

# CANYONS OF THE ANCIENTS NATIONAL MONUMENT

## Advisory Committee Meeting Minutes

Date: January 6, 2004

Location: Anasazi Heritage Center

Time: 9:00 – 3:30

### Advisory Committee Attendees:

Bob Clayton	Chris Majors	Liz Tozer	Selwyn Whiteskunk
Bud Poe	Chuck McAfee	Mark Varien	
Kelly Wilson	Bill Lipe	Tito Naranjo	

### Bureau of Land Management Attendees:

LouAnn Jacobson	Victoria Atkins	Michael Williams	Suzan Craig
Steve Kandell	Laura Kochanski	Tracy Murphy	Mike Jensen
Mark Tucker			

### Jones & Stokes Attendees:

Jennifer Zakrowski

### Public Attendees:

Chris Nickel, NPS – Hovenweep National Monument; Lynn Udick, adjacent landowner; Tim Hovezak; Leslie Sesler; Gala Pock, adjacent landowner; Ruth Lambert, San Juan Mountains Association; Amber Clark, San Juan Citizen’s Alliance; Nate Thompson, Cortez Journal; Nan Carmen, Monument site steward; Dewayne Findley, Montezuma County Commissioner; Phil Weiser; Patrick Colton, C.A.S. (Cortez); Noreen R. Fritz; NPS – Hovenweep National Monument; Chester Tozer, Southwest Landowners Association; Kathryn Alexander, Lewis, Colorado Rancher; Glenna Harris, Southwest Colorado Landowners Association and rancher; Gayle Alexander, Dolores Soil Conservation District; Rodney Carriker, Kelly Place; John Bryon, D.J. Simmons Inc.; Sheldon Zwicker, Monument grazing permittee; Lance Gittings, Mancos Valley Bank; Deanne Acott, Mancos Valley Bank; and Al Heaton, East Pines Ranch

### Agenda

9:00am - 9:10am	Greetings and Introductions
9:10am - 9:20am	Approval of Minutes from the December 9 <sup>th</sup> Meeting
9:20am - 9:30am	Planning Update
9:30am - 10:00am	Cultural Resources Working Group Report
10:00am - 10:10am	Break
10:10am - 11:10pm	Discussion on Cultural Resources
11:10am – 11:30pm	Public Comment
11:30am – 12:00pm	Vote on Cultural Resources Resolution
12:00pm - 1:00pm	Lunch at Anasazi Heritage Center
	• Overview of Monument Grazing
1:00pm - 1:30pm	Grazing Working Group Report
1:30pm – 3:00pm	Discussion on Grazing

3:00pm - 3:20pm                      Public Comment  
3:20pm - 3:30pm                      Next Agenda

**Note, the remainder of these minutes describes the discussion associated with each agenda topic.**

### **Greetings and Introductions**

Kelly Wilson welcomed all participants. He addressed the Committee and stated that we had a quorum (i.e., at least seven members present).

### **Approval of Minutes from the December 9th Meeting**

Kelly Wilson asked the Committee if there were any requested changes to the minutes from the December 9, 2003 meeting. Bill Lipe noted that the reference to the University of Washington should be changed to Washington State University. Steve Kandell added that he received a page requested changes from Bill Lipe that he would use to edit the minutes. Tito Naranjo added that he would like to correct the portion of the minutes, which stated he wanted archaeological sites left alone; rather he is open to additional research.

### **Planning Update**

Steve Kandell gave a Monument planning update. At this point, the first major public involvement portion of the planning process has been completed (i.e., scoping). The development of the Analysis of the Management Document is still underway (AMS). This document will, among other things, lay out the existing resource conditions on the Monument. The second document under development is the Scoping Report. The first draft of the Scoping Report was provided to BLM yesterday. It is available for internal review at this time. If Committee members would like to review the document they should request a copy from Steve Kandell. The internal review time for the Scoping Report is two weeks. After it is complete, the Scoping Report will be made available to the public. A third document under development is the Reasonable Foreseeable Development Scenario for oil and gas resources. Other works in progress include the Monument grazing subcontractor meeting with stakeholders to identify grazing issues and solutions, and the development of the second Monument Planning Newsletter. The focus of this newsletter will be to summarize information from the Scoping Report.

LouAnn Jacobson reported on the budget for fiscal year 2004. She stated that BLM's base budget is \$807,000, of which \$729,000 is for labor, \$66,000 for vehicle operation and maintenance and \$12,000 for miscellaneous expenses. Bill Lipe asked if funding for the Committee was included in that dollar amount. LouAnn Jacobson responded that Committee expenses come out of a separate planning budget, which BLM received about \$364,000 for this fiscal year. This amount is \$40,000 less than what is expected for planning this year. She continued to stress that the budget is very tight this year. She explained that every year BLM competes for partnership funding and should receive \$103,000 to maintain partnership efforts. BLM will also be receiving a little money for capacity building from outside funding sources.

LouAnn also noted that BLM has a couple of land purchases in progress. There is 134 acres southeast of Lowry Pueblo and 440 acres in Trail Canyon. Last, she noted that the oral history contract is moving forward.

Kelly Wilson addressed the Committee and asked if there were any other updates or questions? There was no response. He then opened the floor up for brief public comment period. A member of the public requested that everyone in the audience introduce themselves, and Kelly Wilson agreed.

## **Cultural Resources Working Group Report and Discussion on Cultural Resources**

Steve Kandell recapped the process the Committee is following to provide recommendations to the BLM concerning alternatives development. Following this process the Committee is meeting a total of seven times between December 2003 and April 2004. Also, during these seven meetings six core planning issues are being addressed.

Bill Lipe handed out a revised copy of cultural resource recommendations discussed at the December 9, 2003 meeting (see attached). These recommendations incorporate comments provided by Committee meetings during the previous meeting. Bill noted that he neglected to add one comment dealing with coordination with adjacent land management agencies. More specifically, this comment was “coordinate planning with Hovenweep National Monument and the Utah BLM Monticello Field Office.

Bill then reviewed his revised goals, objectives, and management actions for cultural resources with the Committee. Edits made to the document are attached. Discussion surrounding these edits are as follows:

Bill Lipe specified that he believes a real problem are the two tracks, (noted under 2-2-c.) Bob Clayton commented on the language of “closing informal two-track roads” and is concerned with what roads those could include? LouAnn Jacobson added that the Proclamation requires BLM to establish a transportation plan.

Bud Poe asked for clarification of a descendant community (2-3-g.)? Bill Lipe responded that Pueblos consider themselves as descendants to the Monument, which means they are long term residents to the area.

In response to 2-4-c., Chuck McAfee added that some of the smaller groups may be interested in training as well, including horseman groups and ATV’s etc. Bill Lipe responded that in Utah, if you are an organized group you are required to obtain a permit from BLM.

LouAnn Jacobson added that the San Juan Mountain Association distributes site etiquette information to the public. Chuck McAfee requested that Bill Lipe add “and organized groups” to 2.4.C.

Management Action 3-3-a: Bill Lipe explained that BLM should think about a Native American Advisory Committee to ensure concerns of Native Americans and other descendants are considered. He noted that this recommendation was not included in these notes, but should be explored.

Tito Naranjo stated that Native American perspectives must be considered because many Pueblo religious beliefs were developed on the Great Sage Plain, now called Canyons of the

Ancient National Monument. Pueblo, Ute, Apache and Navajo tribes have all used this area in the past. Tito stated that human remains found on the surface must be taken care of in an appropriate manner. Pueblo Indians consider remains of their ancestors as living, spirit beings to the present and their bones should not be left where humans and animals trample on them without regard. Burial of remains should include the use of Pueblo burial ceremonies. This is necessary at all times, during the planning stage and into the future. BLM should ask input from both traditional Pueblo and educated tribal members. Pueblo and other Native Americans are not going to tell BLM the exact locations of sacred and religious sites.

Bill Lipe added that dialogue with Native Americans should be part of all BLM projects and actions (e.g., designing educational programs, research, etc.).

LouAnn Jacobson commented that BLM is working with the through the Native American Advisory Committee at the Crow Canyons Archaeological Center. This approach appears to be working well.

Referring to 3-3-a, Selwyn Whiteskunk noted that consultation should be referred to as government to government. Selwyn then stated that the Ute Mountain Ute Tribal park has a large volume of cultural sites. The Utes highly respect these resources and do not permit research on them. When the Ute Mountain Ute sees the mountain – they don't understand what more they need to discover from research. What more do we need to open up to research? The more we open up the more we bring people to the resource. Ute Tribal elders spoke recently about sacred sun dance spots on the Monument. However, they won't tell anyone where they are. Selwyn then stated that the current cultural resource recommendations expand research. He feels that research should be focused on sites that have already been disturbed, rather than opening new sites. Selwyn ended by stating that cultural sites are sacred and that his Tribal elders are very concerned about them being harmed.

Kelly Wilson supported the idea of establishing or using an existing Native American Advisory Committee to further communication between the Monument and Tribes. Selwyn agreed with Kelly.

Tito Naranjo stated that he is convinced that research on the Monument should be conducted by reputable organizations like Crow Canyon Archaeological Center (CCAC). CCAC's research focuses on "communities through time." For example, they study the growth of Pueblos from family unit dwellings to the development of large Pueblos. Examples are Duck Foot and Sand Canyon Pueblos. Tito then stated that after individuals migrated out the area, all sites with kivas in the Four Corners region are considered the place of Emergence, metaphorically speaking, the Lake of Emergence. Research adds important knowledge, from a different perspective, which adds to various Pueblo emergence legends.

Kelly Wilson noted that there is a middle ground between having research and no research. Using a Native American Advisory Committee could determine, on a site by site level, what research is appropriate or not appropriate.

Referring to 3-3-a, LouAnn Jacobson clarified that there are two levels of consultation – government-to-government, and then with tribal elders.

Chris Majors commented on Management Actions 5-3 and 5-4, appreciating that someone has recognized “Anglo” cultural heritage. On Management Action 5-4-a (actually 5-3-a. in text), however, he voiced concern that designating “cultural landscapes” could be used to eliminate multiple uses on the Monument. His concern is that this could lock up a big portion of land, possibly excluding cattle or oil and gas development. Bob Clayton agreed with this concern.

Bill Lipe stated that most cultural landscapes are in the east. LouAnn Jacobson added that from her perspective, the entire Monument is a cultural landscape.

Chris Majors has fear that the argument could be made – that the entire Monument is a landscape – and then in the future you could make that argument to close an entire canyon.

Chris Majors requested that 5-4-a be completely removed.

Mark Varien added that no archeological landscapes have ever been designated. Bill Lipe suggested removing 5-4-a.

Bill Lipe also added that he would like to remove “to the extent feasible” in 5-3-b.

### **Public Comment**

Glenna Harris (landowner), asked if the education component, included in the cultural resource recommendations, would address people trespassing onto adjacent private property? Bill Lipe stated that this concern could be addressed under Objective Four. Bud Poe interjected that the schedule the Committee is currently operating under has them discussing Private Land issues on March 9<sup>th</sup> and 30<sup>th</sup> 2004.

Gayle Alexander: How are cultural resources found on private property addressed? LouAnn Jacobson explained that BLM always tells people to respect private land rights and to take maps with them into the field.

Gayle Alexander: What about education relating to homesteading? LouAnn Jacobson responded that BLM is currently doing an oral history study. Gayle Alexander added that history besides archaeology is important to add.

Leslie Sesler (archaeologist): Suggested that a general research design should be developed for the Monument. This research design could then be referred to any time an archaeological project is proposed. Mark Varien added that her point interfaces with Management Action 2-1.

Chris Nickel from Hovenweep National Monument, stated that they are interested in working with BLM on addressing cultural resource management issues.

### **Vote on Cultural Resources Resolution**

Kelly Wilson asked for the Committee to vote on the Cultural Resource Recommendations, as modified.

Chris Majors moved the motion and Bud Poe seconded the motion.

Kelly Wilson asked if there was any other discussion. He then asked the Committee, “all in favor say aye” eight members of the Committee responded – “all opposed say no” one member responded – Selwyn Whiteskunk.

### **Lunch at Anasazi Heritage Center (Overview of Monument Grazing)**

Steve Kandell introduced Chris Majors who gave a short PowerPoint presentation on grazing in the Monument. He also introduced Mike Jensen who is the BLM range specialist.

Chris Majors began with addressing the bigger picture of grazing. He stated that grazing has been in the area for over 100 years. In addition, he stated that grazing is an important aspect of local culture and custom in the area and that it should continue as a sustainable use.

Chris then provided a hand out of range recommendations (see attached). The objectives in this document are as follows:

Objective 1 – Identify true current health of the rangelands within the Monument.

Objective 2 – use the information from the health survey to identify the attainable potential of each allotment.

Objective 3 – Design grazing practices for each allotment that will work towards achievement of the desired conditions.

Objective 4 – Design a practical, yet scientifically viable monitoring program for each allotment

Objective 5 – Attempt to mitigate conflicts with outside partners related to grazing

Chris Majors displayed the allotment boundary map, and explained that one permittee can own more than one allotment. Currently, there are 28 allotments and 21 grazing permittees in the Monument.

He continued by explaining several misconceptions about grazing. Two of these include that the cattle industry would have gone away a long time ago if not subsidized and ranching does not prevent rural sprawl (e.g., condos).

If grazing on the Monument went away – there would be no way to winter cattle in the area. This would open up McElmo canyon to development.

He then described historical use of the Monument, making the point that impacts have occurred from uses other than grazing. He then showed photos of several locations on his allotment that have been equally grazed, but responded differently. This is due in large to differences in soils and slopes. Chris concluded by stating that grazing, done correctly, can contribute to the overall health and protection of the Monument and its resources.

### **Grazing Working Group Report**

Kelly Wilson asked if there were questions or comments from the Committee. Liz Tozer added that grazing is a renewable resource. Mike Jensen interjected that when allotments were drawn, they looked at who was historically using the area, how many cattle they had, etc. Then they drew up allotment boundaries with permittees attached to specific allotments. Bob

Clayton asked if the Monument boundaries followed geologic boundaries. Mike Jensen responded that when possible they did, so that fences were not required.

### **Discussion on Grazing**

Chris Majors continued his discussion by stating he'd like to take this opportunity to improve the grazing recommendations. He continued by asking what does BLM want, and is this realistic, or is it a pipe dream?

Chris Majors began reviewing the objectives and management actions provided to the Committee.

#### **Objective 1**

##### **Management Actions:**

- A one time study when you are discussing people's livelihood is dangerous. Each allotment should be treated in its own little world. Rangeland health should involve agencies, permittees and others. Chuck McAfee asked about the geological differences found within each allotment. Chris Majors reiterated that it is dangerous to do at a "Monument" level. Each allotment should be looked at independently.
- The boilerplate should not be used to determine rangeland health. Bud Poe asked what allotment holders communications are with BLM? Do you get a report card? Chris Majors responded that he communicates through phone calls. Chris noted that there is a lack of understanding and trust between the BLM and permittees. Bud Poe asked – so you aren't sure what ground rules are? Chris Majors responded that he doesn't know what an A+ would even look like. Doesn't know what a healthy rangeland would look at, from a scientific standpoint.
- BLM needs to look at what is there now. Chuck McAfee asked if he had looked at Tamarisk reduction anywhere. Chris Majors response was no. Chuck McAfee feels that allotment holders should be encouraged to remedy noxious weeds in general.
  - Recommendation to add a statement for encouragement on the grazer's part to address issues, and to develop a partnership. Cattle can be a beneficial factor for noxious weeds and will eat cheat grass.

In summary, the agency and allotment holders need to agree what a healthy Monument is. Mark Varien added that there shouldn't be one set state, but that a range of variation exists. An important management action would be to document what that variation is (e.g., slope, soil, precipitation, climate, etc.). Identify the mode, or most common state, but also identify the range.

#### **Objective 2**

##### **Management Actions:**

- Chris Majors emphasized that people need to agree on practicality.
- Desired condition should be achievable.
  - Bud Poe suggested it should be add "realistically achieved" keeping in mind affordability.

- Non-grazing influences must be identified – i.e. Tamarisk verses Cottonwood regeneration. Chuck McAfee addressed wildlife. Kelly Wilson requested a wildlife impact should be added. Chuck McAfee suggested what is probably good for cattle are probably good for deer and elk. Bob Clayton added that wildlife is congregating on the edge of the agricultural fields.

### Objective 3

#### Management Actions:

- Chris Majors continued by noting that decisions should be between allotment holders and BLM.
- Many things can impact land health yet there is always a push to remove the cattle. Sometimes more cattle can prove to be beneficial. Don't always assume that removing cattle will resolve an issue or conflict.
- It is important to realize that ranchers have something to offer, and BLM should consider ranchers opinions. Chuck McAfee suggested adding language to generate a broader representation to achieve specific goals. Chris Majors responded that a stewardship committee could work through some of these issues, but it is important to have a group of knowledgeable people. Bob Clayton asked if permittees get together to look at each other allotments? Chris Majors responded that it could be useful for permittees to get together in this fashion.
- Range improvements are becoming very difficult. Within WSAs on the Monument, prohibition exists. Perhaps language should be added to review something like adding a pond. Chuck McAfee added that if Chris Majors can add language relating his points to wildlife, it will make his case much stronger.
- There are many elements that should be tried and proven first, before cattle are just removed. Mike Jensen added that an AUM could be adjusted. Each allotment is permitted AUMs based on available forage. BLM determines if they are meeting rangeland objectives by evaluating lands. AUMs can be adjusted either way, depending on if there is more or less available forage. BLM looks at monitoring data, and goals and objectives, and can then implement range improvements to meet objectives. Mark Varien asked if adjustments are permanent. Mike Jensen explained that there can be short term changes made, not reflected in the ten year grazing permit, if resource conditions warrant them. Potential changes could include number of cattle, seasons of use, rest or rotation and management actions and terms and conditions. BLM must follow process to modify or change that permit. Must have sufficient data to change anything. Short temporary adjustments occur by working with permittees through signed agreements. The existing permit is still the same, so when we get out of drought, the permit is still in place. When the permit expires an environmental assessment occurs (every 10 years) to determine if rangeland health standards are being met.

### Objective 4

#### Management Actions:

- Chris Majors continued by emphasizing that a monitoring program should be designed that involves everyone.
- Data should be taken for what it is.

- Monitoring points should give a good overall diversity – but keep it simple enough that it is manageable.
- A monitoring system should be used long enough that it produces meaningful results. Tito Narenjo asked if he has conflicts with other users. Chris Majors responded that he has some conflicts with other users and dogs. Conflict also exists with the destruction by off road vehicles. They often overlook impacts. Mountain bikes also do quite a bit of damage.
  - Bill Lipe noted that in November the Committee agreed the natural resources, economics, and visitor use would be covered under each resource. May want to address those impacts on grazing. Probably good to add socioeconomics too.

(Chuck McAfee went back to Objective 3)

- Requested to add “rangeland health” and asked if a bullet could be added to address the Tamarisk issue, in addition to advising BLM to provide incentives for you.

## Objective 5

### Management Actions

- Mark Varien added that the communication and trust issues are at the heart of this issue. Believes in Chuck McAfee’s idea or something similar to enhance communication on these issues. Mark Varien also added that it is essential to add some sort of stewardship program to enhance the communication. Chuck McAfee stated that ATV users have portrayed this feeling as well.
- Chris Majors continued to explain how the Monument will be always be viewed under a microscope. We need to educate people and develop a system that we all believe and trust in.
- Bill Lipe added that a lot of public comments voiced concern with ecosystem health.

Kelly Wilson asked if there is a need for a 6<sup>th</sup> objective for wildlife. Chris Majors said yes for socioeconomic impacts and that wildlife would fit under that. Chuck suggested changing the reference to “grazing” in Chris’s recommendations to “rangeland” to be more encompassing.

Mark Varien asked if Chris Majors felt there were impacts from grazing to archaeological sites. Chris Majors responded that the land has been grazed through out time by some animal. He doesn’t see how something on the ground can impact things buried.

### **Public Comment**

Miscelle Allison provided written comments to the Committee and then highlighted some of them (see attached). She stated that she does not support the Monument or its designation.

Tim Hovezak: Chaining is the single most destructive factor to cultural resources and to the health of the land. Furthermore, he stated that the chained areas on the Monument are not suitable for grazing. LouAnn Jacobson added that chaining is no longer a common practice.

Phil Weiser referred to documents he provided earlier in the meeting to Steve Kandell (see attached). These documents supported his claim that international law and policy are affecting the management of Monument resources.

Al Heaton (rancher/concerned citizen): Brought a book, *Welfare Ranching* describing how it was, how it is, how it can be? He illustrated, using the book, that land health goals are not attainable. He noted that books like these mislead people not familiar with livestock grazing. Al then stated that we need a review process, where permittees are graded on how well they are taking care of their allotments. Last, Al noted that permittees need to be notified of all internal meetings where his allotments are being discussed.

Bruce Tozer, agreed that the Monument needs a grazing committee.

Rodney Carriker: Doesn't believe he has ever seen grazing causing any specific problems. If one rancher isn't doing his job – the other ranchers should take responsibility to step up and help.

Public: Before we know what we can do - seems like we need a big study area to determine what the range could look like.

Public: Rangeland health is a dynamic process. We need to have range specialist tell us what health the land is in.

Chester Tozer: On statewide vegetation health standards – he asked that those standards be changed. Did the Southwest RAC ever vote on them? On the Monument there are 3 or 4 different vegetation standards. Seems the only time they show up to measure is in a drought. In the Rock Creek Allotment – as soon as it changes hands, then the permit will be cancelled. Grazed areas are better. Continued by saying the BLM isn't following FLPMA.

Public: Sometimes ranchers don't know what health is. We just bought 80 acres and the grass looked over grazed and Bob Fuller said no – it wasn't over grazed. He educated them on a healthy range. You must educate yourself and others.

Carl Knight of Ute Mountain Ute Tribe: None of the proper procedures have been followed. There are signs out there that they will eliminate cowboys and ranchers. According to the plan – the international people and treaties – including the United Nations and the World Bank. Permits will not be carried forward after you die.

Phil Weiser: Question for Steve Kandell and LouAnn Jacobson about the Weslie Wallace permit – 3 years and no answer. Steve Kandell responded that it has been 3 years – and it will be coming out in the next few weeks. Found new dataset that needed to be analyzed as well as new guidance from BLM. Phil Weiser stated that original comments should be made available for review. Steve Kandell responded that old comments and the original EA are available at the Anasazi Heritage Center.

MB McAfee: Reiterated the importance of communication. This is our opportunity to help everyone come together to figure out what to do for the land. Take a high road and find some way to come up with common good for everyone.

## **Next Agenda**

Steve Kandell wrapped up the meeting, notifying the Committee and the public that the next Committee meeting will be January 27<sup>th</sup>, which will take a second look at grazing and first look at recreation. The idea between now and the next meeting is for Committee members to gather input from the public and bring these ideas to the next meeting. Steve Kandell also added that the mileage reimbursement has gone up from 36 cents to 37 cents for personal vehicle use. Chuck McAfee will be presenting on recreation. Kelly Wilson addressed the Committee and asked for final comments.

Kelly Wilson asked for final comments from the Committee members:

- Selwyn Whiteskunk noted that this is a prime opportunity to make changes that could benefit the ranchers, recreationists, tribes, everyone included, and that he is looking forward to being an active player of the Committee.
- Bob Clayton stated that he agrees.
- Chris Majors added that farming and ranching is our culture, and that it is important to keep in mind that this is a culture still around – just like the culture the Monument was created for. Also, would like to request information regarding allotment closures.
- Liz Tozer stated that Bill Lipe and Chris Majors have done a fantastic job.
- Chuck McAfee asked if anyone has anything regarding recreation, please let him know
- Bill Lipe noted that this was a good discussion
- LouAnn Jacobson reiterated that this was a good meeting and that we need to move forward. Don't want to continually revisit what happened in the past.
- Steve Kandell reminded the public and asked them to please sign the Sign in Sheet.

Public: BLM has done a really good job and they do try to help as much as possible.

Kelly Wilson closed the meeting, stating he will see everyone January 26<sup>th</sup>, 2004.

*Meeting adjourned at 3:30pm.*