

Public Lands Coordination Commission

January 10, 2012

PLCC Commissioners present: Frank Green, Zane Odell, Dennis Atwater, Slim McWilliams, Drew Gordanier and Travis Greenlee.

Montezuma County Commissioners present: None

Citizens Present: One

Federal Agency Representatives:

Forest Service; Mark Lambert **BLM**; Tom Rice & Connie Clementson.

7:00 PM Meeting was called to order.

The Pledge of Allegiance was recited & ground rules established.

First item of business was approval of agenda & minutes. Minutes were approved.

New Business was discussed.

Connie Clementson from the BLM announced her return to the Dolores Public Lands Office now as the BLM District Manager.

Mark Lambert from the Forest Service reported that Derrick Padilla, from Cuba New Mexico, has been named as the new District Ranger for the Forest Service.

The Kinder Morgan 3-d Seismic Survey Project was discussed. Mark Lambert gave an overview of the seismic project. Kinder Morgan has presented a proposal for doing seismic exploration on approximately 134 square miles of public lands. The project will also include some private lands. The area is commonly referred to as the Doe Canyon area. The project area is roughly divided by the Dolores River. The east side is primarily Forest Service Lands and the west side is a mix of BLM and private lands.

The project is proposed to be completed using helicopters which will transport small drilling units across the landscape which will be used to drill shallow holes. Small explosive charges will be placed in the holes and fired off to create vibrations through the ground which provide a great deal of data regarding the resources that may be there. The process is less environmentally invasive than the old method of drilling big holes to see what is down there... and it does not require as much oversight from the federal agencies which is also good for them cost wise. Because the area is so large the federal agencies are looking at the proposal very closely and are conducting an environmental assessment. The project is pretty intense but it will move quickly. Currently negotiations are taking place over details regarding where the project will be at exactly what time of the year. Ideally the project will work from one end to the other. Four helicopters will be used to leap frog the equipment along drilling holes. Then another crew will come along to lay out wireless geophones which are the recording equipment. On private lands they propose to use the thumper trucks to the survey.

Details on when they start, how long the project will last, and what time of year are the things being discussed right now. There are many complications regarding the time of the year in which the work will be done. There are considerations that must be taking into account for crops and harvest, hunting seasons, winter time wildlife considerations etc. The broader view the Kinder Morgan is trying to figure out is to nail down drill sites and subsurface anomalies that could point them in different directions. There seems to be a geologic separation between what you see on the monument and what is seen around Cahone that serves those Doe Canyon wells. They want to get a better idea as to whether that trend continues east onto the Forest.

Dennis Atwater noted that they used a helicopter to do the survey out by his land a couple of years ago. However since the project ran into the winter months the project affected the elk winter range. It had a dramatic impact on the elk and deer. The activity pushed the animals out to the west and to the south which caused problems with the ranchers in those areas. The time of year is very important. People cannot hear the charges that are set off but the animals sense it and the activity surrounding the project will impact them as well. It is a lot of activity. Hunting seasons should also be considered carefully...timing wise. There were also conversations regarding the private lands... over surface rights and archaeological surveys. Where is the information going?

Tom Rice responded that two local companies will be consulting on the project.

Dennis Atwater noted that there were concerns over the Kinder Morgan letter to landowners which gives permission to inventory personal property. The language is troubling because we do not know the extent of the authority.

Mark Lambert responded that the letter has caused a lot of confusion and that they would be speaking with Kinder Morgan about it.

Kinder Morgan would like to begin the project in June. One of the questions is what the preferred alternative ends up being...would it be better to spread the project out over two seasons? Thereby alleviating some of the pressure on hunting seasons, or if they start June 1 can it be done in time to avoid hunting season? If started June 1 the end date would be in mid-October. And if were done in the winter it would have its own set of impacts. If the project is delayed until next year the project could start earlier which would help to avoid hunting seasons.

Dennis Atwater noted that if the project is split then he would like to see the end time set so that it would not impact the hunting seasons. The Glade is one of the most heavily used areas and the work will push the animals out. I am primarily referring to rifle season as the number of hunters affected would be greater.

Tom Rice added that maybe they could finish the work on the east side where the hunting pressure is and finish it up on the west side.

A motion was made to recommend to the BOCC that their comment letter would favor moving through the 3-d process on an expedited timeframe but be sensitive to the hunting seasons and stage the project to move from public to private lands to synchronize with hunting seasons. Kinder Morgan is an environmentally conscious company and they will use BMPs. Motion was seconded and it passed.

Frank Greene added that the only problem with moving the project from the east to the west is that some landowners may be leasing their land to hunting.

The next item discussed was the Greater Sage Grouse conservation measures. Tom Rice noted that the Sage Grouse in our area was the Gunnison's Sage Grouse rather than the Greater. The Greater Sage Grouse applies more to the Northwest and Wyoming etc.

Tom Rice also noted that the process starts with the Fish and Wildlife service and that we should be asking questions of that agency. Connie Clementson noted that when a species becomes a concern for the Fish and Wildlife Service it becomes their process and yes it boils down to protection of habitat whether or not that species is there...if there is potential habitat for that species we are charged with ensuring that that habitat occurs. The Gunnison's Sage Grouse is on the radar screen for our area.

It was agreed that the Sage Grouse is an issue to continue to monitor. Dennis Atwater noted that considering the importance of energy development that there should be a way to accommodate continued exploration. Mark Lambert noted that there are ways to mitigate impacts on Sage Grouse leks so that energy development can continue. Usually it is some specific distance from the lek...so it is not a shut down of the habitat outright but typically it is some fairly rigid distance criteria. Dennis Atwater noted that his concern as it relates to the new management plan (Forest Service)...is that if it is approved it gives authority to the forest Service to select additional species...and that they would have the authority to develop habitat and range restrictions on those species. Mark Lambert responded that the Threatened and Endangered status is out of the Forest Service's hands about how those are dictated. There are indicator species that we can monitor. Dennis noted that his is adding even more...such as key, and a couple more classifications of species and the authority to develop those.

Dennis noted that he felt the County should comment on the Greater Sage Grouse and submit it by Feb. 7th. Denis noted that it is a range wide situation. It was asked if the Greater Sage Grouse conservation measure were enacted would it trickle over into the Gunnison's' Sage Grouse? Tom Rice didn't know if they would. Connie Clementson noted that they are working on conservation plans right now for the Gunnison's to try and avoid a listing. There is no way to guarantee avoiding a listing but preventive measures are worth trying. The listing for this species seems to have come from a lawsuit filed against Fish and Game that gave them a deadline to make the listing. Some of the measures already take to improve habitat near Disappointment Valley have been well received by ranchers because it brought back some good grass.

The Next Item discussed was the Motorized Game Retrieval Public Awareness Partnership. Mark Lambert reported that the Forest Service had been working with stakeholders to incorporate the ideas that have been coming in into discussions. Mark reported that they had met with several conservation groups that say they can support the program if certain safeguards are in place. Discussion with Colorado Parks and Wildlife are already happening and they will be key players as well.

It is clear that a partnership will be required. One question is what kind of a partnership do we want to pursue...is it an informal partnership or is it a formalized partnership with a written agreement in place?

The other question is what are the measures of success/ failure going to be?

It was reported that a MOU could be used as far as formalizing the project. It would spell out each partner's responsibilities. It would also spell out how we measure success.

Zane Odell offered that he felt it would be best to have it in writing. It would protect both parties credibility. Several other PLCC members agreed.

Options for getting the word out were discussed including the use of the County website etc. DOW publications can also be used to reach out of state hunters. Four wheeler groups and hunting groups could also be used to spread the word. Other suggestions included very stiff penalties for violations, including points against their hunting license. The Hunting Magazine in the paper was also noted. Mark Lambert noted that some people felt that the first year only warning should be given.

It was pointed out that having the Sheriff and a County Commissioner speak to groups to promote good behavior in the program would be helpful.

The broader picture was also discussed which includes good behavior all around. Big game season is a short time of the year and compliance with the rules during the rest of the year is really important so that hunters don't get blamed for all violations thereby jeopardizing the program. There are still areas that allow no cross country travel at all.

Mark Lambert noted that one of the best ways the PLCC could help is to come up with criteria for judging success or failure.

Saturation patrols...(by law enforcement)...to ensure compliance is a standard law enforcement procedure. Slim McWilliams suggested that one measure of success could be how many non- law enforcement local groups can be enlisted to help and to support the program. The Montezuma County Sheriffs Posse was also suggested as a resource. Connie Clementson noted that having eyes and ears on the ground would help. Peer pressure could help a lot. Drew Gordanier suggested that more signage would help as well.

The next Item discussed was the Tenderfoot Allotment. Zane Odell reported that he was very satisfied with the results of the review and that he was able to work very effectively with the Forest Service on the allotment. A motion was made to have the BOCC write a letter of support for the allotment thanking the Forest service for their efforts.

The Red Arrow Mine Road was discussed and Dennis Atwater read a letter regarding the subject to the PLCC. A motion was made to send the letter to the BOCC and the motion passed.

Meeting adjourned at 9:00 pm.

