

**Summary Minutes**  
**NEW MEXICO RESOURCE ADVISORY COUNCIL**  
**July 24-25, 2007**  
**Carlsbad**

**RAC Members Present:**

Gerald Chacon  
Bill Chavez  
Matt Ferguson  
Bruce Gantner  
Betty Haagenstad  
Rachel Jankowitz  
Cliff Larsen  
Mark Marley  
Bob Ricklefs  
Lynda Sanchez  
William Sapien  
Lynne Sebastian  
Joanne Spivack, Chair

**RAC Members Absent:**

John Thompson  
Thora Padilla

**Designated Federal Official:**

Linda Rundell

**Honorary Chair:**

Bryan Arrant

**BLM Staff:**

Eddie Bateson, Roswell FO  
Brian Bellew, Albuquerque FO  
Doug Burger, Pecos District  
Sam DesGeorges, Taos FO  
Dave Evans, Roswell FO  
Joel Farrell, Farmington FO  
Rosemary Herrell, NMSO  
Tony Herrell, NMSO  
Theresa Herrera, NMSO  
John Merino, Socorro FO  
Dorothy Morgan, Carlsbad FO  
Tom Phillips, Las Cruces FO  
Tim Sanders, Las Cruces FO  
James Sippel, NMSO  
Jim Stovall, Carlsbad FO  
Hans Stuart, NMSO

**Scribe:**

Karen Meadows

**JULY 24, 2006      RECREATIONAL ENHANCEMENT ACT RAC  
FIELD TRIP**

The Recreational Enhancement Act (REA) portion of the meeting took place from 8-10 a.m. Then RAC members took a field trip to the Mosaic Potash mine.

**PUBLIC COMMENT PERIOD**

Joanne opened the Public Comment Period at 6 p.m. RAC members introduced themselves. Members of the public were present but no one chose to speak. The RAC thanked Jim Stovall and staff for a wonderful field trip.

**Question/Answer/Comment**

- Cliff said prior RACs included all members in working groups and identified issues to which they could contribute. He wondered whether those continuing on would be willing to work on projects between RAC meetings.

- Lynne said the RAC has a lot of knowledge and professional expertise and she expected they would be consulted as advisors—which the A in RAC stands for.
- Lynda added that A stands for ambassadors when controversial issues arise. Let the RAC know, and they can help.
- Betty agreed. Working with BLM in the illegal dumping coalition gave her a place to be active and influential.
- Linda Rundell said most BLM issues continue for a long time and RACs change regularly. It may be best to form working groups when issues come up.
- The charter indicates that the RAC could make recommendations and advise BLM. Linda follows through to make policy.
- Linda said she envisioned a Trackways working group that would reach out to the OHV community, subdivisions, contractors, geologists, and paleontological enthusiasts to come up with ideas that might be included in the Resource Management Plan (RMP). Discussion continued.
- Mark Marley said he's been in two working groups and they're painful. One issue took 1½ years to resolve. They were site-specific and therefore more advantageous than a statewide group. There will be more opportunities to tell Linda, "Something is needed here. Can we reach a solution?" He challenged Linda to give the RAC two-to-three issues to address.
- Joanne asked Linda to choose something small enough to for them to reach success.
- Further suggestions led to the reminder that the RAC can't meet without a quorum.
- Other RACs seem to function better. Can we model after them? It used to be the vice chair's function to interact with other western RACs. We could assign RAC members as liaisons with other states.
- Bruce said BLMNM has handled resource issues well so there are not many burning issues. It's a tribute to good management.
- Gerald Chacon established Range Schools in NM after he and Mark Lane pulled together an ad hoc working group.
- Rachel said BLM's archaeology, wildlife and range management staff is all very good. What the RAC can offer is an outside perspective.
- Discussion continued.

The Public Comment Period was closed at 7 p.m.

## **JULY 25, 2007      RAC MEETING**

After the second field trip, Joanne called the meeting to order at 12:35 p.m.

### **UPDATE ON ILLEGAL DUMPING**

#### **Rosemary Herrell, Specialist Assistant to the State Director**

Rosemary is coordinating Coalition for a Clean NM (CCNM), which met June 29 and planned to meet again July 30. She listed state, federal, county and tribal affiliates. Betty invited other RAC members to get involved. Some partners are already working on illegal dumping, e.g., the State Land Office with *Don't Trash the Trust*. CCNM is looking for funding support from participating agencies. They reached consensus at the first meeting that everyone is affected, with many agencies expending energy and resources.

Some problems include illegal drug and medical waste, and dumping near legal dumps where construction waste was not allowed. Reasons include cultural habits, closed dumps, and lack of consequences.

Comments and solutions:

- Make transfer stations more accessible.
- Use citizen watch program.
- Raise more \$ and emphasize convenience.
- Understand the regulatory framework among the various agencies and governments.

The three essential components are outreach, education and enforcement.

Outreach needs to include communities, organizations and industry. Rosemary spoke of Alliance Community Grants, which focus on prevention rather than cleanup. Education has historically been the missing link. CCNM needs to provide a clear message that includes information on proper ways to dispose of trash, consequences, and alternatives.

Enforcement is difficult because of limited resources. BLMNM, for example, has only 18 enforcement officers. All involved need to work with judges on the impact of illegal dumping, focus on changing defendants' attitudes and behaviors, and help establish consistency in county ordinances.

RAC members can:

- Provide contact information for their industries or represented groups.
- Suggest a name change.
- Suggest catchy slogans.

Question/Answer/Comment

- Just knowing whom to call needs coordination.
- Rosemary said the Department of Tourism has a number that she will send to RAC members. CCNM is working now with Crime Stoppers for further coverage.
- Numerous suggestions were made.
- Betty warned that using citizen groups, especially kids, is not a good idea because often hazardous materials are dumped. If the new approach is preventive, who will clean up, and who will fund it?
- The NM State Legislature has been supportive. A bill to fund CCNM was introduced but not passed. CCNM will try for another bill.
- Jim Granter said he retired from the Carlsbad city and county solid waste departments, and is currently on the city and county solid waste committee. A lot of work has been done. There is a proactive county commission that is, for example, planning convenience stations. They will see a big difference within the next three years. The effort needs trained city or county employees, not volunteers.

**FIELD MANAGER PLANNING UPDATES**

**Sam DesGeorges, Taos FO**

Taos FO is analyzing the management situation to establish a baseline. That process includes determining what needs to be modified or dropped on all old decisions. Results will be

other potential opportunities to consider as they move into the future, e.g., mineral development near communities—which the old plan was weak on. Staff planned to finish within the next couple of weeks.

The RAC could help review the draft of the new RMP before it is sent to the public. If the Galisteo Basin is to be developed, the plan could be aided by balancing cultural resources and social issues. This is a baseline condition that will result in potential new alternatives to be analyzed in the new RMP. The RAC could look at the analysis of the current situation and review the draft to raise red flags.

Linda said this was a good time for the RAC to help shape how alternatives would come out. A weak point in BLM's planning process is that the public does upfront work and then doesn't hear for a year or more how their suggestions might have been addressed.

Sam will notify RAC members when they might take part. The RAC is always welcome at meetings. Staff newsletters would be a good way to keep the RAC updated. Linda invited RAC members to call BLM FOs when something of interest to them is underway. She asked Sam to notify RAC members in his area when they plan a meeting with stakeholders.

### **John Merino, Socorro FO**

The RMP revision/EIS got 40 comments July 16. Staff will address pertinent comments, resulting in a final draft by early spring. Meetings in Datil and Socorro went well. Quite a few attended. The RMP addresses multiple uses.

Can the RAC or the public affect next steps? This plan is so far along that staff is now shifting to the proposed alternatives. Catron County and Zuni Pueblo acted as cooperators, commenting and working with BLM on analysis of alternatives. Drafts up to the preliminary final were adopted. After public comment, the RAC could work on the travel management plan, illegal dumping, or suggest other cooperators.

### **Brian Bellew, Albuquerque District**

Brian said the district worked with Socorro FO on the Rio Puerco plan. It was a great opportunity to cross resource area boundaries. Staff wanted to continue working with Zuni Pueblo on protection of the salt lake, and as new teams step in to address longstanding issues. They also appreciated looking together at the Albuquerque/Socorro plans. The Rio Puerco update will be emailed.

RAC members would like to have FO updates prior to RAC meetings, so they could be read and then discussed.

### **Doug Burger, Pecos District**

Doug said SENM is working on a special status species agreement for lesser prairie chickens and sand dune lizards, covering several counties, and including BLM surface lands with federal mineral rights. The FO received 13 comments, attributable largely to the strategy group that worked at least two years to find solutions for conflicts among recreation, O&G, and grazing representatives. The draft RMP is out, comments have been addressed, and it's now in Washington. The final should come out in September, followed by the Record of Decision (ROD) in February.

**Tim Sanders, Las Cruces FO**

The tri-county RMP revision includes several very contentious issues, and covers 3.4 million acres of federal land.

Major issues (all controversial) include:

- land disposals
- recreation areas and open space
- OHV use
- ACECs

Those issues are followed by:

- wilderness protection and special status species preservation
- utility corridors
- energy and minerals development

The RMP set up a range of alternatives, from a-lot-of to very-little disposal. Large blocks around Truth or Consequences and Alamogordo are urban interface. There's a huge block—approximately 100,000 acres—around Las Cruces and the Santa Theresa/El Paso growth area. The environmental protection option involves very few acres, but the FO is considering how disposals will affect those.

**Question/Answer/Comment**

- There is very little private land in that area. Will these disposals become subdivisions?
- If these lands are disposed of, there will be no open space around the cities.
- The public thinks BLM is a holding line for development.
- It gives alternatives to subdividing farmland.
- Linda says it is not BLM's job to be the de facto county zoning agent. It is incumbent upon municipalities to work with their communities to decide how growth occurs.
- FLPMA does not tell BLM to manage for open space. BLM does not want to be left with little pieces surrounded by private land that it is expected to keep up as parks. Instead, BLM finds more appropriate organizations to turn them over to, with a reversion clause. Discussion continued, indicating exactly why this issue is controversial.
- The RAC could get varied interest groups to meet and discuss, getting BLM out of the middle. Dialogue needs to be between the vested interests. The RAC could play a very important role locally getting parties together to work on solutions for the best interest of all.

Protection areas cover about 600,000 acres, including the Trackways. Doug showed the roads inventory in the planning area. BLM is supposed to identify which roads it wants open and closed, but they will never get to that step—so plan to designate roads in protection areas. The FO plans to release a draft RMP/ Environmental Impact Statement (EIS) December 2, 2007.

Lynda said part of the Ft. Stanton state lands are under consideration for state monument status. The proclamation is going to be read on August 11, 2007, designating 200 acres of the 1,300 acres of state land to be the state monument. If that is signed into law, it will affect BLM management.

## **WIND ENERGY UPDATE**

### **Owen Lofton, Carlsbad FO**

A programmatic EIS was initiated in 2003 to address wind energy installations on federal lands, and a Record of Decision (ROD) was signed in 2005. There are three types of wind energy authorization:

1. Site-specific wind energy testing and monitoring facilities: may be issued to various right-of-way holders in the same area, establishes no preferential right to development.
2. Wind energy site testing and monitoring project areas: retains an interest to preclude other wind projects; issued for three years and renewable; establishes no right to development.
3. Commercial wind energy development facilities: requires application and ROD; includes wind turbine facilities and infrastructure; with separate linear authority for offsite facilities.

#### The Texas Hill wind energy project includes:

- 150 mW wind farm proposal
- 100 1.5 mW Acciona wind turbine generators
- 35.10 miles of road
- 24.26 miles of buried electric and communications cable
- 30.23 miles of 115 kilovolt overhead transmission power line
- 10-acre materials laydown yard
- 1,000 acres for construction, down to 550+ for operation

This is the first of its kind on BLM land in NM. The company chose this area because of high wind potential, despite its rough hilly terrain. There will be remediation. The structures are 400' high including tower and turbine. He described the extent of the foundation, construction corridors, and full development.

#### Issues & Impacts

- effect on wildlife, particularly birds and bats—17 bat species, including six sensitive species
- plants, including Kuenzler hedgehog—which is federally listed
- visual and recreation issues: impacts to national scenic byway, intrinsic value to all users
- Cave/karst formation issues, including impacts to underground voids and aquifers, for example, collapse from weight of towers
- blasting for tower footings
- Archaeology, including coordination with state and tribal representatives, will require a block survey
- sound
- mineral development, including coexistence with O&G development, spacing and access

#### Planning & National Environmental Policy Act

BLM asked the company to proceed with an EIS by a third party, with a cost recovery agreement and public/agency scoping. They will help BLM with mitigation and decisions. He listed other affected agencies and parties.

Other wind projects are being put forward, including the Guadalupe Project and Bandana Point. They have collected three months' data already from meteorological towers. Royalties are 3 cents/kW hour, which goes into the general treasury. A grazing lessee would be affected.

Owen showed 3-D maps of Texas Hill, with turbines drawn in as originally planned. Discussion followed. How will data reported by third parties be verified? For example, the golden eagle population diminished in direct proportion to establishment of a wind farm on Delaware Ridge. BLM checks credentials and has a list of accepted third-party contractors. Owen will give names on that list to Steve West. Rachel said the company surveying is highly reputable. Duration of the protocols is five-to-six years, two prior to construction.

## **SPACEPORT & SNOWY RIVER CAVE UPDATE**

**Linda Rundell, BLMNM Director**

**Tim Sanders, Las Cruces DO**

The Spaceport director resigned and the main tenant—Virgin Galactic—is being sold.

Linda said there was a major Snowy River Cave breakthrough via the new Mud Turtle passage that cuts 8-10 hours from the original Fort Stanton route, which took 24-26 hours. Cavers broke through on July 4<sup>th</sup> to observe an unbelievable hydrologic event—14-18” of crystal clear water in the cave. They backed out of the cave in order not to contaminate it. Cave researchers are continuing to do research. BLM continues to work toward legislative designation that would provide protection and status. Once that is done, BLM would do an RMP. Staff is going down again August 15 for water samples. BLM is considering drilling a 36” hole to allow people and equipment to enter easily; and is putting structures in Mud Turtle for safety and easier access. Eddie Bateson said in Snowy’s 150-300’, they’ve discovered 35 new microbes. The cave is thought to have had no water in it for 150 years. Explorers have reached 3.5 miles into the cave and believe it to be extensive. There have been several articles in the newspaper and one major regional magazine article on Snowy River.

## **USING GIS FOR RESTORING NEW MEXICO**

**Jim Stovall, Carlsbad FO**

**Darrio Lunardi, Carlsbad FO**

Carlsbad FO has been building FO business resources to help with their heavy workload. GIS created a database to help all staff quickly plan long-term. Darrio and others modeled the database, which all CFO staff can access. The focus is making data available. It’s based on simple, easy-to-use out-of-the-box software. They showed layers of data, for example, known archaeological sites by aerial photo where data can be read or fed in.

Tony Herrell used the tool to point out how Department of the Interior Secretaries’ orders over the years set aside potash areas, how they accumulated, why they intersected with O&G drilling, and direction for the future.

The database creates an environment for discussion where there’s conflict. It improves the National Environmental Policy Act process, RMP process, Applications to Drill, etc., and helps specialists make decisions.

## **REGIONAL RACS**

Linda spoke about past discussions on establishing more than one NM RAC. That would have to be proposed to and approved by the Secretary of the Interior.

### Discussion:

- The RACs could meet once annually altogether.
- Other states keep RAC members for a longer period.

- Cost now is about \$6,000/meeting.
- It has been a challenge getting enough applicants for one NM RAC. There would need to be 12-15 members on each.
- Working groups could function in that way.
- BLM could find more people living in particular areas who are passionate about local issues.
- BLM used to have grazing and multiple use advisory boards of local people.
- We still need to decide the RAC's role. Discussion on role continued.
- People mobilize for something in their own backyard. Committees are already meeting regionally to address issues.
- A working group could consider this and make recommendations.
- These frustrations are not unique to this RAC. One solution is to have a working group that works with Theresa on agendas. Make every member responsible to call one other state's RAC and find out what they're doing. Our role is to go to our constituent groups, explain issues and go beyond our biases. We're finding out what BLM struggles with, like the impacts of wind energy. Nothing is free.
- Working groups are fundamental to the RAC and right now there are none. Even without a quorum, work can be done.
- Make sand and gravel on BLM lands a working group and an agenda item.
- Energy sources could be an agenda item and a working group, with issues including recoup of leakage and reducing greenhouse gas emissions.
- Bring experts in to address key issues on the first day of RAC meetings; then choose one or more to discuss and make recommendations on the next day.
- These issues are so complex that it's impossible to give advice immediately. The learning curve is huge for a new member.

### **ELECTION OF NEW OFFICERS**

Bill Chavez nominated Mark as new RAC Chair. He accepted.

Bruce nominated Bill Sapien. Bill withdrew.

Joanne nominated Cliff Larsen.

Mark was elected as RAC Chairman by secret ballot.

Bruce was nominated as vice chair and elected by acclamation.

Working groups were proposed for energy, sand and gravel, and archaeology in O&G fields.

The next RAC meeting will be in Las Cruces. The agenda will be decided by group discussion between meetings.

Departing RAC members thanked Linda, staff and one another. Members said it was good to work with people of unlike minds; and good to become ambassadors. Being on the RAC is worth the time. Field trips are very valuable. Rachel encouraged BLM to continue to work closely with the NM Department of Game & Fish. Others said they look at the landscape differently after attending RAC meetings.

The meeting was adjourned at 5:34 p.m.