

## APPENDIX 13 PROTESTS ON THE ROSWELL RMP

*This appendix contains a list of protesters, the issues or concerns raised in protests that were addressed by the BLM Director or the New Mexico State Director, and a list of text changes.*

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**TABLE 1  
LIST OF PROTESTERS  
ROSWELL RMP**

Name, Organization of Protester	Number of Issues, Concerns Identified		Action
	Issues	Concerns	
Tom Amesbury		1	
New Mexico Oil and Gas Association (NMOGA)	4	2	
George Folks, Spirit Energy			dismiss
Larry Nash, GPM Gas Corp.			dismiss
Bill Pierce, Penwell Energy			dismiss
Santa Fe Energy			dismiss
Johnny Slaughter, Pool Energy			dismiss
T.E. Yates, American Trading			dismiss
Kelly L. Maclaskey, Maclaskey Oilfield Services			dismiss
George F. Sharpe, Merrion Oil and Gas			dismiss
Kenneth D. Reynolds, WEK Drilling			dismiss
Controlled Recovery Inc.			dismiss

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Name, Organization of Protester	Number of Issues, Concerns Identified		Action
	Issues	Concerns	
John Mason, Burnett Oil Co.			dismiss
Charles R. Wolle			dismiss
B.J. Caldwell, Saga Petroleum			dismiss
R.F. Gray			dismiss
Edward R. Hudson, Hudson, Inc.			dismiss
Gary L. Thomas, Enron Oil and Gas			dismiss
Ken Gray, Devon Energy			dismiss
Bob Shelton, Nearburg Expl.			dismiss
Harry Spannaus, Parker & Parsley			dismiss
Kenton Hammonds, Armstrong Energy			dismiss
Joe Janica, Tierra Explorations			dismiss
John R. Gray, Marbob Energy			dismiss
Robert Bayless			dismiss
Worth Carlin, Bass Enterprises			dismiss
Dennis Hendrix, Great Western Drilling			dismiss
Kenneth Barbe, Manzano Oil			dismiss

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Name, Organization of Protester	Number of Issues, Concerns Identified		Action
	Issues	Concerns	
Elizabeth Bush, ARCO Permain	2	1	
Worth Carlin, Bass Enterprises	3	1	
R.J. Schneider, Texaco	1	3	
A.R. Kukla, Marathon	3		
Roger Peterson, NM Natural History Institute	1		
J.F. NewVille, Chevron	1	2	
Forest Guardians	4		
Bud Eppers, Southeastern NM Grazing Association		5	
Chuck Moran, Yates Petroleum	5	2	
Lewis Derrick, NM Cattle Growers	1	1	
Chaves County	2		
Doug Lunsford	2		
Greg Nibert	2		
Karolyn King Nelson			dismiss
Calder Ezzell	2		
Jerry Cooper, Pogo Producing			dimiss

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Name, Organization of Protester	Number of Issues, Concerns Identified		Action
	Issues	Concerns	
William Waggoner, Independent Petroleum Assn of NM			dismiss
Ronald Merritt	1		
Dan Girand, Mack Energy Corp.	3	1	
Curtis Doyal	1	1	

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**TABLE 2  
LIST OF PROTEST ISSUES AND CONCERNS  
ROSWELL RMP**

Name, Organization of Protester	Issue Number	Concern Number	Topic
Tom Amesbury		C-1	acquisitions and disposals
New Mexico Oil and Gas Association	I-1		maps
	I-2		wilderness study areas
	I-3		archeology
		C-1	species protection
		C-2	prairie chickens
	I-4		caves and karst
Elizabeth Bush, ARCO Permian	I-1		archeology
		C-1	species protection
	I-2		caves and karst
Worth Carlin, Bass Enterprises	I-1		no true alternative
	I-2		cultural
	I-3		prairie chickens
		C-2	sand dune lizard

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Name, Organization of Protester	Issue Number	Concern Number	Topic
R.J. Schneider, Texaco	I-1		following state law
		C-1	visual resource management
		C-2	slope, fragile soils
		C-3	sand dune lizard
A.R. Kukla, Marathon Oil	I-1		maps
	I-2		archeology, cost recovery
	I-3		caves and karst
Roger Peterson, NM Natural History Institute	I-1		prairie chickens
J.F. NewVille, Chevron Oil	I-1		caves and karst
		C-1	prairie chickens
		C-2	slope, fragile soils
John Horning, Forest Guardians	I-1		prairie chickens
	I-2		aquatic and obligate species
	I-3		informed decison on grazing; NEPA analysis
	I-4		informed decison on grazing; no grazing alternative

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Name, Organization of Protester	Issue Number	Concern Number	Topic
Bud Eppers, Southeastern NM Grazing Association		C-1	Macho WHA; NEPA
		C-2	vegetation management
		C-3	watershed management
		C-4	game management; NEPA
		C-5	Appendix 7, law enforcement
Chuck Moran, Yates Petroleum	I-1		Alternative F treatment
	I-2		wilderness study areas
	I-3		caves and karst
	I-4		sand dune lizard, new info.
		C-2	takings implications
		C-3	slopes, fragile soils
	I-5		cost recovery, cultural
Lewis Derrick, NM Cattle Growers	I-1		following state law on fencing, water
		C-1	game management; NEPA
Chaves County	I-1		participation in process
	I-2		plan conformance



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Name, Organization of Protester	Issue Number	Concern Number	Topic
Doug Lunsford	I-1		maps
	I-2		caves and karst
Greg Nibert (same as Lunsford)	I-1		maps
	I-2		caves and karst
Calder Ezzell (same as Lunsford)	I-1		maps
	I-2		caves and karst
Ronald Merritt	I-1		following state law on fencing, water
Dan Girand. Mack Energy	I-1		Alternative F treatment
	I-2		maps
	I-3		caves and karst
		C-1	Appendix 7, law enforcement
Curtis Doyal	I-1		conformance with county ordinance
		C-1	Appendix 7, law enforcement

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**TABLE 3  
TEXT CHANGES**

Changes were made in the Proposed RMP/Final EIS as a result of: (1) efforts to resolve protests on the Proposed RMP; (2) requirements of the U.S. Fish and Wildlife Service for implementing conservation recommendations developed by the Service under Section 7 of the Endangered Species Act; and (3) corrections of typographical or editorial errors identified by reviewers of the Proposed RMP. These changes are listed below.

Page numbers and other references are from the Proposed RMP/Final EIS. Partial paragraphs at the tops of columns and bullets are not counted as paragraphs when determining the entries for paragraphs. The number code in the "Reason" column refers to one or more of the three reasons described above in the previous paragraph.

Page	Column	Paragraph	Line	Should Be:	Reason
2-6	2	1		<p>Replace paragraph with: <b>Areas designated as Wilderness Study Areas (WSAs) are closed to leasing as part of the Wilderness Interim Management Policy. Existing leases in WSAs would not be reissued once they expire. Nearly all the acreage in the two WSAs in the Roswell Resource Area is recommended for wilderness designation. If Congress fails to accept the recommendations for wilderness designation and the WSA status is removed, the lands currently in the WSAs would be managed for multiple use under management prescribed in this RMP. If not designated wilderness, future management of the WSAs would be as follows:</b></p> <ul style="list-style-type: none"> <li>● <b>Carrizozo Lava Flow WSA (10,408 acres): Approximately 9,333 acres would be closed to oil and gas leasing to protect the character of the lava flow, which is believed to be one of the most recent in the continental U.S. Scenic, recreational, scientific, vegetation and wildlife values associated with the lava flow would be protected, as well. The remaining 1,075 acres would be open to leasing subject to the Surface Use and Occupancy Requirements, the Practices for Oil and Gas Drilling Operations in Cave and Karst Areas, and the Roswell District Conditions of Approval.</b></li> </ul>	1,3

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Page	Column	Paragraph	Line	Should Be:	Reason
				<ul style="list-style-type: none"> <li><b>Little Black Peak WSA (14,904 acres): The entire 14,904-acre area would be closed to oil and gas leasing to protect the character of the lava flow, which is believed to be one of the most recent in the continental U.S. Scenic, recreational, scientific, vegetation and wildlife values associated with the lava flow would be protected, as well.</b></li> </ul>	
2-6	2	4	3-7	...allowed within <b>up to 200 meters of 100-year floodplains, drainages, playas, water wells...</b>	3
2-20		Table 7		Replace with new table printed in the Approved RMP.	1
2-22		Table 9		Replace with new table printed in the Approved RMP.	1
2-23		Table 10		Replace with new table printed in the Approved RMP.	
2-37	2	3	1,2	...of about <b>77,000</b> acres...	3
2-37	2	4	7	...in the following areas <b>(this list is not inclusive)</b> :	3
2-40		Table 17		Total under Private Acres for Acquisition corrected to read 4,920	3
2-42	2	3	1	Within <b>portions</b> of the Macho WHA <b>meeting the antelope suitability criteria</b> , new internal pasture fences...	3
2-42	2	3	6,7	...changes in <b>kind</b> of livestock...	3
2-42	2	3	6-8	Move second sentence to new location following the bullets in this paragraph.	3
2-47	1	bullet 2		Replace bullet with: <b>No range improvement projects will be constructed in the Malpais.</b>	3
2-47	2			Replace entry for pinon/juniper at top of column, with: <b>Pinon/juniper 50 trees/acre or when junipers encroach on drainages</b>	3
2-49	1	1	8	Add a new sentence: <b>Nevertheless, management would be directed toward achieving proper functioning condition.</b>	3
2-51	2	2	4	...designated roads <b>and trails</b> for all-terrain vehicles...	3

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Page	Column	Paragraph	Line	Should Be:	Reason
2-60	2	4		Replace paragraph with: <b>The Haystack Mountain OHV Area will be enlarged from from its present 3,500 acres to approximately 9,600 acres by acquiring 2,360 acres of state lands and 3,440 acres of private lands. Prior to the enlargement of the area, an easement about 50 feet by 100 yards in size will be acquired through two parcels of state land to provide access to the northern portion of the OHV area. The lands acquired for the OHV area will be managed according to the management prescription of the current Haystack Mountain OHV Area.</b>	3
2-61		Table 26		Acres for the Roswell Cave Complex ACEC corrected to read 890	3
2-64	1	7, 8		Replace paragraphs with: <b>If not designated wilderness, nearly the entire Little Black Peak and Carrizozo Lava Flow areas will be closed to oil and gas leasing (refer to the Fluid Mineral Management section in this plan for more information). Those areas also will be managed for roadless recreational opportunities.</b>	1,3
2-69	2	partial	4	<i>...and production, livestock grazing, and other uses <b>compatible with special status species habitat management</b></i>	3
2-70	1	partial		Add new sentences at end of paragraph: <b>...a species and its habitat. The intent of using fences in this manner is to protect small areas, as opposed to fencing-out large areas of public lands. It is expected that exclosures or barriers, if used, will be small in size and associated with specific sites.</b>	3
2-70	1	2	7	<i>...and production, and other uses <b>compatible with special status species habitat management</b></i>	3
2-70	1	3	4-7	<b>...primarily to fences built for livestock control and highway right-of-way fences. Fences or exclosures...</b>	3
2-81	2	4		Paragraph deleted	3
AP3-4	1	2	3	<b>...would not be allowed on slopes over 30 percent.</b>	1

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Page	Column	Paragraph	Line	Should Be:	Reason
AP3-4	1	3		<p>Replace paragraph and bullets with:</p> <p>* Streams, Rivers and Floodplains: Surface disturbance will not be allowed within up to 200 meters of the outer edge of 100-year floodplains, to protect the integrity of those floodplains. On a case-by-case basis, an exception to this requirement may be considered based on one or more of the criteria listed below. The first three criteria would not be applied in areas of identified critical or occupied habitat for federally listed threatened or endangered species.</p> <p>* Additional development in areas with existing developments that have shown no adverse impacts to the riparian areas as determined by the Authorized Officer, following a case-by-case review at the time of permitting.</p> <p>* Suitable off-site mitigation if habitat loss has been identified.</p> <p>* An approved plan of operations ensures the protection of water or soil resources, or both.</p> <p>* Installation of habitat, rangeland or recreation projects designed to enhance or protect renewable natural resources.</p>	2
AP4-1		3&4	4&4	pipeline replaced with project/pipeline	3
AP9-1		Table AP9-1		Replace with new table printed in the Approved RMP. Corrections were made in legal descriptions and acreages in the Haystack Mountain OHV Area, Mexcalero Sands, and Pecos River sections, and in the acreage summary at the end of the table.	3
AP19-1		Appendix 19		Replace Appendix 19 with a new appendix printed in the Approved RMP. The new appendix contains only those decisions carried forward from previous land use plans.	3