

Chapter 1. Introduction

1.1. Overview

Under the National Environmental Policy Act (NEPA) of 1969 (Public Law 91-190) and the Council on Environmental Quality (CEQ) regulations for implementing NEPA, federal agencies are required to consider the environmental impacts of their proposed actions prior to taking action. Actions that are subject to NEPA include those involving federal funding, requiring federal permits, involving federal facilities and equipment, or affecting federal employees. The actions that would be proposed by the BLM as part of the RMP being developed for the Rio Puerco Field Office (RPFO) are subject to the requirements of NEPA. Pursuant to NEPA, the BLM will prepare an Environmental Impact Statement (EIS) for the RPFO RMP.

Public involvement is a vital component of both the Federal Land Policy and Management Act (FLPMA) and NEPA, vesting the public in the decision making process and allowing for full environmental disclosure. Guidance for implementing public involvement is codified in 40 Code of Federal Regulations (CFR) Section 1506, Part 6 (40 CFR 1506.6), thereby ensuring that federal agencies make a diligent effort to involve the public in preparing NEPA documents. Public involvement for the RPFO RMP is being conducted in four phases:

- Public scoping prior to NEPA analysis to determine the scope of issues and alternatives to be addressed in the RMP/EIS;
- Public outreach via newsletters, news releases, and newspaper advertisements;
- Collaboration with federal, state, and tribal governments; and
- Public review and comment on the Draft RMP/EIS, which analyzes likely environmental effects and identifies the BLM's preferred alternative.

This report documents the results of the first three phases of the public involvement process. Scoping is a process designed to determine the scope of issues

and alternatives to be addressed in a NEPA document. The process has two components: internal scoping and external scoping. Internal scoping is conducted within an agency or cooperating agencies to determine preliminary and anticipated issues and concerns. Internal scoping meetings were held with an interdisciplinary team of BLM resource specialists in 2004 to identify the anticipated planning issues, as well as the methods, procedures, and data to be used in the compilation of the RMP/EIS. These were compiled into an internal RMP Preparation Plan Analysis.

External scoping is a public process designed to reach beyond the BLM and clarifies the issues of high importance to the public. The public process is designed to determine and frame the scope of pertinent issues and alternatives to be addressed in a NEPA document. External scoping helps ensure that real problems are identified early and that they are properly analyzed; that issues of no concern do not consume time and effort; and that the proposed action and alternatives are balanced, thorough, and able to be implemented.

In accordance with 43 CFR 1610.2(d), the BLM must document the scoping results. The BLM's land use planning guidance (Handbook H-1601-1) requires the preparation of a Scoping Summary Report to capture public input in one document. This report must summarize the discrete comments received during the formal external scoping period. It also must describe 1) the issues and management concerns from public scoping meetings, internal scoping meetings, and the BLM's Pre-Plan Analysis; and 2) discuss how these comments will be incorporated into the RMP.

1.1.1. Background

The Rio Puerco Resource Management Plan (RMP) was approved in 1986 and has been amended ten times, as shown in table 1.1. Current RMP direction and guidance is comprised of the 1986 Rio Puerco RMP, as amended.

Table 1.1. Amendments to the Rio Puerco Resource Management Plan

Amendment	Year	Purpose
Final EIS for Vegetative Treatment on BLM Lands in Thirteen Western States	1991	Programmatic EIS analyzing impacts of various vegetative treatment methods
Oil & Gas Leasing & Development RMP Amendment/EIS (Albuquerque District)	1991	Established open & closed areas for oil & gas leasing; determined levels of control for open areas
Continental Divide National Scenic Trail Decision Notice & Finding of No Significant Impact	1993	Reflected impact analysis & decision making for Central NM section of the Cibola Planning Segment of trail across public land
Decision Record for Vehicle Use in the Ignacio Chavez Special Management Area (SMA)	1996	Reflected impact analysis & decision making for this use in the SMA
El Malpais Plan/EIS	2000	Management plan for the El Malpais National Conservation Area
New Mexico Standards for Public Land Health & Guidelines for Livestock Grazing Management	2000	Identified (1) measurable indicators of public land health conditions; & (2) management tools, methods, strategies & techniques designed to maintain or achieve functional conditions
Riparian & Aquatic Habitat Management EIS	2000	Suggested means of achieving proper functioning condition for all riparian areas, & protecting/restoring habitat for threatened & endangered species
Fire and Fuels RMP Amendment/Environmental Assessment for BLM Lands in New Mexico & Texas	2004	Statewide amendment providing updated guidance for fire & fuels management practices
Kasha-Katuwe Tent Rocks National Monument RMP/EIS	2006	Management plan for Kasha-Katuwe Tent Rocks National Monument
Final Programmatic EIS—Vegetative Treatments Using Herbicides on BLM Lands in Seventeen Western States/Programmatic Environmental Report	2007	Assess, on a national level, the BLM's use of herbicides & the environmental effects of using non-herbicide treatment methods (i.e., fire; mechanical or manual or biological controls)

In 2006, a formal land use plan evaluation was completed for the Rio Puerco Planning Area. Key findings from the evaluation indicated that significant changes have occurred in the Planning Area during the past 20 years, especially in the vicinity of Albuquerque. Consequently, the evaluation team recommended that the existing RMP be updated through a plan revision for the following reasons.

- **Public Land-Urban Interface (BLM Community Growth Theme).** Especially around Albuquerque, new or expanding subdivisions, based partially on population growth, are now adjacent to or near BLM-administered surface lands and/or mineral estate.
- **Energy and Mineral Development.** Decisions for managing these resources need to be updated to meet demands and trends in the local economy, as well as to address the BLM's goals and objectives for maintaining healthy public lands.
- **Emerging National and BLM Policies.** The Revised RMP will have more specific, quantifiable objectives required by new BLM and national policies and guidance for management decisions [e.g., the National Energy Policy Act of 2005; standards for public land health and rangeland

resources that apply to soil, air and riparian areas; Clean Water Act requirements; environmental justice; listings of special-status plant and animal species; Restore New Mexico goals and objectives (for land and habitat restoration on a landscape scale)].

- **Coordination with Tribal, State, and Local Governments.** During the Revision process, the BLM will consider other agencies' land use plans and attempt to be consistent with them within the context of current agency policy and regulations.
- **New Data.** Information now available could greatly affect the decisions in the RMP Revision, including data on population growth, land use development trends, and changes in the local industrial and economic sectors.
- **Land Tenure Decisions.** These decisions will be updated to address the community growth matters mentioned above, as well as fragmented BLM parcels that complicate management.
- **Off-Highway Vehicle (OHV) Use.** Designations applied to BLM lands must meet new planning guidance. Additionally, an overall transportation and travel management plan must be developed.
- **Special Designations.** Opportunities exist to designate new Areas of Critical Environmental

Concern, and modify the size and shape of others to protect and conserve unique cultural and natural resources.

1.1.2. Purpose and Need

The purpose of this RMP Revision is to establish updated and new guidance, objectives, policies and management actions. The need for this RMP Revision is to respond to new federal government (BLM) policies and initiatives,

changing resource conditions and demands, and related issues that have emerged since the last RMP was completed. The Revision will be comprehensive in nature and will address issues within the Planning Area. In the document, BLM staff will identify the current management situation, desired future conditions to be maintained or achieved, and management actions needed to achieve objectives. Following the completion of the Revision, agency staff will develop an implementation plan.

1.2. Planning Area

1.2.1. Location

Map 1 - Rio Puerco Resource Management Planning Area

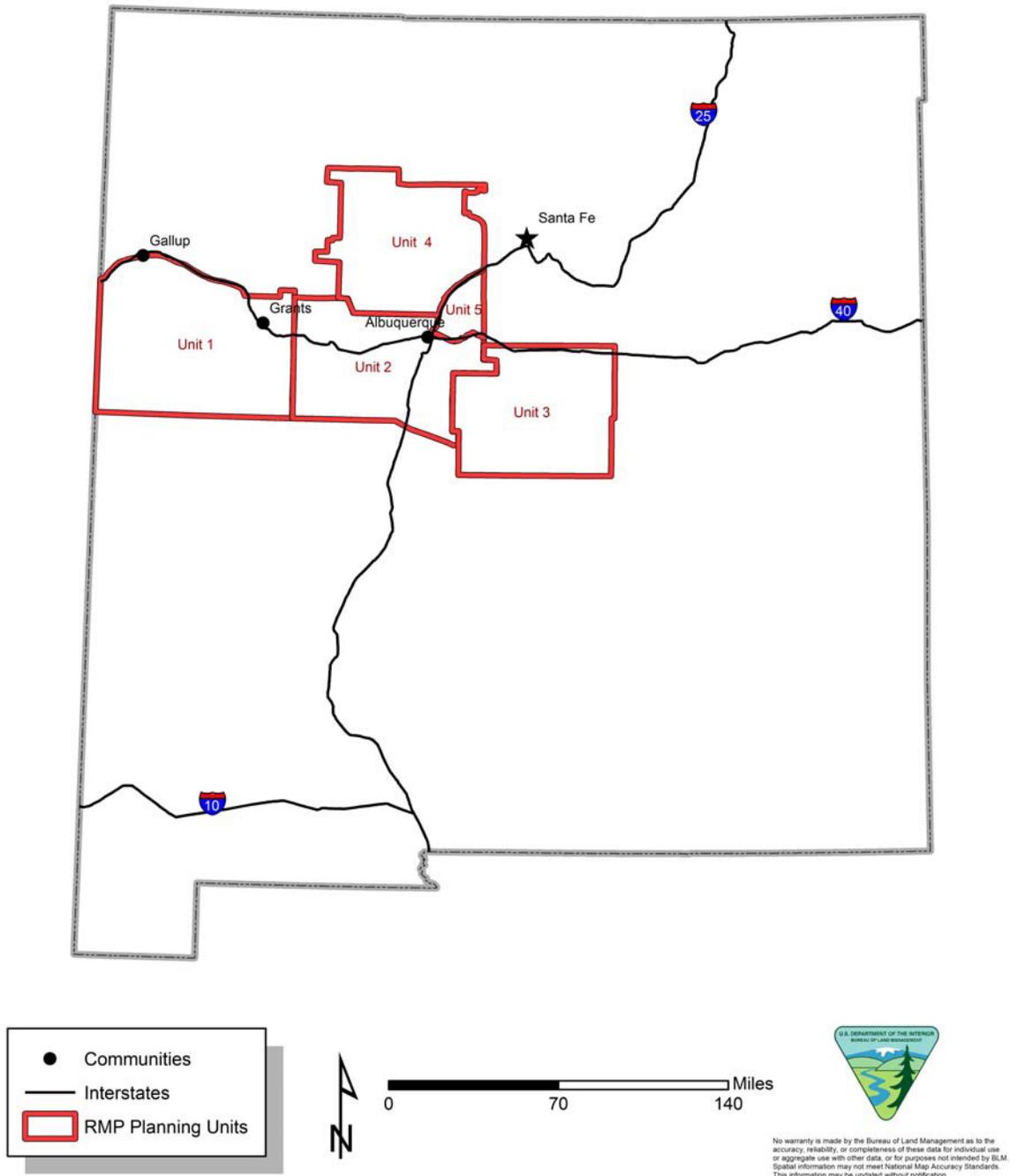


Figure 1.1. Location of the Rio Puerco Resource Management Planning Area

1.2.2. Description

The Bureau of Land Management (BLM), Rio Puerco Field Office (RPFO) manages the public lands located in central and north-central New Mexico. The Planning Area for this Resource Management Plan (RMP) Revision encompasses 9,503,707 acres, consisting of federal, state, county, and private lands. This acreage includes all of Bernalillo, Cibola, Torrance, and Valencia Counties, most of Sandoval County, and portions of McKinley County. (Refer to Maps 1 and A-1 through A-5 for the location of the Planning Area and Units.) The RMP Revision Decision Area, which includes only the public lands managed by the RPFO, consists of 997,027 surface acres and 2,929,972 acres of federal mineral estate. RPFO surface lands fall within four ecoregions, the Arizona and New Mexico Mountains, Southern Colorado Rockies, Colorado Plateau and Southern Shortgrass Prairie.

1.3. Scoping Process

1.3.1. Description of Process

The scoping process is the process of determining the scope, focus, and content for an RMP Revision/EIS. Scoping helps to identify the range of actions, alternatives, environmental effects, methods of assessment, and mitigation measures to be analyzed in depth, and eliminates from detailed study those issues that are not important or relevant to the decision at hand. It also provides an opportunity for active participation from a variety of audiences, including proponents and opponents of a proposed action, and encourages the expression of thoughts and/or concerns during the decision-making process.

The Rio Puerco Field Office determined that one of the more effective means of sharing information and collecting ideas about discussing the upcoming RMP is by inviting interested parties to personal one-on-one or small group discussions. Therefore, our staff engaged in a number of meetings to discuss the RMP process as well as the intention of the scoping comment period with local groups and individuals (for example, the New Mexico Wilderness Alliance and the Wilderness Society, the Bernalillo Water Authority, San Antonio de Las Huertas Land Grant, Las Placitas Association, and others) from mid April through the end of May 2008. Comments were recorded and were included in the compilation of scoping comments used to develop this report.

1.3.2. Outreach Components

Outreach for the public meetings was accomplished by numerous means, including posting public notices,

developing a contacts database for purposes of notifying interested parties via mail, and maintaining a web site. Specific information regarding each outreach component is described below.

1.3.3. Federal Register

A Notice of Intent to prepare the RMP/EIS revision was published in the Federal Register on February 29, 2008 (volume 73, number 41, page 11142-11143). That notice identified the need for the RMP revision; provided information about the Rio Puerco Field Office Planning Area and the future planning process; preliminary planning issues and criteria in the resource area; and contact information; it also initiated a 90-day comment period, which closed May 30, 2008. Comments received in response to the Notice of Intent were also included in the compilation of scoping comments.

1.3.4. Mailings

A project contacts database was developed prior to scoping in order to formulate a distribution list for meeting notification. A mailing list was generated from BLM lists of government agencies, tribes, special interest groups, and organizations and was used to distribute the newsletter, and invite interested parties to attend any of nine scoping meetings. The list also included residents, public officials, and individuals interested in the planning effort. The database continues to be refined to include respondents from the scoping process.

1.3.5. Newsletters

To provide notice of the public scoping meetings, a newsletter (see Appendix A) was developed and distributed to more than 900+ individuals on the RMP Revision/EIS mailing list during the early part of April 2008. The two-paged, two-sided bulletin contained background information about the RMP Revision/EIS, advertised the public meetings and web site, contained information related to preliminary issues and management concerns, and provided contact information.

1.3.6. Legal Notices

One legal notice was advertised in the Albuquerque Journal, a mass produced newspaper that is distributed throughout New Mexico for a period of three days (Appendix B).

1.3.7. Media Releases and Public Service Announcements

1.3.7.1. Newspapers

Advertisement ads (see Appendix B) were placed in various newspapers throughout the area to include at least one ad in each of the six counties. The mass distributed newspaper that is sold in each county is the Albuquerque Journal and this newspaper was used as a key advertisement newspaper for both multi-day ads and the legal notice (see Appendix B). The same advertisement was used in various other local county newspapers and was run for one to two days. These newspapers included:

- The Gallup Independent (Mckinley and Cibola Counties)
- The Gallup Herald (Mckinley and Cibola Counties)
- The Cibola Beacon (Cibola County)
- The Signpost (Sandoval County)
- The Rio Rancho Observer (Western Bernalillo County)
- The Independent (distributed in Eastern Bernalillo and Torrance Counties)
- The News-Bulletin (Valencia County)

1.3.7.2. Information Flyers

Information Flyers containing public meeting locations, times, and dates were posted on bulletin boards within local community business establishments, Tribal Headquarters, city and Chamber of Commerce offices (Appendix C).

1.3.7.3. Radio Stations

Media releases and public service announcements were sent out to print media and radio stations.

1.3.7.4. Website

An up-to-date planning effort web site (www.blm.gov/nm/st/en/fo/Rio_Puerco_Field_Office/RPFO_RMP_revision.html) was maintained to provide detailed information including:

- resource area data and information,
- the planning process,
- key issue areas,

- draft planning criteria,
- newsletters,
- draft documents, and
- contact information.

The web site address was advertised on the newsletter and other planning materials and handouts and was linked to the New Mexico BLM home page.

1.3.8. Public Meetings

The scoping meetings were designed to inform the public about the planning process and solicit meaningful input related to the scale, scope, and issues associated with the RMP/EIS. The meetings also provided the public an opportunity to communicate issues and concerns at the onset of the planning process to help develop alternatives. Nine formal scoping meetings were held in April 2008 and more than 120 persons attended. Each meeting was conducted in an open-house style including display materials concerning preliminary planning issues and resource specialists on-hand for discussion. Each individual was asked to sign in for the meeting and/or to request various materials that will be distributed throughout the planning process. Comment forms and newsletters were distributed throughout the meeting area. During the meetings the Resource Management Plan Revision process was discussed and Field Office Staff were introduced. The participants were also given the opportunity to ask questions during the last portion of the meeting. Table 1.2 identifies the location, date, and number of participants that signed in for each of the nine scoping meetings.



Table 1.2. Public Scoping Meeting Dates, Locations and Attendance

Meeting Date	Meeting Location	Number in Attendance
Wednesday, April 2, 2008	Albuquerque Marriott Pyramid	42
Thursday, April 3, 2008	Los Lunas Museum of Heritage and Arts	5
Monday, April 7, 2008	Cuba Senior Center	16
Tuesday, April 8, 2008	Bernalillo High School Gymnasium	42
Wednesday, April 9, 2008	Moriarty Civic Center	2
Thursday, April 10, 2008	Loma Colorado Library	9
Wednesday, April 16, 2008	Grants Convention Center	7
Thursday, April 17, 2008	UNM-Gallup Campus	1

1.4. Cooperating Agencies

A Cooperating Agency is any federal, state, or local government agency or Indian tribe that enters into a formal agreement with the lead federal agency to assist in the development of an environmental analysis. Potential cooperating agencies were identified early in the planning process and the list refined during scoping. Potential cooperators were identified using the following regulatory criteria:

“Cooperating agency” means any Federal agency other than a lead agency which has “jurisdiction by law” or “special expertise” with respect to any environmental

impact....A State or local agency of similar qualifications or, when the effects are on a reservation, an Indian Tribe, may by agreement with the lead agency become a cooperating agency (40 CFR 1508.5 (CEQ)). *Jurisdiction by law* offers a very specific basis for CA status: authority to approve, deny, or finance all or part of a proposal, while *Special expertise* provides a broader window for CA status, emphasizing the relevant capabilities or knowledge that a federal, state, tribal, or local governmental entity can contribute to an undertaking.

On June 3, 2008, the BLM mailed letters to the following local, state, federal, and tribal representatives inviting them to participate as cooperating agencies for the Rio Puerco RMP Revision:

Table 1.3. Cooperating Agency List

Bureau of Indian Affairs, Alb	Village of Corrales
Bernalillo County	McKinley County Commission
USDA Natural Resource Conservation Grants	US Army Corps of Engineers
Valencia Soil And Water Conservation District	Jicarilla Apache Nation
Ramah Chapter, Navajo Nation	Mescalero Apache Tribe
Alamo Chapter, Navajo Nation	USDI Fish & Wildlife Service
Torreón Chapter, Navajo Nation	Sandoval County Commission
Tohajiilee Chapter, Navajo Nation	US Forest Service
Baca/Prewitt Chapter, Navajo Nation	Bureau of Indian Affairs Zuni
Breadsprings Chapter, Navajo Nation	Bureau of Indian Affairs Ramah
Chichiltah Chapter, Navajo Nation	El Morro National Monument
Church Rock Chapter, Navajo Nation	Bureau of Indian Affairs Laguna
Iyanbito Chapter, Navajo Nation	USDA Forest Service Los Alamos District
Manuelito Chapter, Navajo Nation	USDA Forest Service Coyote Ranger District
Ojo Encino Chapter, Navajo Nation	USDA Forest Service Santa Fe National Forest
Red Rock Chapter, Navajo Nation	Tribal Historic Preservation Officer Zuni

Cooperating Agency List continued

Cibola County, NM	Interim Tribal Historic Preservation Officer Mescelero
USGS Bureau of Mines	Tribal Preservation Officer Window Rock
Pueblo of Acoma	USDA Forest Service Mt. Taylor District
The Nature Conservancy	USDA Lincoln National Forest
New Mexico Forestry Division	USDA Rural Department
USDA Forest Service Cuba Ranger District	USDI National Park Service
NM Health And Environment	USDI Office of The Secretary Office
US Fish & Wildlife Ecological Services	Federal Highway Administration
USDA Forest Service Cibola National Forest	Bureau of Indian Affairs Eastern Navajo Agency
Pueblo of Cochiti	US Public Health Service
Pueblo of Isleta	Bureau of Reclamation
Pueblo of Jemez	Middle Rio Grande Conservancy District
Pueblo of Santo Domingo	NM Dept. of Cultural Affairs
Pueblo of Zuni Pueblo of Sandia	NM Environmental Department
Pueblo of Santa Ana	NM Energy, Minerals & Natural
Pueblo of Laguna	NM Department of Transportation
Pueblo of Zia	USDA Natural Resources Conservation Service ABQ
Pueblo of Acoma	NM Dept. of Game and Fish
Pueblo of San Felipe	NM State Land Office
NM Dept of Game & Fish	NM Department of Agriculture
Cibola County	City of Albuquerque
NM Environmental Health And Safety	City of Gallup
Torrance County	City of Grants
Valencia County	City of Rio Rancho
Village of Cuba	City of Moriarty
Village of Bernalillo	

The benefits of enhanced collaboration among agencies and tribal governments in the preparation of NEPA analyses include disclosing relevant information early in the analytical process; applying available technical expertise and staff support; avoiding duplication with other federal, state, tribal, and local procedures; and establishing a mechanism for addressing intergovernmental issues.

Of those listed, numerous agencies and tribal governments have accepted the invitation to enter into a Memorandum of Understanding (MOU) that will define their participating roles in the development of the RMP. Public outreach and consultation and cooperation with local, state, county, federal, and tribal governments will continue throughout the planning process.

1.5. Collaborative Planning

1.5.1. Agency Coordination

In order to create a cooperative working environment, the BLM gave presentations on the RPFO RMP planning effort to the various interested and associated agencies and the New Mexico Resource Advisory Council.

1.5.1.1. Federal, State, County, and Local Coordination

The Rio Puerco Field Office management and staff have met with federal, state, county, and local agencies to discuss the upcoming RPFO RMP revision. The following meetings involved discussion of the RMP included:

Table 1.4. Federal, State, County, and Local Agency Meetings

Agency Name	Date
Congresswoman Wilson Staffers	May 19, 2008
Department of Energy (DOE) Programmatic Environmental Impact Statement (PEIS) West-Wide Energy Corridor (WEC) Public Meeting - Albuquerque, NM	January 23, 2008
DOE PEIS WEC Public Meeting - Window Rock, NM	January 25, 2008
DOE PEIS WEC Public Meeting	May 15, 2008
East Sandoval County Flood Authority and Arroyo Authority	July 29, 2008
New Mexico Department of Agriculture	May 14, 2008
New Mexico State Land Office	December 2007
New Mexico Water Dialogue	January 11, 2008
San Antonio De Las Huertas Land Grant	April 29, 2008
Sandoval County	April 1, 2008
US Department of Agriculture Forest Service	April 3, 2008 and April 15, 2008

1.5.1.2. Resource Advisory Council

A Resource Advisory Council (RAC) is a committee established by the Secretary of Interior to provide advice

or recommendations to BLM management (BLM Land Use Planning Handbook H-1601-1). The BLM New Mexico RAC provides input on BLM decisions from local community members, concerned citizens and government officials of all levels. The New Mexico RAC includes a panel of mixed expertise and balanced interests ranging from natural resources and Native American culture to energy and mineral development.

After a presentation of the RMP process to the RAC in March 2008, highlighting the components and issues of the planning area, preliminary planning criteria, and project status, the RAC discussed options to provide assistance and input. Updates for the Rio Puerco RMP revision will continue to be brought before the RAC periodically throughout the planning process.

1.5.2. Tribal Consultation

Tribes were invited and encouraged to become cooperative agencies. The invitation will remain open to tribes as planning continues.

The RPFO has had discussions about the Rio Puerco RMP Revision with the following 13 tribes:

Table 1.5. Tribal Consultation

American Indian Group	Date
Acoma	March 7, 2007
Eastern Navajo Agency Council	June 2, 2007
Isleta	February 8, 2008
Isleta	March 2, 2007
Jemez	March 29, 2007
Laguna	February 6, 2008
Navajo Nation	July 23, 2007
Ojo Encino Chapter	April 11, 2007
Sandia	May 31, 2007
Santa Ana	May 31, 2008
Santo Domingo	February 6, 2008
Santo Domingo	May 9, 2007
Torreon Chapter	April 4, 2007
Torreon Red Dog Meeting	May 16, 2007
Zia	February 14, 2008
Zuni	May 4, 2007
Zuni	February 20, 2008

BLM has made initial contact with all Native American tribes in New Mexico and neighboring states with traditional use areas in New Mexico. American Indian Groups that may have traditional uses or that are located within the RPFO planning area include the following:

Table 1.6. American Indian Groups

Comanche Indian Tribe	<u>Navajo Chapters cont'd</u>
Fort Sill Apache Tribe	Whitehorse Lake
Jicarilla Apache Nation	Pueblo Pintado
Mescalero Apache Tribe	Ramah
White Mountain Apache Tribe	Red Rock
Hopi Tribe	To'hajiilee
Navajo Nation Navajo	<u>Pueblos</u>
Nation Historic Preservation Dept.	Acoma
<u>Navajo Chapters</u>	Cochiti
Alamo	Isleta
Baca/Haystack	Jemez
Break Springs	Laguna
Cañoncito Bank	San Felipe
Casamero Lake	Sandia
Counselor	Santa Ana
Little Water	Santo Domingo
Ojo Encino	Zia
Torreon	Zuni
Tsayatoh	Southern Ute Tribe
	Ute Mountain Ute Tribe

The Rio Puerco Field Office will look for opportunities to develop cooperative management partnerships with tribes where appropriate.

1.5.3. Other Public Interaction

As part of public outreach and involvement, the BLM conducted two training sessions for the agency and the public presenting "BLM Planning Concepts"

and the "Nuts and Bolts of the Planning Process". Other Agencies, organizations, and RPFO staff attended both sessions.

Following the formal scoping meetings other meetings with interested organizations and individuals, at their request, took place to further provide information about the planning process and answer any questions that may exist. These meetings include the following:

Table 1.7. Public Interaction with Interested Organizations and Individuals

Public Name	Date
East Mountain Regional Trails Council	June 17, 2008 and July 29, 2008
Geocache user groups	May 15, 2008
New Mexico Off Road Vehicle Association	May 9, 2008
New Mexico Wildlife Alliance	April 21, 2008
Placitas community organizations	December 30, 2007, April 10, 2008, May 20, 2008, June 3, 2008, June 13, 2008, July 10, 2008, and July 30, 2008
Western Watershed Project	July 21, 2008
Wild Earth Guardians	June 16, 2008