies. *Answer:* I don’t think they know for sure. They’ve done some DNA testing and determined that it’s the regular flycatcher in the area, but I have not seen the data, only read the outcomes. The US Fish and

Wildlife Service is on the fence about whether this species needs to be on the list for this area. It's on the list as a way for us to keep an eye on it. If we need to start consulting with US Fish and Wildlife Service for removal of tamarisk, impacts to the southwestern willow flycatcher could be a hurdle.

- *Answer:* If we remove tamarisk are we going to have knapweed instead? *Answer:* There are other things that can grow there. When we treat tamarisk we treat all invasive species, not just the tamarisk.
- Wild and Scenic River Studies (Jeff Litteral)
  - Refer to handouts: RMP Planning Area Fact Sheet 4.2, Wild and Scenic Rivers, Wild and Scenic Rivers PowerPoint slides, Potential Impacts of Wild and Scenic River Suitability Determination or Designation by Congress on Existing and Potential Uses Within River Corridors, Letter to Interested Parties Soliciting Comments on Suitability Criteria for Eligible Segments.
  - Information related to suitability criteria is due on Friday, August 16.
  - *Question:* Regarding Deep Creek and West Fork Terror Creek, you're going to portion out a small segment and manage for the small segment? *Answer:* They met the eligibility criteria. Now we'll move forward and see if it meets the suitability criteria.
    - *Question:* I mean how will you manage such a small segment? It seems like a large effort for a small area. *Answer:* That is one of the suitability criteria that will be considered and any segment could drop out of suitability because of manageability.
  - In the alternatives for the RMP, we have to consider all of the eligible segments as suitable in one alternative, all of the eligible segments as not suitable in another alternative, and then something in between. The in-between alternative(s) will be based on the suitability criteria and input from the public, stakeholder groups, Cooperating Agencies, and the RAC Subgroup.
  - The first meeting for the Gunnison River Basin stakeholder group will be sometime towards the end of August or beginning of September.
  - Regarding water rights, there are already some instream flows in segments that are designated and they are sufficient to protect the outstandingly remarkable value(s), we would not go for additional water rights.
  - Regarding the comment form, folks can fill out information only for segments that they're interested in and only for criteria that they have information for. You don't have to fill out every criterion for every segment. The only requirement is that you fill out your name and contact information so that we can contact folks if we have follow-up questions.
  - *Question:* We can make comments just like anyone else? *Answer:* Yes.
  - The comment period for this is going to end before the stakeholder groups start so the group leads will have all of the comments before the meetings start.
  - The due date for input from the stakeholder groups is the beginning of December.
  - Because other field offices are further along in the process, the public is very sensitive to the issue.
  - *Question:* How do you determine the stakeholders? *Answer:* The stakeholders determine themselves. We'll advertise via the mailing list, folks who commented during scoping for the RMP on WSR issues, notices, etc.
  - *Question:* Where will the stakeholder meetings be? *Answer:* We have not had a chance to figure it all out, but Barb is thinking a minimum of three meetings: Placerville area, Norwood, and Naturita. That is still up for discussion, though.
  - We received comments on eligibility that were more related to suitability and we will carry those over and apply them to suitability. The information on comments received on eligibility is in Appendix D of the final eligibility report.

- The final report also contains a summary of changes from the draft report to the final report.
- *Question:* As far as designated segments, what are the impacts to private landowners adjacent to segments? *Answer:* The BLM cannot tell the landowner what to do but the BLM would try to work with the landowner to encourage stewardship. More information is in the handout *Potential Impacts of Wild and Scenic River Suitability Determination or Designation by Congress on Existing and Potential Uses Within River Corridors*.
- *Question:* From my perspective for utilities, if there is a future need to cross a river, what are the restrictions? *Answer:* It would be based on the outstandingly remarkable value(s) (ORVs) and classification of the segment. If there are impacts to the ORV or classification, it might not be permitted. But if there are no impacts, there wouldn't be a reason from a WSR perspective that the action could not be permitted.
- *Question:* If a segment is designated, does it affect private property? *Answer:* Most designated rivers go through private property, but federal agencies do not have the authority to dictate actions on private lands. The intent of the WSR Act is to keep the most special rivers as free-flowing rivers. Unlike Wilderness, there can be quite a bit of leeway in WSR segments. Wild segments you can't do as much, scenic and recreational classifications you can have more development along the river corridor. For example if the ORV is fish and someone wanted to build a campground, we would evaluate whether building a campground would harm the fish. The answer could be that it doesn't harm the fish and we could go ahead and build the campground if it is also consistent with the classification. This also applies to a project proposed by entities outside of the BLM.
- All existing rights, including existing water rights and existing dams, would continue to exist and be senior to any appropriated rights resulting from designation.
- *Question:* Why designate on private land? *Answer:* Rivers don't stop at the boundary. BLM cannot dictate what goes on on private land, even within the 0.25-mile river corridor. In a power line right-of-way situation, the power line could cross private land and the BLM could not stop it. Only at the point where the power line crosses back onto BLM, then the BLM would have to look at the proposal and see if it meets the classification and would not inhibit the ORVs.
- *Comment:* The public is going to want things black-and-white and know the specific answers to specific questions. *Response:* Maybe what we (BLM) needs to do is put together a more black-and-white list of answers.
- *Comment:* In Moab we were told that we could not build a diversion structure for livestock because of the WSR classification. *Response:* It could have been because of the ORVs or classification.
- *Question:* Does the US Army Corps of Engineers have any authority? *Answer:* They have their own set of regulations. They have a regulatory role.
- An important to remember that there are a lot of things that go into suitability, including manageability.
- *Action:* RAC Subgroup members should send questions to Bruce so that we can start compiling answers to these questions for the public.
- *Comment:* In Grand Junction, there was a different opinion on what would happen for water rights from BLM and the Colorado River District. This needs to be ironed out.
- What is classified as wild now could go to scenic in the alternatives based on suitability criteria and desired future condition of that alternative.
- An appendix to the scoping report also has the actual comments on each resource, including WSRs.
- *Question:* Is much of this water unallocated? *Answer:* We are going to find out for suitability. We have people researching water rights.

- *Comment:* All of the streams are over appropriated.
- *Comment:* That was my question. Will this make any difference with a junior water right if all of the rivers are over appropriated anyway?

## 5. Internal Draft Chapters 1 (Introduction) and 3 (Affected Environment)

- Internal Draft Chapters 1 and 3 were finished last week and they're ready for review by the BLM Interdisciplinary Team, Cooperating Agencies, and the RAC Subgroup. Chapter 1 is the introduction, a general why the BLM is doing the plan revision. Chapter 3 is the Affected Environment, or existing conditions. It's the baseline of what's on the ground right now for each resource. Neither of these chapters makes any decisions. You are welcome to review. This isn't a perfect document; you'll see highlights and questions for the BLM to review.
- *Action:* We will send you an email on Monday with the site to access the document for you to download and review. Use the comment form (attached in e-mail on Monday) to comment. We are looking for other baseline data, studies, assessments that we might have missed in our baseline. If you're a specialist in a particular topic, you might want to focus your review on that topic. The minerals piece of draft Chapter 3 is blank because the BLM is still working on the Reasonably Foreseeable Development Scenario for energy and minerals so we didn't want to duplicate effort.
- To prioritize your input for various topics, this is number three on the list after WSR suitability and the alternatives information discussed below. Comments are due on August 20.

## 6. Alternatives Development

- Handout: Appendix C of the BLM Land Use Planning Handbook. This is the how-to manual that tells us what decisions that we have to include in the RMP revision. There are two types of decisions, land use planning decisions and implementation-level decisions. The RMP will focus on the land use plan-level decisions and not implementation-level decisions. These can also be thought of as allocations, areas open and closed to leasing, open and closed to grazing, right-of-way exclusion or avoidance areas, areas of critical environmental concern, etc.
- Handout: Uncompahgre RMP Internal Working Draft Goals. These are what the BLM Interdisciplinary Team has come up with to date. Goals are desired future conditions and apply to all alternatives. Please review and provide feedback to Kate Wynant via e-mail by Friday, August 13.
- Handout: Example of Resource Management Plan Alternative Themes. These are themes from other RMPs. We wanted to show you them so you can compare to what the BLM is thinking for the Uncompahgre RMP. Most of the other RMPs around here have looked at an alternative with an emphasis on conservation, an alternative with an emphasis on resource use or development, and an alternative that is a combination of the two. The No Action (Current Management) alternative falls somewhere between the conservation and development alternatives range.
- Handout: Draft Uncompahgre RMP Action Alternatives Themes. The BLM Interdisciplinary Team worked this week on the themes for their alternatives so they can write objectives and actions to fit the themes. The objectives and actions must be a reasonable range of alternatives. We are no where near choosing a preferred alternative, we're thinking about the range. In this case we've come up with four alternatives with preservation and development in high- and low-intensity degrees. The BLM Interdisciplinary Team is still not sure if this is the way to go or if there is another way to look at the alternatives, such as the conservation, development, and something in the middle.
- For example, the Grand Mesa, Uncompahgre, and Gunnison National Forests had a lot of alternatives which means a lot of work for the staff and the public. Do we need a lot of alternatives or can we do fewer and still get to the same place?

- *Question:* Where does current management fall right now? *Answer:* It's different for each resource program, really.
- *Question:* Doesn't that need to be brought into it, especially when you have to think about budget constraints? *Answer:* That is a good point, but the National Environmental Policy Act tells us that we have to look at a reasonable range, which doesn't include finances. We can't exclude something from reasonableness just because the BLM can't afford it.
  - *Comment:* But you can consider that when National Environmental Policy Act documents are being litigated because a preferred alternative isn't reasonable in terms of it could never happen because of funding. *Response:* Sure, but instead of the BLM excluding alternatives based on what can and cannot happen we are considering a reasonable range of alternatives that could be implementable. Once we get to the preferred alternative, we can think about budget constraints. The RMP is potentially one way to get money, although just because it's in the plan doesn't mean the field office will get money, but it provides justification for budget requests.
- Our staff is struggling where some resources don't have a lot of decision space because of laws and regulations (for example, special status species, cultural resources, and minerals), but others do (for example, recreation and vegetation). The specialists with room are wanting four alternatives because they can come up with four alternatives. Other specialists don't want four alternatives because they can't come up with four distinct reasonable alternatives. All alternatives must follow the law. It is our prediction right now that none of the four alternatives themes will be the preferred alternative itself. The preferred will probably be a blend of each of the four alternatives.
- *Action:* Send Kate an e-mail with your feedback on the themes by Friday, August 13. Do you think we can analyze three action alternatives, plus the preferred, or do we need more action alternatives, plus the preferred? What is the reasonable range?
- *Question:* Is part of this a question of how many alternatives the public will get? The public doesn't like it when they see three choices and they know which one is going to get chosen already. If it has to be that way, the BLM should emphasize that it could be a blend of any of the alternatives. *Response:* That is what we tried to avoid. We wanted to see a range of alternatives and then pick the preferred. That said, the BLM must, in the Draft RMP, identify their preferred alternative. So by the time all of the public sees the alternatives, the BLM will have to stamp one of the alternatives as their preferred. However, that preferred will probably be a blend of the four alternatives instead of two poles and one in the middle. Hopefully we'll be able to relay to the public how we arrived at that by looking at a range first, and then deciding, instead of being pre-decisional.
- *Action:* We will provide an acronyms list and an abbreviated glossary. Documents for the public will be low on acronyms.

## 7. Other Items Not on the Agenda

- None.

## 8. Public Comments / Questions

- No public present.

## 9. Action Items / Next Meeting

- All meetings are at 9:00am at the Holiday Inn Express (1391 South Townsend Avenue), Jordan Room:
  - Friday, August 20, 2010: Recreation, Soils, and Land Health Assessments
  - Friday, October 1, 2010: Visual Resources, Lands and Realty, Minerals

- *Action* (RAC Subgroup): Review draft ACECs report and provide comments as appropriate by August 20.
- *Action* (RAC Subgroup): Provide BLM information pertaining to the WSR suitability criteria by August 16.
- *Action* (Bruce Krickbaum): E-mail group the location of Chapters 1 and 3 files on file transfer protocol site, an electronic comment form, and some instructions.
- *Action* (RAC Subgroup): Review internal draft Chapters 1 and 3 and provide comments to Kate Wynant by Friday, August 20.
- *Action* (RAC Subgroup): Review the draft goals and e-mail feedback to Kate Wynant by Friday, August 13.
- *Action* (RAC Subgroup): Review the draft alternatives themes and e-mail feedback to Kate Wynant by Friday, August 13.
- *Action* (BLM): Provide an acronyms list and an abbreviated glossary.