



United States Department of the Interior

Bureau of Land Management
3028 East Main Street
Canon City, Colorado 81212



FRONT RANGE RESOURCE ADVISORY COUNCIL MINUTES September 30, 2008

Group I

Keary Hallack
Gene King
Virginia Patton
Jim Coleman
Charles Wm. Rech

Group II

Donna Murphy
Aaron Clark
Lucy Bambrey
Tom Olson

Group III

Loren Whittemore
Michael Bush
Al Trujillo

ATTENDEES: John Dow, Roy Masinton, Diana Williams, Joe Vieira, Cindy Giles, Linda McGlothlen, Bruce Rittenhouse, Melissa Smeins, Leah Queesenberry, Bob Martin, Keith Berger, Ken Reed, Maryanne Kurtinaitis

GUESTS: Katherine Wadsworth OTR consultant; Tom Simpson, Aurora Water; Andy Vetter, citizen; Ellen Cesserone with Congressman Tom Tancredo's office; Dwight Gardner with Senator Ken Salazar's office; Jonita Davenport, Vince Davenport, Lori Potter, Terry Madigen; Tracy Harmon, Pueblo Chieftain; Zach Reynolds, F.C.A.; Bruce Bell, citizen; Ceal Smith, and Catherine Broadbent, San Luis Valley Water Protection Coalition.

MANAGERS UPDATE: Bruce Rittenhouse, San Luis Valley Public Lands Center (SLV) Associate Center Manager., stated that the public comment period is over for the SLV's land for water exchange with Anderson Ditch. He reminded the group that this project exchanges land for water to augment the Blanca Wetlands. He added that the SLV is working with DOW for other possible options. Another SLV project is grazing permit renewals. Bruce explained the Rio Grande Natural Area Act that was established in 2006 – creating a nine member commission, and two management plans to be prepared, a plan for Public Lands and another for private lands along the Rio Grande River. The commission is working towards legislation for additional time to complete the plans. A watershed restoration project, using the Wyden Amendment, is also underway to remove mine tailings, and revegetate Kerber Creek. An October 14 field trip is planned to Kerber Creek for anyone interested. Bruce entertained questions and discussion with the RAC.

Royal Gorge Field Manager, Roy Masinton, explained some of the gold panning and mining issues in the Cache Creek area and on the south side of the Arkansas River near Granite, CO. In the Cache Creek area the public is recreationally panning and sluicing for gold in about a 2-3 acre area. By digging under the trees, the gold seekers in this area created a safety hazard. Realizing the hazard the BLM dispatched Ken Reed the Field Office Forester to assess and cut the trees posing the most danger. In the area east of Clear Creek Reservoir a gentleman has been chasing the public off of "his" mining claim. To which field office staffs explained that he cannot limit access. There is also a question of overlapping mining claims in this area that will be decided judicially

Roy also informed the RAC about the recent completion of the Black Hawk land exchange. A map of the area was shown. The BLM exchanged 360 acres in Blackhawk and an equalization payment of \$650,000 for 1,600 acres in the Garden Park area. The acquired lands are in the Gold Belt Subregion of the Royal Gorge Resource Management Planning Area and will most likely be managed the same as the surrounding lands. If the field office agrees to manage these lands the same as the Gold Belt Subregion this action will require plan maintenance to be incorporated into the resource management plan.

* AI suggested BLM send a letter to local law enforcement letting them know of this exchange. This suggestion was accepted by the RAC and BLM.

*Virginia suggested that gates next to private land be locked and the lock combinations be shared with surrounding private landowners. Roy suggested she work with Keith Berger of the BLM.

An update on the South Park Land Tenure adjustment was provided by Roy. He explained that staff are working on the FONSI/Decision Record for submittal to the Governor for a required 60 day consistency review and release to the public for a concurrent 30 day protest period. Roy explained that BLM met extensively with DOW and other interested parties throughout the process. The BLM listened to their concerns and incorporated them into Alternative D the proposed action.

RAC nominations are due – five positions will be expiring. These vacancies need to be filled; one more will be vacant due to the death of Doc McKay. Roy noted that the appointments were in Washington, following Governor's Office review, and that the Field Office is waiting for a reply.

Roy stated that the resolution suggested by this RAC for a statewide RAC meeting was taken seriously by the State Office. They have moved forward with a tentative agenda and possible meeting dates. The RAC members agreed that the week of February 24 would suit them best. Roy thought that if the new district managers were on board they would probably attend. In response to RAC member requests, Roy agreed to provide copies of the agendas as they become available.

*The next RAC meeting date will be January 20, 2009 and at that time this RAC will review the agenda for the State-Wide RAC meeting.

OVER THE RIVER CORPORATION, Jonita and Vince Davenport, Lori Potter

A brief introduction to the artists was presented by the project team via power-point. A question about the use of leftover materials from the OTR project was raised. The project team stated that everything would be recycled industrially.

RAC members asked how traffic control would be handled. The presenters explained that OTR will pay for additional law enforcement patrol assignments in the area. Also, a number of traffic control measures will be implemented according to recommendation from cooperating agencies and EIS analysis.

According to the project team the live field tests of the Anchor Transition Frames (ATFs) based on expected corridor wind loads were successful. Project disturbance areas such as: railroad corridor use

areas, staging areas, and construction use corridors between the highway and the railroad and the river were also explained. The project team then showed and explained; the steel cable layout, fabric panel layout, trapezoid panels, diagonal panels, sizes, and panel sections. A RAC member asked about noise from flapping panels to which Vince responded that cables will stretch panels so tight there will be no flapping or wind sound.

A RAC member asked how much Union Pacific will charge the project to use the railroad ROW? The project team responded that no dollar figures have been discussed with Union Pacific Railroad and the construction agreement is not complete but is in discussion phase. The team went on to explain that the construction agreement requires the negotiation of the fair rental rate, insurance costs and other items necessary to utilize the ROW for construction. However, an access right of way from Union Pacific has been obtained for surveying. Emergency equipment such as helicopters, emergency vehicles will be on reserve based on needs determined through the EIS process.

The OTR project team explained that anchors for the steel cables that will hold the fabric panels will be drilled and grouted over a two year period prior to exhibition. The railroad ROW will be used for construction activities in June, July and August to alleviate possible traffic issues on highway 50. When the highway is used for construction the use will be short 400 foot closures that should only stop traffic for about 5-10 minutes at a time

In response to a question from the RAC regarding local opposition the project team said that any local contention would be dealt with during the EIS process. They also cautioned that no matter what the artists do some people will not like the project and will forever remain in opposition; however the hope is that issues raised by the public can be addressed during the EIS process. All the impacts from the proposed viewing stations, cell towers and coverage, water, lodging, food, trash removal, will be addressed in the EIS.

A question was raised regarding project advertisement. To which the project team responded by saying that the Artists do not advertise; however appropriate highway signs for safety and traffic diversions will be provided by Colorado State Patrol and cooperating agencies.

Jeanne-Claude and Christo began their idea for draping a river at least 20 years ago. They inspected 89 rivers in 7 western states before they chose this section of the Arkansas in 1996. At this time they began holding public meetings. They visited this RAC in 1997 with their original proposal. Other permits for projects such as The Gates project took precedence at that time. The project team estimates the cost for this project might be somewhere in the neighborhood of 50 million dollars.

Katherine Wadsworth (formally with GARNA) is now a consultant for OTR and will be available for further questions and comment.

RENEWABLE ENERGY RESOURCES, Maryanne Kurtinaitis

Maryanne explained the potential for renewable energy resource on public lands in the West. She concentrated her presentation on wind, solar and geothermal. She started her presentation by stating that 1/3 of the nation's energy is located on US Department of Interior Lands.

She said most of the wind power was being generated in California and Texas but that applications in Colorado are increasing. This increase is due in part to HB 1281 that requires 20 percent of all

Colorado electricity come from renewable sources by 2020. As a result of the Wind Energy PEIS the BLM amended 52 land use plans in 13 western states indentifying more than 3,200 MW of potential wind power. The signed Record of Decision issued in 2006 ensures consistency in ROW issuances, authorization management, and allows tiering of site specific NEPA documents.

Geothermal energy is increasing in the western states and Alaska with 47% of the US geothermal energy on federal lands, mostly in Nevada and California. Indicative of this trend, BLM now manages 487 geothermal leases. The next step is a programmatic environmental impact statement for Geothermal energy. This document will be a joint BLM/FS EIS that will identify areas with Geothermal potential and establish leasing rules and regulations. There is a current backlog of lease applications with some pending. Some of the pending leases have decided to wait for the PEIS whereas others have not and will be moving forward prior to the Final EIS/ROD.

Solar energy has exploded across the west with California the first state to be “on board”. Bruce Rittenhouse stated that when he left Yuma, AZ there were 10 pending applications for solar energy. He explained that a lot of land is needed for solar panels sections. And once panels are up, they are low to the ground which limits the potential for multiple uses in these areas. Maryanne added that solar would probably follow wind as the next big renewable energy investment.

Maryanne explained that solar technology is changing daily. According to Maryanne the most important requirements for solar power are lots of sun, a flat surface and proximity to high kilowatt power lines. There are currently 198 solar energy ROW applications.

As for the Solar Energy PEIS, there were 11 public scoping meetings scheduled for June and July 2008 with the draft PEIS scheduled for spring 2009 and the Final due in spring 2010. In summary, the development of renewable energy that balances environmental, social, and infrastructure challenges is one of the national priorities for the BLM. Finally the 2005 Energy Policy Act instructed agencies to prioritize alternative renewable energy resources.

OIL AND GAS PRODUCTION, Ernie Gillingham

In the RMP/EIS decisions are made regarding areas that are closed or open to leasing.

Ernie explained federal oil and gas development documents: leases, communitization agreements, unit development and storage agreements. Leases are sold at auction four times a year. Communitization Agreements ensure the Federal Government recoups it’s fair share of oil and gas from each formation. Unit developments are developed to maximize the capture of oil. Storage agreements allow, usually utilities, to store natural gas in abandoned coal mines when prices are low for distribution in the winter when prices are higher.

.APDs are the agencies mechanism for approving proposed drilling operations BLM agrees to approve them within 30 days or notify the operator that it is deferring action on the permit. Following approval the operator has 2 years to take action on BLM’s notices. The average processing time for an APD from the time the operator submits until approval is usually 30-45 days. Congress last year imposed a \$4,000 application fee, which has slowed the APD process.

Issues of national and local concern include sensitive, endangered species and cultural issues. Nearly every well has a Class I cultural survey done. Most operators hire a cultural specialist on their own to

submit the necessary cultural information to the BLM. The APD process review includes geology (water resources), a petroleum engineer review, surface resources review and the addition of any conditions of approval that are necessary to comply with Land Use Plan directives.

Ernie explained that if a ROW is needed for a well site the ROW is folded into the APD and both are approved simultaneously. Sundry notices follow APDs and are initiated when an operator requests an APD change. Environmental inspections are also a part of this process. These inspections ensure the operators are complying with the stipulations and best management practices that govern this work.

Ernie also explained technical inspections, drilling inspections, and prevention inspections. Again these inspections ensure the operator is adhering to best management practices and lease stipulations outlined in the APD or any subsequent Sundry Notices. Production and accountability inspections were also explained. The BLM ensures the operator is properly accounting for the level of production by randomly sampling oil tanks and/or checking meters. Ernie explained that although BLM oversees the drilling and production the Minerals Management Services actually receives the revenue. Questions and discussion were entertained from the RAC.

*Jim Coleman made a motion for adjournment and all were in favor.



Roy Masinton
Royal Gorge Field Office Manager
Bureau of Land Management



Loren Whittemore
Chairman
Front Range Resource Advisory Council