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Rocky Mountain District Colorado Resource Advisory Council (RMD RAC) Meeting Minutes:

April 13, 2022

RGFO- Royal Gorge Field Office

SLVFO- San Luis Valley Field Office

RMD- Rocky Mountain District

9:04 a.m. Meeting called to Order by Cathy Cook

Morning Attendees:

Resource Advisory Council Members:

Curt Howell, Category 1
Mick Daniel, Category 2
Kent Wood, Category 3
Arthur Koepsell, Category 3
Frederick Henderson, Category 1

BLM Staff:

Chris Maestas, NWD Public Affairs Specialist	Mark Lyon- RGFO Petroleum Engineering Technician
Stephanie Carter, Acting District P&EC	Sharon Sales- RGFO Resource Assistant Field Manager
Catherine (Cathy) Cook, RM District Manager	Keith Berger, RGFO Field Manager
Maribeth Pecotte, Acting RMD PAO	Kalem Lenard, RGFO Assistant Field Manager (Recreation)
Mianna Maestas, Scribe	Melissa Garcia, SLVFO Field Manager
Andrew (Andy) Laca, RGFO Acting Assistant Field Manager, Lands and Minerals	John Smeins, RGFO Project Manager

Public/Other:

Visitor:	Representing:
Adam Ortega	Colorado Department of Agriculture
Jim Lockhart	Wild Connections

9:07- **Chris Maestas- Zoom Housekeeping**

9:14- **Cathy Cook: Opening Remarks**

9:15- **Introductions**

RAC members

Curt Howell
Mick Daniel
Kent Wood
Arthur Koepsell

BLM employees

Keith Berger
Kalem Lenard
Andrew Laca
Mark Lyon
John Smeins
Sharon Sales
Melissa Garcia
Stephanie Carter

9:32- **Cathy- Rocky Mountain District Overview Presentation**

Questions? No response

9:34- **Break**

9:46- **Keith Burger- Royal Gorge Field Office Presentation**

Andy Laca- Minerals and Lands Program

Mark Lyon- Oil and Gas

- Question (Kent Wood): Is there an issue of methane escape from wells and if so, do you monitor that? You said you monitor the well products do you monitor unattended well products?
- Response (Mark Lyon): We look for any type of auditees, unintentional releases due to equipment failures. We make operators report that to us. We look for any bypasses. If we find any equipment leaking, we address that through enforce actions and usually it goes a step further we try to get it mitigated/ controlled before we leave site. We do not have specific monitors out on site unless its something that has been put into a permit.

Andy Laca- Lands and Realty, Minerals and Lands Program

Sharon Sales- RGFO Resources

Kalem Lenard- Recreation and Arkansas Headwaters Recreation Area

- Comment (Kent Wood): Same issue of the tribal heritage has become a current focus of interest in the Chaffee County Heritage Board.

Keith Burger and John Smeins- Eastern Colorado Resource Management Plan

11:02- Morning Close Out

Chris Maestas: Ahead of schedule, return from lunch at 12:55

Cathy Cook: Thank you for RGFO presentation and look forward to SLVFO's presentation. See everyone at 12:55.

11:05- Lunch

Afternoon attendees

Resource Advisory Council Members:

Curt Howell, Category 1
Mick Daniel, Category 2
Kent Wood, Category 3
Arthur Koepsell, Category 3

BLM Staff:

Chris Maestas, NWD Public Affairs Specialist	Melissa Garcia, San Luis Valley Field Office Field Manager
Stephanie Carter, Acting District P&EC	Sharon Sales- RGFO Resource Assistant Field Manager
Catherine (Cathy) Cook, RM District Manager	Keith Burger, Royal Gorge Field Office Manager
Maribeth Pecotte, Acting RMD PAO	Mianna Maestas, Scribe

Congressional Staff:

Cathy Garcia- Lauren Boebert's Office

Public/Other:

Visitor:	Representing:
Adam Ortega	Colorado Department of Agriculture

1:00- Cathy Cook reconvene meeting and afternoon agenda

1:02- Melissa Garcia- San Luis Valley Field Office Presentation

- Question (Kent Wood): Is the bottom of the map (Unauthorized use/trespass on Lower Rio Grande within the Rio Grande Natural Area map) the New Mexico Boarder and is there any issues spilling over into another state and how do you handle that?
- Response (Melissa Garcia): Yes, that is the New Mexico border at the bottom of that map. The bottom line is the state line and yes, we do have issues with the same people on the New Mexico side going through that subdivision, across the boundary. It is just a barbed wire fence. To the east side on the New Mexico side. The difference that they have is that Box Canyon from

about the G road just above the lighter yellow color on the bottom of the map is the Box Canyon. Moving across the BLM from east to west is more difficult there. So, the top of the Natural Area in New Mexico does receive trespass and a little trespass from the west side also. When you get down on the river, there is not crossing back and forth frequently because the Box Canyon has no ability for crossing back and forth. It is too deep, and the canyon walls are too high. There is some bleed over especially with the stray horses but the cattle also. With the Natural Area, through the Taos Field Office (manages of boarding monument) it is far out of their way to see this area. They have to travel far to find the animals and see the trespass. They do have problems.

- Question (Kent Wood): Thank you, it looks like there is a little settlement just slightly up and left to the word Colorado (on the Colorado Map insert). Does that have a name?
- Response (Melissa Garcia): No, it is actually a part of the same subdivision and those are very thin pieces of parcels that you can put very narrow house in (100ft across). It is just smaller parcels of land within the same subdivision.
- Question (Kent Wood): It is not a town or anything?
- Response (Melissa Garcia): no, and it is largely unoccupied. Most of the subdivision is unoccupied.
- Question (Kent Wood): Are the gray lines roads one could drive on?
- Response (Melissa Garcia): They are boundaries. The main roads are the bigger lines that bisect it. Those are just boundaries of parcels.
- Response (Kent Wood): Thank you. I am better calibrated.

- Question (Cathy Cook): I have heard of discussion of a purposed national monument for that Rio Grande area. Are those discussions still ongoing?
- Response (Melissa Garcia): Not currently. I have not heard of anything recently. We had some concerns and we had conversations with Senator Bennett and Senator Hickenlooper on whether or not there are opportunities on expanding the Rio Grande Natural Area to prevent it from being a monument in the future because the sentiment in the valley is different than the sentiment in New Mexico. It fell flat. Cathy Garcia may have more information. There was discussion with permittees and local stakeholders to see if there is potential to expand that Rio Grande Natural Area which is a quarter mile on each side of the river into other areas and if people are interested in that. There is not a grassroots movement currently to do that.
- Response (Cathy Cook): Thank you.

- Question (Kent Wood)- Is that road at the top of the map, is that San Acacio?
- Response (Melissa Garcia)- That is the road to San Luis (highway 142). It goes from Manassa to San Luis.

- Question (Melissa Garcia): Cathy Garcia, is there anything you wanted to add?
- Response (Cathy Garcia): We are looking at the Rio Grande Natural Area

legislation that was passed to name that area to see how we can get funding for that area which would help with BLM's fencing problems and all that stuff. That is where we are at, currently. A monument is out of the picture. Anything else right now is out of the picture. We are just looking at that legislation and we will go from there.

- Response (Melissa Garcia): Thank you Cathy.
- Question: (Cathy Cook): Cathy, can you let everyone know who you work for and what your interest is in?

Cathy Garcia- Introduction

Melissa Garcia- Resumes San Luis Valley Field Office Presentation

- Question (Kent Wood): In the Royal Gorge Field Office Survey about people living on public lands as a form of affordable housing. Does that issue occur in the San Luis Valley or is that particular to the Royal Gorge?
- Response (Melissa Garcia): That is not just in the Royal Gorge. Actually, it is really statewide. We do have the issues in the San Luis Valley. We saw it exacerbated through the COVID period where folks are getting out of the cities and out of their apartments and they are bringing generally RV's and sometimes tents. Some of them are very hardy and they are coming and living on public lands. It has exacerbated our issues with impacts to the landscape, to the grasslands, the shrublands, and it creates a bunch of areas that are denuded. It increases our fire hazard concerns. We do see quite a bit of change, even the last couple of years. I think we have been over the last ten years, but it has really been exacerbated since COVID started. We are looking in our planning process at dispersed camping. We have the same 14-day camping regulations that everybody in the state has. We should not be seeing people camping in one place for more than 14 days in a row. They have to move 30 miles after that 14-day period. We do see it but probably not as extreme as you see it coming out of Colorado Springs, Pueblo, and Denver on the Royal Gorge side. We are definitely seeing the impacts and it really is starting to impact not only the resource but wildlife movement and habitat. It is really affecting grazing. We hear a lot from our grazing permittees and the impacts they are seeing like their cattle distribution based on these campers and these "residers". So, we are seeing the problem. It is not quite as big, but it is big for the valley.
- Question (Kent Wood): Is it everywhere or concentrated in particular areas like near Alamosa?
- Response-Melissa Garcia: We find it closer to the Northern part of the valley such as Poncha Pass, Villa Grove, near the Sand Dunes, the Zapata area, and the Blanca Peak area. Then we go west to Elephant Rocks, Penitente, and Bishop Rock which are south of highway 160. It is more in those areas that are easy to get to the towns for jobs or supplies or closer to the Royal Gorge Field Office, or close to areas that have more amenities. That is where we are seeing it at this point. We do not actually see it a lot around Alamosa because there is not enough

cover on BLM to make it a pleasant camping experience. It gets windy and cold.

- Response (Kent): Thank you.
- Response (Cathy Cook): Mr. Wood, just to add to that. We were allowed to add an additional law enforcement ranger to our staff. Keith now has two rangers and Melissa now has one. She has a fairly new ranger that just started there a few months ago. We have three people to patrol 1.8 million acres. That is a large area. They focus their patrols on areas like Penrose Commons, Shavano, Elephant Rocks, and those that we know are areas where people tend to congregate in these homeless camps. We try to keep them cleaned up and keep people moving on. We were also fortunate enough to gain a special agent to be housed in the Cañon City office. She helps do the investigations that Melissa was just talking about where we need somebody that has the time and the expertise to look into this trespass issue. They even research fire investigations and fire trespass. We are really fortunate to gain some staffing, but it is still a really large problem locally and statewide that needs to be addressed. We need our partners and our local community organizations to assist with that. Most the time when those rangers do their patrols, they go out there with a cheat sheet of resources of organizations that can assist in finding housing and food for these folks. What we are really looking to do is find them a better living situation. It is not that we just want them to move on, we really want to help them. It is a difficult situation for all of us and as Kalem and Melissa have said sometimes there is drug paraphernalia there, or mean dogs, or people with mental health issues and they do need assistance from our communities. We are trying the best we can to provide those resources. It is a large area and even just in the valley you would think there is plenty of open space but there is considerable damage being done with people staying in one place for a long time. I appreciate those questions.
- Response (Kent Wood): You hit very close to something I was curious about which is whether the communities are helpful to you or whether it is the opposite where they assume they can move their problem to public lands. Does it vary?
- Response (Cathy Cook): Keith, would you like to address that? How does Cañon City help you?
- Response (Keith Burger): I would say that is a real key for Royal Gorge is engagement with the community. The community resources can help deal with these folks and particularly in Cañon City we have done a lot. We actually attend homeless coalition meetings. We take some of their folks out in their annual counting. That assists the counties in being able to verify the folks they have in those situations and get additional federal funding for them. We have found those kind of community relations have been key to help us with that problem. We are starting to engage a lot more with that community groups through the camping plan that Kalem talked about earlier in the Chafee County area. We are trying to develop those same relations there with the local communities. I would say so far, we are really successful at helping educate the community, the community resources, and the different agencies in the county and city level, to let them know that it is an illegal activity on public lands. I think we have gotten past that place of a local community trying to push transient populations off their jurisdictions and onto public lands. We have a better understanding with our communities, and

we are starting to work with them on all of that. Does that answer your question?

- Response (Kent Wood): Yes, it does. It is very interesting and complicated situation.
- Response (Melissa Garcia): The situation in the valley is a little different. We have so many environmental justice concerns and poverty concerns that we do not really have the resources that some of the front range folks do. That has been tough for us in the fact that the local resources are already overwhelmed and do not have the capacity to deal with the situation to house people or to even handle mental health concerns as they arise. Which I think a lot of our issues have been with mental health concerns. They just do not have the capacity and especially with the sheriff departments, they do not have the ability to hold people whether its COVID-related reasons or just small sized facilities. They do not have the ability to hold people either. People just get bounced around but even then, the resources are not actually there as they are in Chafee County, Fremont County and along the Front Range. They do not exist, or they are so limited because of the population and lesser funding they receive. It is definitely an issue in the San Luis Valley too. There are no great solutions right now either.
- Response (Keith Burger): Melissa brings up a great point about the local resources. Even in places where there may be some resources available, like Cathy said our folks are taking cheat sheets and handouts on all contacts to help put folks in transient situations in touch with what community resources there are. But what we have seen is that there is a portion of that population that are in need and receptive to that kind of help but then there is also a fairly substantial part of that population that is not interested in taking advantage of those resources that are out there. They maybe where they are by choice and not wanting to interact with the community resources. Well, it is helpful in some cases to look towards the community for those resources and making that difference, in other cases it doesn't seem to make a difference.
- Response (Cathy Cook): Thank you Keith, are there any more questions?

1:47- **Break**

2:00- **Stephanie Carter- National Environmental Policy Act Presentation**

- Question (Kent Wood): You left me with an impression that I think would have to be wrong and I wish you could help me out of it, you said it is process driven and you explained the process very well but you have left me with the impression that every issue that comes up is decided in the courts and in the process and there are not any operable guidelines that are boundaries within the process to operate. Can you speak to that a little bit?
- Response (Stephanie Carter): There is a couple of different boundaries. For the NEPA process itself, the CEQ reference that I made, that is what gives you the framework for how you need to go through the NEPA process. What triggers what and what is required with EIS filings and those kinds of things. Outside of that in the NEPA process, once we are doing it within our own realm here, boots on the ground, at the field office if there are issues identified basically any sidebar that is brought in internally by the resource specialist for example our

biologist. He would bring in the pieces that would say you want to do this, but you cannot do it between this date and this date because of the migratory birds or something like that. You end up getting all these pieces that are brought in to better find your forward path or what we call them are design features. So, what kind of best management practices or features do we want to successfully move forward with this project. In the mining world I am used to working in, there are a lot of things that are defined by other agencies and other regulations. We work with ATF, the State, Corp of Engineers, and they all have standards and protocols that we have to bring in so there is a little bit of that as well. A lot of the issues, we can address at the EA stage through a design feature like the migratory birds. You cannot do any new ground disturbance between this month and this month, so we put that in as a design feature so that it reduces that impact and doesn't require that next step of EIS. In doing that, that is a simple way to handle an issue but there are some issues that need to be analyzed further. Socioeconomics is a big one that comes up, if you do this OHV trail by my house there will be a problem for my house value or something like that, that gets brought up to that initial scoping internally/externally process that would warrant a further analysis. Those are those process frameworks within the framework but ultimately when I say process driven, it is the process we are required to go through that we are held to, not the actual decision. The field manager in this case the authorized officer is the one making that decision. He is not required by law to make a decision this way or that way. We just have to follow the process and go through what we need to go through to make a really good decision based on that analysis and all the different details that go into that. Does that help?

- Response (Kent Wood): Yeah, that is pretty good. That is a clarification. I am still left thinking that a lot of the actual policy comes from outside NEPA. You mentioned a lot of externalities that would come in to influence the direction of things and it is not like there is a list of objectives that you are trying to support as a set of guidelines.
- Response (Stephanie Carter): The RMP is the set of guidelines. Your laws, your regulations, your RMP is that field office specific guideline. NEPA doesn't tell you your water quality standards need to be x, y, and z. It is telling you; you need to look at your water quality standard and see how this proposed action may negatively or positively impact it. Does that help?
- Response (Kent Wood): Yeah, that helps a lot. I think I have it.

Stephanie Carter- ePlanning webpage explanation

2:29- **Keith Burger, Cathy Cook, and Glenda Torres- Rocky Mountain District Fire Presentation**

2:47- **Cathy Cook: Public Comment Period**
No public comment

2:48- **Rocky Mountain District Fire Presentation continued**

- Question (Kent Wood): A lot of the details are new to me. When you do one of these treatments you described seeding it. What do you do to get the forest to grow back? Part of what is in the back of my mind is I have heard worries that

with climate change when forests go, they do not come back. If there is a big fire, maybe it is just a permanent change in the landscape. If you do this kind of a thing, what is the follow up out of that?

- Response (Glenda Torres): There is a lot of seed bed existing on the ground and that seed is suppressed because trees have been so thick and basically choked it out.
- Response (Kent Wood): I was fishing for the presumption in reseeded that the rainfall conditions will be what they were when the forest developed in the first place. So that if we are going more and more into drought and there is less and less water, is it possible that one would be disappointed in the return of the forest?
- Response (Glenda Torres): I would say we have mixed results in recovery. In those wet years and the treatments are done in those years, it is really fast. You see a really fast response. Even in the dryer years, the response happens it might just be such a growth of smaller plants and it takes just a little bit more time but overall, I would say pretty good recovery in the majority of those projects.
- Question (Kent Wood): Any special consideration for beetle kill areas?
- Response (Glenda Torres): Yeah, we do. There is special funding specific for those type of projects. Jeremiah, our Forester has been working a lot in those insect and disease affected areas. The big key thing there is you have to get the salvage wood out early, so it is still useable. He does quite a bit in those areas.
- Question (Cathy Cook): Didn't he have a timber sale on Poncha Pass recently?
- Response (Glenda Torres): Yes. We are working really closely with Colorado State Forest Service on Poncha Pass. It is several small units that were trying to get the sale out to pull the good stuff.
- Response (Cathy Cook): Any other questions. Great question Mr. Wood. Thank you. Keith, do you have anything you would like to add?
- Response (Keith Burger): No. Glenda illuded to it. I think we have another project in the field office of forest health treatments designed around those beetle kill areas. Again, most of our forestry projects are designed for forest health reasons, not just to provide a product out the door but to really make those forests more sustainable and healthier over the long run. That is the real focus of our program that is why you see them sometimes in these salvage areas. They have a pretty large-scale environmental analysis. We did analyze a number of areas and we are going through now the specific project by specific project areas and trying to improve some of those forest health issues. Particularly, up north of Howard and the Waugh Mountain area and some of those areas north of highway 50 kind of western Fremont County.

2:55- Dates of Future Meetings

August 16th through August 18th

16th 9:00 – 4:00

17th 9:00-4:00 Field Trip-TBD

18th – 9:00- 12:00

3:04- Open Discussion:

No Discussion

3:05- **Closing Remarks- Cathy Cook**

- Thank you
- Questions

Adjournment

Adjourned by Cathy Cook at 3:06