

Summary Minutes
NEW MEXICO RESOURCE ADVISORY COUNCIL
November 8-10, 2004
Albuquerque

RAC Members Present:

James Bailey
Philip Don Cantu
William Chavez
Michael Chirigos
Matt Ferguson
John Hand
Rachel Jankowitz
Meade Kemrer
Mark Marley
Raye Miller
Robert MoQuino
Robert Ricklefs
Joanne Spivack
Don Tripp

RAC Members Absent:

Max Cordova

Designated Federal Official:

Jesse Juen

Designated State Official:

Sally Rodgers

BLM Staff:

John Bruin, NMSO
Sam DesGeorges, Taos FO
Ron Dunton, NMSO
Steve Henke, Farmington FO
Theresa Herrera, NMSO
Tim Kreager, Roswell FO
Joe Lara, Carlsbad FO
Mark Matthews, Socorro FO
Ed Roberson, Las Cruces FO
Linda Rundell, NMSO
Arlene Salazar, Albuquerque FO
Ed Singleton, Albuquerque FO
Dennis Stenger, NMSO
Hans Stuart, NMSO
Steven Wells, NMSO

Scribe:

Karen Meadows

NOVEMBER 8

FIELD TRIP

The Albuquerque District hosted a field trip to the El Malpais NCA, La Ventana Arch, and the Visitor Center in Grants. RAC members in attendance Philip Don Cantu, William Chavez, Mickey Chirigos, Matt Ferguson, John Hand, Rachel Jankowitz, Meade Kemrer, Mark Marley, Raye Miller, Bob MoQuino, Bob Ricklefs, Joanne Spivack, and Don Tripp. BLM attendees Jesse Juen, Ed Singleton, Tom Gow, Charise Saiz, Steve Fisher, Tim Kreager, Sam DesGeorges, and Theresa Herrera.

PUBLIC COMMENT PERIOD

Raye opened the Public Comment Period at 6:05 p.m. and welcomed guests. Members of the RAC introduced themselves.

Alberto Baros, Rio Arriba County Planning Department

Mr. Baros said the federal government and native tribes own almost 3/4 of the land in Rio Arriba County, and the county is having a lot of problems with growth. When first settled there was a plan to occupy dry lands, not irrigated agricultural lands. Now there are issues with land grants and the county is working on three levels, through study, the international community and finally legal action. They are headed toward congress to change the law so that Rio Arriba County can acquire land for roads, buildings, waste disposal etc., unhampered. People have built on agricultural land so it's disappeared. The county tried trades, one a three-way trade with BLM and private landowners for a significant area for wildlife. The county couldn't afford the trade. Federal government could use other mechanisms for such plans, including

financing part of the deal to benefit everyone. We need to protect agricultural land; building there is wreaking havoc.

Grazing during a drought is another concern. What is BLM doing?

Question/Answer/Comment

- Ed Singleton said all permittees are voluntarily reducing livestock. Weather and climate people say recent moisture may be a blip or may be the drought breaking, but are not sure, so advise caution. It's not as simple as buying cows. Many things work into grazing issues. BLM wants to continue the dialog to assure all involved are thinking along the same lines.
- Sam said BLM is aware of growth restrictions Northern New Mexico communities face. Taos FO is revising its RMP as a guiding light for use of lands in the future. The FO wants to fold Rio Arriba County's comprehensive growth plan into the RMP. The preplan lays out potential issues and strategies for acquiring additional information. The FO has a good network and good communication with communities. In the current Alcalde plan the only tract identified for disposal is on the west side of Espanola sandwiched between Santa Clara and San Ildefonso pueblos and was transferred to the two tribes.
- Raye said the Las Cruces RMP looked into the future, designating lands for disposal or exchange to avoid the loss of agricultural lands. Many of those tracts have been sold or exchanged.
- There was discussion at the last RAC meeting about the Alcalde school. Rio Arriba County approached Legislators Domenici, Bingaman, Udall, Pierce and Wilson about 165 acres that would include room for maintenance buildings and a cemetery. Legislation would exempt that parcel from the stipulation that it could only be exchanged or sold for fair market value. BLM is supportive and will be asked to testify when the bill comes up. The RAC could recommend supporting that step.
- Raye said RAC members with connections to legislators might show support for such a proposal.
- Mr. Baros said grazing is such a small use, and helping the people of the area is of greater significance.
- Raye said Taos FO's 2007 plan could identify some lands that could be disposed of in a limited way as needed for community development.
- The original Bankhead Jones Act limits what the RMP could allow.
- Congress might look again at the Recreation & Public Purposes Act (R&PP) because needs have changed.
- Mr. Baros said dynamics have changed and these acts aren't serving the people.
- It might be best to ask congressional delegates to change the original act rather than changing status of just those 165 acres.
- Don asked what sort of relationship the county has with the land grants.
- Mistakes were made because an unofficial alcalde copied land grant documents. There weren't any maps. Use was based on custom and culture—for grazing, gathering pinon nuts, hunting and woodcutting. Embudo has three or four areas accepted under custom and culture that are still disputed because documents were copied by an alcalde.
- The Spanish land grant was first transferred to the S&WCD, then to BLM and the USFS.
- Jim thought more moisture would pressure BLM to allow increased grazing. Range will take time to recover and increase plant density and diversity. There are written standards for measuring what's on the ground.
- Jesse said 99% of the time decreases and increases are progressive, according to standards and guidelines. BLM works with permittees, sometimes even pasture by pasture. Each case differs.
- Mark said permittees have negotiated decreasing stock in good faith. When it's time to increase stock, BLM will be expected to negotiate in good faith.

- Raye suggested that the Lands Working Group get copies of the Bankhead Jones Act and review the request to the congressional delegation, then bring recommendations to the RAC. He urged Mr. Baros to stay very involved in the planning process, including identifying tracts BLM holds for disposal as growth is needed.
- Mr. Baros said we are in a desert that has had a long wet period. He is not happy with BLM's assessments and science. There may need to be a third party for assessment, like NMSU, because there may be argument about what is normal.
- Steve Henke said it's not an exact science. BLM is conservative, knowing plants need to recover from drought. They have worked successfully with permittees on reeducation and anticipate success with future appropriate steps. BLM has a process for disagreement, an NMSU task force can come in as third party and render opinions, and permittees have an appeal process.
- Ed Singleton said drought assessments were run past the task force and science was applied. There were agreements with Santa Fe NF and when the drought got severe there was some panic and plans went by the wayside, but BLM had nothing to do with that.
- The Range Task Force will get out on the ground and use data. Steve said they intervened in NF two years ago where there was 100% reduction.
- Bob said climatology records show that the last good rainfall was in the early-to-mid-1950s, and we could be at the end of a 10-year or a 50-year drought. NNM is expected to have good snowpack or rain in 2005 or 2006.
- Jim said we have been seduced by the "normal" wet period, which was abnormally wet.
- Carlsbad gets more rain every year—this year it peaked in a 100-year flood.
- Mark encouraged Mr. Baros to contact the Range Task Force—a good tool for specific disagreements.
- Raye said BLM desires to err with caution because it doesn't want land to deteriorate.

Raye asked that RAC members consider serving on one or more of the Watershed, Lands or Energy working groups that would meet the following evening. He recessed the meeting at 6:53.

NOVEMBER 9 RAC MEETING

CALL TO ORDER, WELCOME, OPENING STATEMENTS (Attachment 1)

Raye called the meeting to order at 8 a.m. Associate State Director Jesse Juen thanked Ed Singleton and the Albuquerque FO for a fantastic field trip. Now that the election is over BLM administration will adjust priorities and personnel, so there may be changes. BLMNM already reorganized to form districts hosted by FOs in Albuquerque, Taos, Farmington and Las Cruces—to create avenues for staff and the public to be heard, and to build in career ladders for management to gain experience across geographic areas. Tony Carrell will be on board in Carlsbad November 18; and Doug Berger will be district manager out of Taos. Dennis Steiner, Deputy State Director for energy and minerals—the first fluids mineral expert in that position—was introduced.

Land tenure, disposal, etc., will be a big arena for the next several years. It is important to have a statewide lead to focus on exchange and one will be hired within the next month.

Eleven Western states are conversing about drought. BLM is building a strategy for conservation and for how to incorporate current research and on-the-ground guidance into planning documents. A vegetation EIS for the Western states, including fire control and herbicide use will be out soon, and is important for the RAC to understand.

Raye spoke about the RAC's role and consensus as its way of decision making. A quorum requires at least three members from each category, and BLM relies on RAC input, so it is very important to attend all meetings. New members introduced themselves.

Raye asked for review of the proposed letter to Department of the Interior Director Kathleen Clarke that he sent to members. He recommended a change in the 2nd paragraph 2nd sentence, adding the underlined words. “We have numerous opportunities to make some win-win outcomes dealing with sensitive species, split estates, access and other management issues.” Raye said significant past RAC conversation preceded the letter and the delay of RAC appointments has made it difficult for the RAC to operate.

Question/Answer/Comment

- Joanne asked if phrases like “other management issues” were code talk for difficult issues.
- Raye said an example of management issues was past public objection to some land exchanges. Raye objected to the Picacho Peak exchange, but as he dug into it, it appeared to be win-win.
- NM is unique in its huge checkerboard of state and federal lands. Joanne thought RAC might help undo the mosaic.
- Raye said the RAC is asking Washington not to cause BLMNM to lose opportunities by over-watching land exchanges in the same way it scrutinizes leasing or sales.

The RAC approved sending the letter to the Washington office.

APPROVAL OF SEPTEMBER 2004 SANTA FE RAC MINUTES (Attachment 2)

Correction needed on page three—Ed Roberson is directing only the Las Cruces district. Jim Bailey and John Hand recommended further changes that were noted. Minutes were approved.

FUTURE RAC INITIATIVES (Attachment 3)

Jesse Juen, Associate State Director

Jesse said the BLM brochure in members’ packets explained the complex organization very well, and the diversity of RAC members is a tremendous asset to BLMNM. A recent article cited \$3.5 million collected annually for recreation fees—far exceeded grazing fees. That amount will probably hit \$100 million during our lifetimes, and RAC input on recreation issues is needed. BLMNM is working on an integrated consolidated approach to use resource funds and move forward with land restoration. Stewardship contracting, e.g., is a wonderful concept, but has been tough to market, so the RAC could help explore that arena, particularly as it relates to healthy lands. Farmington FO works with ranchers and the O&G industry on land restoration and BLMNM is applying what’s been done in NWNM to the SE.

- Ed Singleton said rural/urban interface worsens. Decisions about multi-use lands where the American public vitally needs resources are controversial, e.g., NM is the largest user of sand and gravel but the public resists establishment of sand and gravel pits. The goal of 250,000 acres restored annually is worthwhile, but it will take a change in public thinking, and the RAC could play a vital role.
- Meade asked for clarification on the difference between reclamation and restoration.
- Jesse said they apply to different levels, e.g., a bladed road restored is different from an area where pinon/juniper has grown so thick that grass no longer grows.
- Homeland Security (HS) aims to establish an Incident Command Team to address fires, hurricanes and floods, but it will take years to find and train people. The goal is to have five high-risk teams in the nation, backed by 26 fire teams. Meanwhile HS will lean heavily on BLM. Budget comes through FEMA and Homeland Security. BLM’s cost is loss of personnel.
- Jesse said regions of NM would be critical as corridors for energy, e.g., pipelines across public lands.
- Ron said it’s important to be up to speed on RMPs and urban growth, O&G leasing, recreation, and wildlife. That planning process gives opportunity for the public to help shape future management.

- Jim said RMPs need to address protection of rare and threatened ecosystems on public lands. It's important to think beyond a species at a time.
- Joanne asked about efforts to coordinate across state lines for ecosystem protection.
- Jesse said BLM is working with USFS and other states on shared issues.
- Linda would like for RAC members, especially residents of those areas, to be involved and to bring others into the planning process. Planning together is much more valuable than litigation afterward. Roswell and Carlsbad FOs are involved in RMP amendments that address threatened species habitat.
- Ed Roberson said a Continental Divide Trail route would be announced and ready for celebration in 2007. Las Cruces FO will bring an interdisciplinary team together soon, and is scoping in January. They have involved mayors and counties from the beginning and may set a record for cooperating agencies.
- Jesse suggested that FOs provide the RAC with lists of where they are in their planning processes, and when and where meetings will be held.
- The Roswell/Carlsbad plan will be developed in-house, and a contractor will develop the Las Cruces plan. The goal is to speed up the planning process and compare the two approaches.
- The McGregor Range RMP took a long time and will come out for public review shortly. The FO is working on an MOU with the military to respond to new legislation.
- Joanne asked whether transmission lanes were considered in RMPs.
- Ed Singleton said that was not adequately addressed because it was unknown science at the time.
- Raye said the push to develop wind energy is location-driven—by wind and by proximity to transmission. That may bring about more requests for lease.
- Rachel said equally important are the massive bird fatalities in CA due to wind energy. Design modification and location may mitigate bird loss, e.g., avoiding migration corridors.
- There are prominent issues with alternatives. Lesser prairie chickens are bothered by any kind of structure and USF&W thought wind energy sites in OK would add to the birds' fatality rate.
- Bob said Zuni Pueblo several years ago worked with wind and solar energy development in cooperation with USF&W. No one knew the results. Bob will investigate.
- Don asked whether progress is being made to restore 250,000 acres annually if 30-40,000 acres were restored this year. There will be a maintenance cycle over the years. Steve is looking at a 20-year life cycle with an average of 250,000 acres annually, i.e., about 5% of all lands per year.
- Federal royalties collected from the O&G industry amount to \$6 million annually, with about \$3 million returned to the state, and that will increase by 5% this year.
- Cattle prices were high this year. What's the turnaround rate for changes in lease fees to reach ranchers? Lease prices reach ranchers about February, but later every year, based on costs for the prior year. Taking all costs into consideration, grazing fees go up or down no more than 25% per year.

IDENTIFICATION OF WORKING GROUPS

Raye Miller, RAC Chair

The Energy Working Group also encompasses issues that don't come under lands or watershed. It will look at reclamation, Southeastern RMPs, ranching, etc. Raye is chair of that committee and would like a volunteer replacement as the group develops. His secretary would help the chair send out mailings, etc.

Watershed Working Group issues includes range, pinon die-off and woodcutting. BLM has tough hurdles to overcome to take practical steps like removing dead wood.

The Lands Working Group has a lot of opportunity, e.g., the proposed land exchange for the Espanola school, Rio Arriba County economic growth.

Raye asked RAC members to consider which group they would work with and whether they would like to receive information from other groups. He proposed that one group meet after the public comment period, one at breakfast and one on the second evening.

LANDS 101 (Attachment 4)

John Bruin, BLM NMSO Realty Specialist

John spent 25 years with the USFS throughout the West and has worked with BLM for two years. He began with land disposal—which leads to the transfer of title to public lands from the federal government. In 1975, Federal Land Transaction Facilitation Act (FLTFA) changed policy, stating that “the public lands be retained in federal ownership, unless as a result of the land use planning procedure provided for in this Act, it is determined that disposal of a particular parcel will serve the national interest.” Existing RMPs identify approximately 800,000 acres of the 13.4 million acres BLMNM manages available for disposal. RMPs can be amended as needs change.

Disposals include sales

- Modified competitive sales allow existing grazing use or an adjoining landowner may meet the high bid.
- Direct sale lands are completely surrounded by land under one owner with no public access.
- Competitive sale applies in all other situations.

Factors affecting potential sales include changes since an existing plan was completed, encumbrances (mining claims, etc.), more appropriate choices (land exchange, R&PP, etc.), and cost to prepare for a sale that exceeds land value. Other disposals include congressional legislation. He covered how types of sales are determined, FLTFA, qualified applicants and price.

Bill Chavez asked what Rio Arriba County’s position was on acquiring land discussed in the public comment period. Sam said the county and other partners formed a solid waste authority to attempt to acquire land under R&PP. Several locations were highlighted, one in Ojo Caliente that was opposed so strongly that the authority decided it was cheaper to haul solid waste to Santa Fe, so they withdrew their application. Bill thought the speaker blamed BLM for obstacles. Sam thought that was not so in this case. Landfills are a tough issue. Most landfills in the past were leased from the federal government but hazardous waste was involved, so BLM no longer leases for that purpose.

John continued. Land exchanges occur primarily with the state, pueblos, large ranches, etc. There must be an open public NEPA process showing the exchange is in the public interest, and BLM can exchange surface, minerals or any combination. Land exchanges have become more complex, receive greater scrutiny, typically take 1-2 years, and must receive Washington office approval at two points in the process—in the feasibility stage and at the end. All exchanges are equal land value exchanges or up-to-25% of total value in cash to equalize.

Jesse said in response to public scrutiny the appraisal role was taken out of BLM hands and is now a department-level function. FLTFA does not offer direction for determining public interest.

Land acquisition in the past was primarily done through the Land & Water Conservation Fund (L&WC). BLM was not originally included under that act. From 1970-2004, \$31,329,015 was spent to acquire land, but funds available will be extremely low this year. Other sources are donations and easements. It’s a complex process. To nominate an acquisition and get congressional and presidential approval as line items in the appropriations bill takes at least two years with no guarantee. Congress can change priorities and drop or add projects, and BLM cannot lobby. The L&WC fund can be used to create parks and recreation areas like playgrounds, tennis courts, etc. The Taos Overlook, some of the malpais and lands in the Organ Mountains were acquired under that act.

Question/Answer/Comment

- Mark thought land was acquired as intermediary between private and federal lands.
- Most have gone through a 3rd party because they can't wait for the act process. For example, a group like the Nature Conservancy will acquire it.
- Criteria for acquisition is specific. Project areas are set—like wilderness or wild and scenic. Budgets are going down, so BLM is completing current applications but not proposing new ones.
- Access can be achieved with these or other kinds of funding, including easements. There's a national push to buy a conservation interest rather than owning land. So they buy development rights with criteria for building. That may still cost 70-80% of value, but without the responsibility of ownership.
- Jim said access issues would not compete well on the national level. On the other hand access is more widely problematic.
- BLM is looking at options, has some discretion on funds for easements and is working with landowners on access and rights of way. Landowners are issued reciprocal rights so they get access where needed in exchange for allowing public access.
- Working out the deal is the hard part of the process.

Until FLTFA in 2000, land acquisition moneys went back to the U.S. Treasury. Now the agency can capture the money received and use it to acquire inholdings or lands with exceptional resources. For the most part it stays in the state where sold, managed by the state and field office. That may be problematic, (e.g., Nevada is selling federal lands amounting to millions of dollars).

Typically land acquisition takes on the characteristics of the land around it. FOs address specifics through an RMP amendment. Taos FO acquired land and put a closure on it while amending the RMP, which other FOs have done. FOs can acquire lands with cultural resources through this route. FLTFA applies to land use plans in effect on or before July 25, 2000 and expires July 25, 2010. BLM hopes for extension.

Question/Answer/Comment

- Is growth a legitimate reason for acquisition? Sam said BLM has ethical responsibility to some communities for basic services. What about a shopping mall? It is BLM's responsibility to look at community needs in the planning process and to be realistic about whether it is something BLM can do.
- Ed Roberson said Las Cruces is trying to annex some BLM land to apply zoning for a particular kind of development. In Alamogordo and Las Cruces there are air space issues around airports. Las Cruces is updating its land use plan and can show where low- or high-density commercial areas will be. Ed went to a conference recently about energy corridors coming out of Mexico. A grid is being built in Juarez for interchange with EL Paso as energy is needed.
- Philip said in-filling agriculture land is a problem throughout the Southwest. Most comprehensive plans try to avoid it but land grant restrictions are problematic.

Acquisition of inholdings and lands with exceptional resources is done on a willing-seller basis. Eligible agencies include National Park Service, USFS, USF&WS and BLM. John outlined allocation of funds, which can change from year to year—decided by the secretaries of agriculture and the interior.

Other actions include rights of way, commercial leases, communications sites, film permits and withdrawals. Withdrawal occurs where lands are no longer open to certain activities, e.g., mining. Closures are more often related to recreational activities. There are a lot of withdrawals, which are extremely complicated.

Question/Answer/Comment

- Does BLM show a net gain or loss? BLMNM hasn't sold much land. Exchanges are more common although being de-emphasized. Public land adjacent to urban areas is difficult to manage so may be better to exchange. Some tracts might be sold at high value for money to acquire more or more valuable rural lands.
- County tax bases are affected by these exchanges. Is that balanced in? Linda said some sparsely populated counties have passed resolutions that exchanges must stay in the county.
- Does BLM have a trust for Indian lands? BIA manages land acquired by tribes.
- Jim asked about sites with state surface and federal mineral rights where BLM doesn't want O&G development but it's okay for other purposes. Ed Roberson said it could be leased with no surface occupancy. It's harder with private or other mineral ownership and federal surface. NM has hundreds of thousands of split-estate acres. Even with no surface occupancy on federal land, adjoining private tracts could lease for O&G development, threatening species.
- Do any acquired lands have water rights? That was done a lot in the past, but it's difficult to figure value and maintain federal rights. Water is an important part of land exchanges, as are minerals. In the late 1980s BLM acquired water rights of 859 acre feet in the Rio Bonito Valley adjacent to Ruidoso, making BLM the largest landowner and water rights owner. Downstream water owners were upset because BLM's use in drought stressed private owners. BLM works with ditch associations and other water rights owners and attempts to be a good steward, but it's a complex balance. BLM and USFS will spend a week in April focusing on water issues.
- New proposed water regulations from the state engineer came up with a plan for junior users to get senior rights from owners for a period.
- Ed Roberson said if BLM uses public funds to acquire water rights, it talks to the Interstate Stream Commission about leasing rights to them for overall beneficial use. They make every attempt to work with communities and use water in the most appropriate way.
- BLM demonstrates beneficial use by participating in ditch management, watering orchards and fields.

ACCESS

Ed Roberson, Las Cruces Field Manager

Ed distributed copies of Angel Mayes presentation and map from the last RAC meeting as background on access issues. Past RAC chair Tony Popp thought RAC could guide BLM on access issues, and his working group proposed approaches to landlocked BLM acres and resources that people can't get to, but did not reach consensus. Some approaches are controversial. Las Cruces has set priorities, one of which is Cookes Peak, where the Hyatt family has ranched for generations, been a good steward, and asked the county to vacate a county road that crossed their land. They don't want the public to destroy Fort Cummins or other cultural resources so they locked the gate and allow access by permission. A reroute design has been proposed. A November 16 public meeting was scheduled for input on issues, concerns and alternatives. The Luna County Commissioner who voted to close the road was not reelected last week, and commissioners might now reconsider. BLM is willing to cooperate with the county on long- and short-term solutions including gifts, donations or exchange. The NM Attorney General is considering a lawsuit.

Condemnation is controversial because there is not a willing buyer or seller. RS2477, like the mining law of 1872, says if a government entity can prove a road was used over time it can petition to have it reopened, and may have outlived its usefulness. Utah has been assertive in reinstating roads through an MOU with the Secretary of the Interior, but that has bogged down.

Question/Answer/Comment

- County roads do not necessarily have rights of way. We don't know if it was vacated in this case.
- Linda said right of way depends on whether the road is county-maintained or not, but it's a gray area.
- The Chaves County Public Land Advisory Committee does not want county roads closed, but it's very expensive for counties to maintain roads. If it were a maintenance issue, BLM would have assisted.
- A lawsuit would address obstruction of settlement or transit. The public has historically had access, so this might not have been a legal closure. Far better to find alternatives.
- Raye asked the Lands Working Group to discuss the proposal and make a recommendation at the next RAC meeting.
- Jim asked whether BLM would be able to protect sensitive areas when the Cookes Peak road reopens.
- Las Cruces FO is hiring a second law enforcement ranger to be located in Deming, about 20 miles from this site. However, there are two enforcement rangers for 5 1/2 million acres.
- Due to sensitive resources, it might be best for the road not to go so far. The original county road designation covered most of the route to Cookes Peak, but Ed thought the county did not maintain the road that far.
- There's concern about oryx between the malpais and White Sands. NMG&F opened year-round permits with access across private land. Ranchers were concerned that hunters would destroy property.
- None of the documents address private control of the land. Are they privatizing public land? Is that awkward to talk about or not a problem in NM?
- Ed Roberson said BLM has talked about land exchanges of pasture for pasture to allow access. He thought the issue was implied. Jim thought not.
- Discussion continued. Mark was curious how unlawful enclosure would work on big blocks enclosed by more than one entity.
- Mark Marley said access is double-edged. Access may allow trespass on ranchers' land, causing problems like blocking water sources so livestock is denied water. That is serious and ranchers bear the consequences. Barring prior easements, if I own property I should be able to control it.
- O&G operators compensate for damage to private land.
- Jerry King said the land commissioner works with BLM on access issues and does sell rights of way.
- Raye said the NM Land Office is charged with generating income, not providing land for recreation, and state lands are not open public lands.
- Joanne asked whether there are plans for future development of that historical site. Fort Cummins is mostly on private land. It was one of seven forts built to protect settlers. Most are adobe and have melted down. There are some visitors. Locals want access for hunting.

LAND EXCHANGES WITH STATE LAND OFFICE/BLM (Attachment 5)

John Bruin, BLM NMSO Realty Specialist

Jerry King, Assistant Commissioner, Surface Resources Division

John distributed documents showing historic information on land exchange between the state and BLM, and federal surface acres by county. There have been a number of exchanges, some sizable. Split estate BLM and state surface were enumerated. The land office expects to complete one exchange of 10-15,000 acres with Acoma Pueblo early next year.

Jerry introduced Dennis Garcia, who explained that every piece of state land is in trust for a specific beneficiary, generally schools. Split estate affects all users and managers. Though plans differ, BLM and the land office have been able to deal with issues well. There are problems in WSAs where the state has

inholdings. The area held by BLM and the land office is almost equal, so there's always something like-for-like that can be done.

Question/Answer/Comment

- Are state/BLM exchanges more complex? They shouldn't be but have been because of circumstances like change of appraisal process. For about a year there was a moratorium while national issues were sorted out. The state is definitely interested in further exchanges.
- Is there flexibility to acquire lands for beneficiaries? No moneys are set aside for sales, so only equal-value exchange is possible. There can be a value difference of 15% with federal government.
- Can state lands be used for purposes that don't generate income? The law calls for consideration with any decision.
- State parks are under the executive branch of GSA, and some are leased from the land office.
- Raye said in the past the commissioner of public lands was more important and had more power than the governor.
- State land funds generated go 85% to schools, and 15% to NMSU, School of Mines, School for the Visually Handicapped, Corrections Division and others. Income is pooled and beneficiaries receive a set percentage. The land office will provide its annual report at the next RAC meeting.
- Raye's company has a lease with three separate beneficiaries.
- In land exchange the same beneficiary would get the new parcel of land, with anything gained going to Carrie Tingley Hospital.
- Acoma land was given before the reservations were set up and returning it benefits all. The land office has talked with Navajo and Zuni about similar exchanges.
- Jesse thinks land tenure is critical to many solutions, tribal issues, and economics. Jerry and his office are especially cooperative and Jesse hopes the agencies continue to take progressive steps.
- Lessees do not have to provide access unless it is purchased. Some special agreements have been made with NMG&F.
- How do we get beyond talk with the prairie chicken/lizard checkerboard? Linda said it takes time to reach agreements. BLM recently set aside a position to work 100% on putting those packages together.
- The legislature told the land commissioner that contractors working in sensitive areas must look at state lands first. If exchange is not beneficial, beneficiaries can sue the land office. The current level of cooperation with BLM is better than ever in the past.
- Jim said priorities are the same for access and exchange. He suggested that the Lands Working Group read criteria in the proposal and suggest priorities.

STATE LAND TENURE (Attachment 6)

John Bruin, BLM NMSO Realty Specialist

BLMNM is developing a statewide land tenure strategy for the best public land and mineral ownership configuration that:

- achieves the most effective management
- is consistent with land use planning objectives
- is developed with full public involvement

Objectives are to:

- retain public lands that enhance multiple use and protect significant resource values
- prioritize disposal to support local community needs
- dispose or transfer land and mineral estates that are difficult or uneconomic to manage
- acquire only lands that complement existing resource values

Land tenure policy was intended to be a balanced program of disposal and acquisition consistent with DOI principles that enhanced multiple use management, provided public access, protected public lands and significant resource values, met local community needs and used land sales and R&PP transfers as preferred means of disposal.

Exchanges are still being nationally debated and all agencies are looking harder at other options. Hopefully, the Baca Fund will allow BLM to move forward. Land disposal or purchase is considered prior to land exchange, but in many instances exchange is the only viable way. Acquisition that does not create a liability or burdensome management cost is looked at. Other tools include setting priority to complete legislatively mandated land transactions and ensure that fair market value is received. Land use plans are reconsidering whether some lands identified for disposal and acquisition should be added or deleted. Impediments include cost, workload and time associated with clearing encumbrances.

Question/Answer/Comment

- There is some FLTFA flexibility with the state.
- BLMNM is developing ways to implement the Land Tenure Management Strategy. It recently developed a committee chaired by FO managers to focus on high-priority areas around the state. They are sharing resources to get the job done, which individual FOs couldn't do. FOs differ in staffing and demands so the committee can set statewide priorities. The state director needs to know what's going on and may have to step in. What's proposed will come through the RMP process.
- John Bruin distributed a history document telling how lands came into public domain and laws were passed since 1776. (Attachment 7) Congress has moved hundreds of millions of acres into private ownership over the years.

DISCUSSION OF PUBLIC COMMENT PERIOD

- Timing worked well.
- The public is notified of the comment period on the BLMNM website and through news releases. In areas where there are controversial local issues there is a significant number of public speakers.
- The news release says this is a forum to address the RAC on any issues the public would like to comment on. Sometimes papers publish the release, sometimes not.
- RAC members can notify their organizations or constituents of the comment opportunity.

Working groups announced places and times of meeting. The meeting recessed at 3:25 p.m.

NOVEMBER 10 RAC MEETING

Raye reconvened the meeting at 8:07 a.m.

AGENDA REVIEW/ORGANIZATIONAL DETAILS

Raye Miller, RAC Chair

- Jim recommended future agenda items include WSAs, legacy oil fields and reclamation standards.
- Members found the field trip enjoyable and interesting and appreciated staff presentations.

- Matt learned a lot that will help him in groups he works with.
- Joanne would like to know what's pressing and where windows of opportunity lie. What is most difficult for FOs and where are opportunities for the RAC to help?
- Meade is having to dig into restoration because not much is happening with cultural resources. He agreed on the need for staff support in the field. Cultural resource operations in terms of NEPA can be more flexible than we see in FOs. That could be discussed. NM Historic Preservation Division and BLM established new protocol and operating procedures and didn't tell permittees. As a permittee, he should have been notified. What's that about?
- Raye's company's relationship with BLM is as good as it's ever been. He has high hopes that new managers will have the capabilities of those in place now.
- Bob still has concerns about Indian land boundary issues that he would like RAC to be involved in.
- Mickey read about an endangered butterfly in Cloudcroft. Blame for its decline went to OHV/recreation. How do those uses impact butterflies and other animals?
- Don said the reenactment in Socorro was spectacular, and recommended that the RAC attend future reenactments. He hopes to offer the director alternatives for WSAs and maybe get one designated.
- Bob Ricklefs wants a field trip into oil fields. He asked about an article he read about Forest Guardians suing USFS over lack of monitoring.
- Philip has realized what a broad mission BLM has, and was concerned that the world situation may impact public lands by robbing Peter to pay Paul.
- Bill Chavez is a state field environmentalist focusing on septic systems inspection, often first responder in the field, e.g. asbestos hazardous waste in Belen. He is a resource for questions related to the environment department. Access issues seem very tough, and he favors consistency and standardization in approach despite individual circumstances.
- Jesse said Linda and Ron worked aggressively with wilderness organizations on ways to move forward on WSAs where there is local support until near the election, and will resume after the new year. He will plan a WSA presentation for the RAC, and address Meade's question.

Jesse distributed a page showing the state director's three goals: be good to your people; do good for the land; get involved in your community. (Attachment 8) BLMNM is following those goals closely. He read the following list to show the RAC what they're shooting for:

-
- | | |
|--|---|
| ● Restore watershed health | ● Consolidate land ownership patterns |
| ● Protect special landscapes | ● Resolve mineral conflicts |
| ● Reclaim "Legacy" lands | ● Develop business solutions to benefit tomorrow's customer |
| ● Help communities meet future needs | |
| ● Enhance habitat for special status species | |

RECLAMATION ISSUES

Jesse Juen, Associate State Director

Steve Henke, Farmington FO Manager

Joe Lara, Carlsbad FO

Steve summarized that Farmington is ground zero for energy development on public lands in the West. Since the 1950s, the San Juan Basin provides about 7% of the nation's O&G. There are 20,000 existing wells with proposed development of 10,000 more wells in the next 20 years. FFO anticipates a 10-15% increase in leasing demands for the coming year, which challenges his staff. There's considerable controversy over the manner in which development has been completed. The FFO has focused on the legacy of O&G development back to the 1920s to learn what they shouldn't do and what to do better.

Roads, wells and pipelines that were acceptable when constructed are not now. The FFO wants 100% compliance, and to bring old development to today's standards. FFO is working closely with O&G companies on restoration opportunities. His agreement is to provide access in the most environmentally conscious way. Controversy has brought additional staff and funding to address compliance. The RMP calls for 46% of new wells to be on or adjacent to existing infrastructure, while bringing existing roads, pads, etc., up to current standards.

Burlington Resources, the largest O&G operator, works closely with BLM. The FFO has struggled with reclamation standards, e.g., setting standards for how the land looks instead of rules about what kind of seed to use. RAC knowledge can be very helpful. FFO is working on PODs for groups of wells with opportunity for packaging 10-15 wells. The FFO uses a geographic information system to close some duplicate roads while bringing others up to standard. A Roads Committee that includes O&G operators and landowners addresses the network of roads serving public needs. There's a lot of work to do, but the collaborative environment encourages him.

Joe said the Permian Basin includes four counties in SENM and is similar to the San Juan Basin in the number of years it has been established. The majority of federal lands are already leased. The big difference is that the Permian Basin deals with a lot of small operators. FFO is primarily based on gas, while the Permian was primarily oil at first, and now the majority of APDs are for natural gas. Roswell and Carlsbad processed about 750 APDs last fiscal year. They broke record numbers in plugging bad wells, with 100-150 plugged and abandoned. Wells are often reopened, sometimes by different operators. The FOs are doing an RMP amendment for lesser prairie chicken/sand dune lizard habitat—concentrating on reclamation and restoration. They have found that in those habitats every acre reclaimed impacts up to four times the area by reducing fragmentation and providing access to adjacent territory.

Question/Answer/Comment

- Jim said the working group categorized habitat by its value for prairie chickens. Nesting birds don't use land adjacent to roads or well pads, so removing a road makes the entire area suitable habitat.
- Joe said another trick is using best management practices to create smaller new roads that have less impact and will be easier to reclaim. They're keeping pipelines and power lines along roads. Building reserve pits correctly also allows better recovery, and well pads are smaller.
- Jesse said BLMNM requested \$1.2 million per year for reclaiming abandoned wells and those where ownership can't be traced.
- Rachel asked about variables like actual disturbance v. possible disturbance. Is there further monitoring after BLM approves leases? Weather, topography, and efforts by operators all affect results.
- Raye said when a company signs an APD it has to lay out the size of pad and reclamation plan, and BLM checks to see that they do what they agreed to do. Once BLM sees a certain level of coverage on a closed well, it signs off. Staff tracks that.
- Steve said two FFO staff members review well pads for compliance. Key is that they work directly on site for shared expectations and understanding. There is a tug of war over pad size for safety, environment and production, with ongoing discussion and learning process.
- Tim said Roswell has created a vegetative monitoring program, including transects, digital photos, etc., bringing technological capability into the process. There's a Reclamation Committee in SENM helping them gain understanding of what they're looking for.
- Meade asked whether the SE small operators cause substantially higher compliance issues.
- Ninety percent of staff time is spent on small operators out of compliance, using enforcement strategy from Washington.
- Ed Roberson said small operators in an aging oil field means there is a lot of turnover and operators are undercapitalized. It's hard to track ownership changes and make sure new owners are in compliance.

- Meade said likewise there are more problems with protecting cultural resources in SENM. Are the operators doing cooperative work?
- Raye said they communicate. In the 1970s/1980s, larger operators sold to medium that sold to small. The shift in the last 5-10 years reverses the cycle. Large companies like Chevron leased their wells to small operators in the past but remained liable for agreements with BLM, and are not doing that now. His company is looking at a 320-acre well a small operator wants to sell them.
- Joanne asked for clarification of orphan and legacy wells. Discussion.
- Part of the problem with compliance is for government authority to recognize problems and get out there. Operators like Raye can alert the FO more easily than the FO can find problems on their own.
- Jesse said BLM works with today's operators to implement the best research, technology and practice, and to bring historic wells up to standard. Where they can't, they're asking BLM for funds to fix the past 90 years' problems.
- Jim said emphasis has been on plugging and re-vegetating, but structures like rusting pump jacks are a problem. Does BLM remove structures? Raye said that pump jack is almost surely not on BLM land. If it were, BLM would send the operator a letter asking them to remove debris, and they would.
- Steve Henke said FFO inspection and enforcement resources are 100% better in the last three years.
- Mark said SENM needs more oversight and a consistent approach. To this day he sees pits closed where mud and plastic are dug into a deeper pit that hasn't been encapsulated.
- Education is needed; the bulldozer probably didn't do that on purpose. FOs biggest battle is to get everyone to understand expectations and communicate to the person on the ground. Further discussion.
- Ed Singleton said BLMNM is making great strides in intermediate reclamation. But he heard this morning from a landowner that a major company changed their surface person, who then bladed down the restored vegetation. Challenge initiative funds from Washington are being used for restoration, particularly for roads and pipelines where public safety is involved.
- In SENM pipelines may be owned by a cooperative power company with right of way or by a lessee.
- Operators are volunteering to reclaim historical sites near their active sites. Recognition is the only incentive.
- Rachel asked about a voluntary fund for restoration. She saw a news article about using those funds for aerial seeding with a primarily non-native species. That's against S&WCD and BLM standards. Apparently it was done as an emergency technique.
- Steve Henke said an ongoing planning group works on projects in special management areas. The FFO wants to use native seed but lack of moisture has intervened, so they're using cheat grass—which has a short life. They're looking for a cool season component that will compete successfully with cheat grass.
- Ed Singleton said we need to take the stigma off “exotics.” With under 12” annual rainfall, cheat grass is the only thing we can use. Federal government needs to do a better job providing natives. We've known it's needed for many years. One approach was to provide tax incentives for growers of native species. Don't know what happened to that. But meanwhile we need to use what will grow.
- Cost of seed wouldn't deter Raye's company. Native seed just wasn't available.
- At this rate of restoration, will BLM ever get ahead? Steve Henke said with an average two acres per well out of production, acreage will increase in the next 20 years and degraded lands will be behind restored lands for a while.
- In SENM, 600 APDs were approved last fiscal year and half were drilled. If 150 were plugged, it's 2-to-1. There are three major categories of wells, drilled producing, drilled not producing and plugged.
- Further discussion.

- Tim reiterated Steve's explanation that up-to-50% of new wells will be placed on or near existing wells, so disturbance will be less extensive.

WORKING GROUP MEETING REPORTS

Energy Working Group Report

The group discussed OCD and pit closure guidelines in conjunction with reclamation issues. Raye is a member of the SE Reclamation Committee and will keep his working group or other RAC members by request, apprised of their meetings. The working group will meet on the morning of the final day of the next RAC meeting.

Watershed Working Group Report

The group focused on having presentations on different monitoring goals, methods and standards, e.g., rangeland monitoring with permittees for standards to work by, Jornada ecological site description, VMAP. They hope to get continuity on monitoring for all concerned and then can fix some areas that need work. They don't want to use bad science and go in different directions.

The group will meet on the first evening of RAC meetings, after public comment. Ed Singleton and Ron sit on the Governor's Forest & Watershed Health Committee and would like to involve Matt. Mark said it's hard to keep straight what the tools are and where different plans come in. How do they overlap or separate? The livestock industry thinks something's new in the last year, and are getting confused. Ed Roberson said ask Butch Blazer to talk to the RAC about the Nature Conservancy's fuels plan.

Lands Working Group Report

The group focused on access. They want to work on exchanges and urban interface, but would like to learn more. RAC individuals could look at the R&PP Act, Bankhead Jones Act and others involved with land acquisition. What would need to be done for RAC to facilitate communities to acquire lands they currently can't? The technical report out of Las Cruces was well written. It just needs a couple areas adjusted. They asked Ed Roberson if Angel Mayes would discuss issues like road closure, and educate the RAC further, including bringing them up to date on RS2277. That document would be good for all offices to use for consistency. Disputes have unique characteristics, so consistency might be in interpretation of RS2277. And how would BLM implement the statutes? The group would like Angel's help on revisions of that document. Raye can't attend the next meeting on Cookes Peak access, so he will call Tony Popp and ask him to attend that meeting, take notes and provide feedback to the working group. The group asked to see the actual Bankhead Jones Act, and for guidance on other reading they could do.

Question/Answer/Comment

- Sam said lands that agencies acquire aren't generally disposed of, so that is the background for these decisions. The classification stays with the land, which was acquired for a certain purpose. Matt said he understands BLM limitations, but hopes there will be opportunity for disposal when purpose changes.
- Ed Roberson reiterated that the legislative remedy for the 165 Rio Arriba County acres might be the remedy for all such situations.
- Jim said the issue of directing development away from agricultural land would probably not be addressed by acquiring more BLM land.
- Rio Arriba County has ordinances against that kind of development, but that is not a long-term guarantee; it could be changed.
- How do you compensate long-established families who've not divided their agricultural land? They also bear the brunt of that ordinance. A Mesilla developer bought a farm and agreed with the village to

develop a small portion and leave the rest for agriculture. Those are local community issues that BLM has trouble remedying.

- Ed Singleton said the emotional core issue is that these were community land grants and what was supposed to be theirs forever has been taken away.
- Mark said the RAC could be a conduit to geographical areas and interests they represent. As land exchanges go forward RAC members can make sure that communities are informed.

FIELD MANAGERS' UPDATES ON SIGNIFICANT ISSUES (Attachment 9)

Ed Roberson, Las Cruces FO

Governor Richardson will soon get an answer to his Otero Mesa appeal from Linda, and then a Record of Decision (ROD) will be issued. The McGregor Range Plan draft is almost out. A kickoff meeting is scheduled with the contractor on a three-county plan and they will discuss public involvement. The Organ Mountain land exchange appraisal is done, and the environmental document is almost done. They will need Washington approval. Having an exchange coordinator will help the process go more quickly. Comments were being solicited through December 6th. The very controversial Alamogordo regional water supply plan needs rights of way from BLM. An EIS on community pit blasting was mentioned and the FO decided not to issue a separate EA for the test blast. They merged it with the mine plan and have set mitigation measures for impact on houses 3/4 mile away.

A WSA sits north and west of the Robledos Mountains behind the community pit, with some closed roads for which BLM was sued by OHV clubs, then the suit dismissed because it had to be filed by a government agency. Yesterday the club convinced three of the five county commissioners to join them so they could continue their court action. BLM needs to assure that what it has defined as public benefit is indeed so. They will get public comment and solicit RAC members.

Raye would call the Washington office if the FO wants him to.

LCFO will show the RAC how watershed assessments are being done. They're working on an exchange of 6,000 BLM acres in the way of two mines' expansion that may also be upheld by environmental groups if BLM opens trails for public use. NASA is in the process of initiating withdrawal of 2,000 acres of land by the university. It must be decided whether it is suitable for return to the public domain and in what status. Ed thinks the withdrawal revocation should be included in the three-county planning effort. Senator Domenici initiated a bill requesting funds for planning and implementing establishment of an OHV area near the NMSU research ranch. BLM would make the exchange in return for underground mineral rights. BLM doesn't have funds to manage the area. NMSU is talking to the senator about a university recreation department plan to run it as a learning exercise for students. Barring that, the land use plan will look at withdrawing those minerals. NMSU says mining would affect its research.

Ed Singleton, Albuquerque FO

AFO is involved with a couple of state and tribal land exchanges. Santo Domingo Pueblo acquired lands near Placitas. When BLM surveyed the area, three Spanish land grants joined, so the tribe bought acres that BLM owned. Lawsuits will result. AFO is doing an RMP amendment in 2008 and now working on an OHV plan, tribal plan and roads plan. The San Pedro rock quarry EA will be out in early December and they expect appeals and protests. The company modified it but there's hardcore resistance. A new sand and gravel operation is proposed for Bernalillo on the edge of Placitas. It has been proposed to use the Shell pipeline that took crude oil from NWNM to TX to send processed fuel back from TX. That's been taken to a ROD and halted. There will be public input with the EIS. The Tent Rocks Monument plan draft will be out in December with tribal and county input. The FO is moving forward with a combined office in Cuba built by the S&WCD. Biomass (small diameter trees from BLM, state and USFS land) will heat the

building, and water will be harvested off the roof. Any money left after building costs goes into S&WCD projects. The Socorro FO is now part of the Albuquerque district. The RMP draft is being rewritten because of changes in internal requirements since it was begun.

Steve Henke, Farmington FO

Steve said O&G impacts range, wilderness and threatened and endangered species, so the danger is losing a multiple-use identity. The FO needs to keep a balance. There are lawsuits over adequacy of NEPA documents. He encourages staff to feature critical cultural resources, stabilization and interpretation.

Question/Answer/Comment

- Of the two actions filed by the Blancetts, one is a suit against three of the companies operating on their grazing allotment, principally threats to human and animal health from drilling and production activities. BLM is not named but will be involved. The FO is reviewing wells listed in that suit. The second lawsuit says BLM has eliminated the Blancetts' opportunity to have a viable ranch on that allotment.
- Rachel says one of her favorite mountain bike trails is in the Aztec area. The two users—recreation and O&G—do not interfere with one another.
- Joanne said the Glade is an admirable project.

Joe Lara, Carlsbad FO

The FO has treated 14,000 acres with herbicides to control mesquite and creosote. Five prescribed burns were completed on 9,300 acres, including dead salt cedar pulled out with legislative funding. The RMP amendment process is scheduled to last two years. A lot of mostly unleased land will be under interim guidelines. Three zones are set: no lease, lease with no surface occupancy and existing leases with PODs reviewed. Carlsbad FO covers three counties and has the country's largest deposit of potash. Forest Guardians requested information on ten range projects and confirmation of permits to drill. Staff has to stop other work to gather and copy that material and send it through the state office. The FO could see 10-15% more activity in O&G. They need to streamline and work smarter. The FO is exchanging land with a potash mine for a riparian area that can be used for recreation.

Question/Answer/Comment

- Salt cedar was pulled out two years ago. The FO was told that because of high rainfall recently there has been growth, and they don't know if it's salt cedar. They need to gather and analyze results. No monitoring is underway.
- No water rights are included with the exchange.
- Forest Guardians is concerned with prairie chicken habitat.
- SE and NW operations are similarly driven by O&G. Differences include potash in the SE and coal in the NW. Roswell has less O&G demand.
- Salt is a mineral. Potash is potassium.

Mark Matthews, Socorro FO (Attachment 10)

Mark distributed brochures. Fort Peck's 150th anniversary was celebrated with a reenactment, native dancers, and many volunteers. About 2,500 visitors attended. There were conferences and community outreach including schools. Other FOs sent staff. It was the biggest event held in Socorro, with good resulting public relations. The FO has treated 6,000 acres of sand sage, and 100,000 acres of salt cedar were assessed in a tributary of the Rio Grande. The FO is processing rights of way for a subdivision in Catron County.

Question/Answer/Comment

- Is Socorro FO more fragmented than others? No, it's typical.
- Maps showed the boundaries of WSAs.
- The bighorn sheep at last count numbered 36, down from the initial transplant. The population peaked and dove, partly due to lion predation, hired trappers and migration.
- The San Andreas herd had scabies, and diminished to one sheep. BLM brought in new sheep when it was determined that scabies was gone.
- Bob Moquino questioned the portrayal of Indians in the Fort Craig flyer. Reenactment planners worked together with Indian participants and thought their reenactment role was positive. In the closing ceremony, Native Americans were asked to play ceremonial music while reenactors brought the flag down.
- It would be good to see an ongoing volunteer group continue reenactments. There are plans for an event to celebrate Fort Stanton's 150th anniversary. A volunteer group there sponsors an annual event.

Sam DesGeorges, Taos FO

Cleanup of a 40-year occupancy was completed. Rio Arriba County fairground was smoothly and quickly transferred to the wildlife center, an example of an R&PP change in public purpose. The fairground was in Santa Fe County. Major transmission line projects in Santa Fe began as contentious difficult projects and ended successfully. They worked with the county to determine EMF effects, and found that it actually reduced EMFs tenfold from the existing line.

The right of way project providing access to landlocked private land has been appealed by four separate parties. The FO is working with Tesuque Pueblo on cultural properties. They got a grant to map vegetation within Taos, Rio Arriba and Mora counties to prioritize for thinning, treatment, urban interface and fire hazard. Northern AZ will do the project. The Alcalde school infrastructure project is underway. Other major infrastructure projects include water storage in Chimayo, trunklines connecting lower communities, and water projects in Dixon and Questa with state funding. The FO is issuing a draft EIS for a USFS water project to take water from the Rio Grande near Santa Fe for the city and county of Santa Fe—two years in the making. They could use RAC help dealing with competing grazing applications where subdivisions are using land that comes under grazing use. It's partly a boundary issue. Management plans are needed for areas acquired like the Taos Overlook. The FO has half of Ute Mountain and will gain the second half soon. The Galisteo Basin Protection Act, with about six cultural sites on public land—directs BLM to work with local communities on protection and interpretation—but has no funding. The FO is beginning discussions.

Question/Answer/Comment

- Meade said the money might come.
- The San Juan/Chama water diversion is contentious. The water is to be used for domestic purposes.
- Great concern that if drought continues there will not be enough water. Buckman Reservoir has dropped about 30' in the last three years and Santa Fe depends on it. Santa Fe drilled five additional wells for emergency purposes, and says the diversion will curtail ground water use.

Tim Kreager, Roswell FO

There are good Roswell members on the RAC. Matt and Mark have both been on public advisory councils. In the 1980s, land exchange planning for the town of Lincoln historic district was begun. The FO is finishing the RMP and completing an activity plan for public use. The Fort Stanton ACEC plan was recognized to have significant value for wildlife, history and recreation. The FO is implementing it now, designating routes and signing trails. They're working with a horse group and have had one appeal on a closed road. They're using new sign materials to reduce vandalism—4" steel posts with 3/8" laminated

steel signs attached with a breakaway nut at 1/3 original cost and inexpensive to replace. It's normal to have 60-100 APDs. Recreation areas include two OHV sites, Mescalero Sands for large vehicles and Haystack Mountain. Both are fee demonstration areas, where fees are used for upgrading. West of Carrizozo, the Valley of Fires was an R&PP given back to BLM. It sits on a lava flow WSA. A few hundred thousand dollars was used for paving roads, improving shower and toilet facilities and renovating the visitor area. Numerous caves have about 4,000 visitors annually and stay closed during bat hibernation periods. The FO is working on an amendment for status of species. They published a notice of scoping meeting with 15-day public notice. A diverse stakeholders working group that included Jim, Mark and Raye met for two years and was not able to reach consensus, but BLM is addressing conflicting issues and using the information gained in its plan.

Question/Answer/Comment

- After spraying salt cedar the FO is not seeing anything come back—maybe because of drought. The area had spring and fall moisture that missed the warm season grass-growing period. They are plucking and spraying but not burning—a total of 400 acres this year. On 40 acres they're experimenting with types of revegetation. Some sprayed salt cedar left for erosion purposes was swept away by flooding.
- Most research does not show water benefit from salt cedar removal.
- They spray with Arsenal or apply it with paintbrushes for individual treatment. It is not approved for water use by government agencies, and there are concerns about getting it into domestic wells.
- Along the Rio Bonito they are putting in some mature native plants with established root systems.
- Mark said Forest Guardians appealed a range improvement program. Tim said Forest Guardians has protested every range improvement program. Some have asked for stays of chemical treatment.
- Tim volunteered SE FOs for a spring RAC meeting.
- Raye recommended multiple field trips for differing interests.

Hans said External Affairs is upgrading the BLMNM website based on evidence that 85% of citizens seek information from the Internet. The site is getting 1,500 hits per day for an average of 12 minutes—the third highest in the Bureau. They have legal information and results but are adding more background. He asked the RAC to visit www.nm.blm.gov and make suggestions. Tent Rocks, O&G, and the wild horse and burro programs get the most hits.

SET MEETINGS FOR REST OF FISCAL YEAR

Tentative Meeting Dates

1st week in April

June 8, 9, 10 in Taos

September 7, 8, 9

2nd week November

Meeting adjourned at 12:05