

## Hidalgo County Public Land Advisory Committee (PLAC)

### Minutes

February 4, 2015

A regularly scheduled meeting of the Hidalgo County Public Land Advisory Committee (PLAC) was held February 4, 2015. Those in attendance: Meira Gault; Judy Keeler, Jim Culberson, Butch Mayfield, Robert Barrera, Jimmy Stewart, and Roger Payne members; Levi Klump, Jeff Sharp, Mayra Jackson, George Jackson, Jr., Joe Baca, Brandon Kempton and Ray Aaltonen, NM Game & Fish; David Wallace and Leticia Lister, BLM; Kevin Warner and Robert Walter, USFS - Douglas District, guests.

The meeting was called to order at 3:05 p.m.

#### **Presentations:**

**Jaguar Survey Results:** Aaron Lien, University of Arizona (UofA), presented the PLAC with the results of the Jaguar Survey, explaining they had been approached by U.S. Fish and Wildlife Service to help the agency understand the ranching communities' perceptions on endangered species, critical habitat designations, and ensuing regulatory burdens. The intent of the survey was to analyze attitudes as well as discover if ranchers were interested in conservation incentive programs that might ease regulatory burdens. They also wanted to find out how these burdens might be modified to meet rural community needs.

He also explained the UofA does not have a position on jaguar or the critical habitat designation. They only contract with the Service to provide the survey service. Since there are no resident jaguars in southern New Mexico or Arizona, with the exception of one jaguar repeatedly sighted in Arizona, jaguars are not an imminent threat to ranching. Therefore they are not trying to identify predation issues at this time. The Service hopes the survey will help define the ranchers' opinions on wildlife management, identify their concerns and provide the Service with feedback on what kinds of conservation incentives might help offset ranching concerns. It also gives the UofA an opportunity to explain to the general public what ranchers do for wildlife; including providing permanent water sources and protecting habitat.

Discussion on the differences between this survey and the cameras project followed. Mr. Lien explained that although both projects are being conducted by the UofA and both are funded by the Service, with funding from Homeland Security, they are separate projects with separate objectives.

The UofA presented their findings to the Service yesterday. More discussion meetings are scheduled in the near future. Additional reports and information will be available in the future.

271 surveys were sent, 112 responses were received - a 41% response return. The results showed: Most ranchers have been on the same ranch for at least 20 years; 64% are over 65 years

of age; 82% are developing stock waters; 88% monitored their ranges; 14% fence cattle off the riparian areas; prescribed fire had a low percentage of participation also - this might be caused by the regulations and weather associated with doing a prescribed fire project; 67% do projects that benefit wildlife; 20% were not aware of the critical habitat designation; 85% did not believe there was critical habitat for jaguar in Arizona or New Mexico; most did not believe their ranches should be managed for jaguar; most did not want to promote jaguar habitat; most didn't care if jaguars were on their ranches but were concerned with jaguar depredation; most felt the designation would increase the regulatory burdens and many thought it might become an obstacle to selling their ranches and/or renewing their grazing permits. They were more concerned with lion depredation than jaguar. However, 52% believed jaguar depredation could become a problem if management rules were implemented that prohibited lion management. 64% were interested in some sort of compensation fund; similar to the wolf program in Yellowstone. The UofA will have a workshop in April for lion and jaguar depredations. Harvey Shaw and Panthera will be participating.

They also discovered 50% of the ranchers were interested in cost share initiatives similar to EQIP or CSP. Most liked the idea of full reimbursements of their costs for these types of projects. Not many showed an interest in rental contracts for conservation projects or a carbon credit type program. Safe Harbor Agreements were less attractive to the ranchers. Many were concerned with how these type of agreements would impact their neighbors. 70% wanted to learn more about the various conservation incentive programs. Most ranchers preferred to keep maximum flexibility for their operations.

Mr. Lien explained the UofA will continue to work on these discussions with both the Service and the ranchers. He added they would be holding a meeting in Douglas next week to discuss the results of the survey with the ranchers in that area. Everyone is invited to attend.

Discussion followed. Meira asked how many responded from Hidalgo County and who paid for the projects. The surveys were anonymous so Mr. Lien had no idea how many responded from each county. He explained because the present programs are all cost shares, it would depend on which program as to how much each entity paid. She also wanted to know if everyone was surveyed. In response, Mr. Lien stated only the ranchers in or very near the habitat designation. He also stated 33% self-reported they were in the area, 41% were not and 21% did not know. At the workshops they expect to get a clearer understanding of the ranchers' answers.

Butch had a concern with carbon credits. In his experience, carbon credit trading is not viable at this time. He wanted to know how these credits would tie into the jaguar. Mr. Lien explained this was just a starting point for discussion and the details had yet to be defined. It may turn out carbon credits may not be as attractive as some of the other incentive programs.

Judy asked Mr. Lien to discuss in his meeting with the Service how the land management agencies' rules, based on the Service's findings for these endangered species, can adversely impact a rancher's ability to economically sustain their operations. She felt the Service does not understand how their decisions are carried out by other federal agencies. She gave as an example the Forest Service's recent decision to fence livestock off riparian areas to protect the Meadow Jumping Mouse in New Mexico.

Roger asked if any of the results from the survey were a surprise. Mr. Lien responded that he had not really thought about it. One of their goals was to provide the data so the Center for Biological Diversity and other skeptic groups could see ranchers provide services that benefit all wildlife. Meira questioned whether the Center would back off their lawsuits, even if this data is available to them. In her opinion, scientific data does not stop them from suing. They sue and win over the procedural processes; when a federal agency fails to follow their own procedures. This survey date will probably not stop them, even if it does reflect what ranchers actually do for wildlife. More discussion followed.

Kevin Warner, Coronado National Forest; District Manager, explained his agency is required to follow the Service's findings also. However, regarding the jaguar, they conferenced with the Service, prior to the determination, in hopes of avoiding the formal consultation process. A lot of ranchers appreciated this effort and hoped it would help minimize the possibility of an injunction. An injunction could shut ranching down in the habitat area. He added the Service did not want ranching shut down. Cattle can be a benefit to the jaguar. Dave Wallace added that BLM had also conferenced with the Service in the hopes of avoiding an injunction.

**Travel Management Plan:** The Douglas Ranger District is currently working on its Travel Management Plan. Robert Walter, Douglas District, handed out maps and information for the PLAC's review. Their intent was to give the PLAC an opportunity to comment before the Plan goes out for public review. They would appreciate everyone's feedback.

Kevin asked if the PLAC wanted to discuss just Hidalgo County or the broader area. Meira thought it was important to talk about the broader area because access into the Peloncillos occurs from both counties, Cochise and Hidalgo.

Roger asked if the roads, via the Geronimo Trail (GT), into the area around the Cascabel Ranch and the road from Cloverdale to the GT were the only access roads into the forest. Kevin responded there were several spurs, including 707. Meira stated there were roads on the map that were not actual roads. They're too rough to travel. Roger stated he was thinking the same.

Kevin responded the Travel Management Plan is not designed to address access. Access into the Forest is another matter. Discussion followed on whether this was the proper venue for addressing the need for access. Kevin explained after this process is completed he will entertain options on how to provide access into specific areas. More discussion followed.

Judy pointed out the PLAC has been working with the Forest Service for many years in an attempt to preserve access into the Hidalgo County portion of the Peloncillos. There is an interest in protecting what has been historically open to the public, not necessarily building new roads.

Kevin responded that this planning process only addresses motorized travel, not foot, horse or any other kind of travel. The yellow lines are there to give people an idea of where the roads terminate. In this way, everyone should know where a trailhead begins. Basically, the map shows the inner-connection between the foot trails and the road system. Discussion followed. Questions was asked including: How many roads existed so range improvements could be built? How many roads still exist that allow the permittee to maintain those improvements?

Levi Klump asked about the roads on the map in the Inventoried Roadless Area (IRA). Kevin explained that if a road was not a part of the national road system it was probably a user created road, typically created by permittees, hunters or campers. He has no discretion to add this type of road into the road system. If it was a system road, already on a map, but goes into an IRA, then it can be kept on the road system map. Discussion followed. There was confusion about which roads were authorized access only and which were open for public use. Kevin explained perhaps some of the roads were authorized access only while most were open to the public. He did explain the public will have a motor vehicle use map that shows where gates and private lands are located, not the maps the PLAC was viewing. The public will also have access to a forest use map that can be used in combination with the vehicle map.

Meira explained that hunters usually carry a small map. They tend to be confused about where they can go and where they can't. She suggested the larger map should more closely represent the smaller maps so there is less confusion about which roads are usable and which are not. Discussion followed. Kevin will let the PLAC know if the motor vehicle use map shows the gates and private land.

Kevin explained they do have different maintenance levels keyed on the map. A Level 1 road is typically a 4 wheel drive road or trail. A Level 2 road is typically for high clearance vehicles, not passenger cars. A Level 3 road can be used by passenger cars. The only road on the map that is a level 3 road is the Geronimo Trail. However, this designation can go back and forth depending on weather and other conditions of the road. He felt putting different maintenance levels on the map might make it too cluttered, but he was not opposed to this idea. It was suggested color coding the different road types might be helpful. Discussion followed on the cost of maintenance, private land issues and public access needs.

Kevin will consider addressing access issues as soon as the Travel Management Plan is completed. Butch suggested these access issues should be considered during the present planning process. Kevin will look into their guidance to see if they can color code the roads. He asked the PLAC to think about the process and help find solutions. He added, most of the recommendations for the travel management process came from several collaborative group meetings. This group had several Bucket 3 items that were put on the back burner because they couldn't make a decision or didn't have enough information to make a decision. Meira explained that most of the individuals in this group did not live or hunt in Hidalgo County. Although she attended several of the meetings as a representative from the County, most of her recommendations were not considered.

Ray Aaltonen added that keeping roads open during this process could provide solutions in future planning for access. Ray added Game and Fish might have more money available to help with access into this area in the future. Everyone agreed it was not a good idea to decommission any more roads into the Peloncillos to ensure access in the future.

Kevin explained the Forest Service is currently working with Homeland Security/Border Patrol to see if they can contribute funding to assist with the maintenance on Geronimo Trail. If they can help, it would expand the Forest Service's capacity to maintain some of the other roads.

Discussion followed on road maintenance. According to Kevin's understanding, federal dollars can be moved between federal agencies but is not available to local governments.

Kevin announced they would be having a public work session, Feb. 17<sup>th</sup>, 2-5 p.m., to discuss the Cave Creek flooding and resulting damages. They need input into how they should resolve the situation and which campgrounds should be rebuilt.

#### **Agency Updates:**

**BLM - Leticia Lister.** After a short break, Leticia gave the PLAC some information on suspended animal units. According to an article Judy had received, BLM was considering permanently eliminating suspended AUM's. Judy was concerned about what impacts this action could have on the ranchers in Hidalgo and the value of their property.

Leticia explained that when the grazing regulations were reviewed in 1995, one of the concerns were these suspended AUMs. She further explained there had been an adjudication process in the 1930s, 40s, 50s and in some cases the '60s that set the AUMs on each ranching unit. At that time, some allotments were over allotted. As the agency did their monitoring, they took the over-adjudicated AUMs, via a Decision, and put them into a "suspended" category. The idea was that at some point range conditions might improve and the AUMs could be reactivated. In 1995 there was a change in this thought process. It was suggest range conditions might never improve so these suspended AUMs should be removed from the grazing permits.

The Grazing manual is currently being updated to better reflect some of the 1995 regulations. She has not seen this manual but can say the District Manager will still has a lot of discretion regarding these AUMs. She did not tally all the AUMs that are in suspension west-wide, but Hidalgo does have one of the highest numbers - 3,057 suspended AUMs in the Las Cruces District. These AUMs are in 7 of the 117 allotments. Discussion followed.

Leticia does not believe the manual will say what has to be done with these suspended AUMs, just offer guidance as to what can be done with them. Judy was concerned with the way in which the Forest Service had reduced the AUMs on some of their allotments when a change in ownership occurs. Leticia assured everyone the AUMs will not be changed unless it is done through a Decision document that is completed when the permit is renewed. Discussion followed on this item and the new PRIA amount - \$1.69 per AUM.

The PLAC received a chart summarizing grazing use in the Las Cruces District, by county - 2002-2014. Leticia explained Hidalgo County is one of the most stable counties without a lot of turn-overs in ownership. It is also one of the most consistent counties with not a lot of fluctuations in usage. Discussion followed. After another question on suspended AUMs, Leticia responded the only way an AUM would be put into suspension is if the range monitoring showed the AUMs were not there on a sustained yield basis. Then they would do a reduction on that permit. BLM could also put the AUMs in suspension with a statement that they can be restored if there was a change in management or a reevaluation of the allotment. This decision has to been done through a process and the data must indicate the need for the suspension.

Butch added, from a historical perspective, even after the Taylor Grazing Act passed, the rangeland was over allotted. No one can disagree with this fact. However, today ranchers are running about 40% of those numbers, maybe less. He asked if these AUMs were reduced from that time period, or a later date. Leticia explained the suspended numbers the manual is trying to address were a result of the earliest adjudications. Discussion followed.

Leticia stated the BLM received some additional funding in 2012 to help with the healthy rangeland assessments. 82 allotments were identified for permit renewal. BLM contracted with the Forest Service Enterprise Team. The Team has completed all their data collection field work. They are now in the process of writing the Environmental Assessments (EA). These allotments were broken down into batches. They are anticipating the receipt of the first batch, about 10-15, by next month. BLM will review the EAs then send them out for a 30 day public comment period. The EAs will be sent out individually to lessen the likelihood of the whole batch being protested. Each EA will be issued a separate Decision.

**New Mexico Game & Fish - Ray Aaltonen.** Ray explained hunter harvest applications are due by the 15<sup>th</sup> or there will be an additional charge. March 18<sup>th</sup> is the deadline. They have a new webpage that's a little different and may take some time to get familiar with. They also have an 800 number you can call if you're not computer handy. They just released 24 more Gould turkeys in the Peloncillo. That brings the total to 44. 15 have radio tracking collars so their movement can be monitored. This project is being done in cooperation with Arizona Game and Fish. New Mexico traded Arizona 60 antelope for 60 turkeys. The Gould Turkey is a state threatened species that can be hunted. They will have 2 tags available next year and will be receiving 15 more turkeys to enhance genetic diversity and reproduction vigor. Hopefully they'll get them delisted someday.

They have a new commissioner that was appointed by the Governor, Elizabeth Ryan, from Roswell. A lawyer by trade, she's active in the Safari Club, on DWI councils and also appointed to the Environmental Improvement Board by Governor Richardson. She is replacing Dr. Arvis, a commissioner for many years. Everyone is looking forward to working with her. The Commission did vote to keep Commissioner Kensell and Montoya as their Chair and Vice-Chair.

The legislative session is on. The agency is tracking 15 bills now, they have introduced 5 bills themselves. Ray explained the bills they recommended: 1) a bill that would address want and waste. This would become a felony; 2) a bill involving state vehicles and pay for volunteers travel; 3) a bill to update species they protect by updating the family names, this would include tilapia; 4) a bill to enhance penalty assessments and; 5) a bill to consolidate veteran licenses.

One of the big issues is coyote calling contests. Voting has been along party lines but this bill is really urban vs rural. They also have a bill against hunting by drones, another on depredation and many others. So far no bill has been submitted to prohibit trapping but it could still come in. Discussion followed on tilapia raising. It was believed that the number of licenses that are being issued for Unit 26 and 27 are too many. The area is overwhelmed with hunters. Ray responded they might consider splitting out the white tail and mule deer hunts and changing hunt dates. Several PLAC members stated the drought was affecting the deer population and the number of permits being issued should be reduced. More discussion followed. Ray suggested they watch for

fur bearer licensing, bear/mountain lion legislation and be sure to send in comments. He added that historical numbers of hunters are in decline.

**New Business:**

**Minutes of the meeting:** Roger moved the minutes of the meeting be approved, seconded by Jimmy Steward. The motion passed unanimously.

**Election of Officers:** Judy explained the current officers are herself as Chair, Jimmy Stewart, Vice-Chair and Meira Gault, Secretary. Roger moved the officers be retained as presented, seconded by Robert. The motion passed unanimously.

**New Business:**

**Hidalgo County LUPNR** - Judy explained the last few months had been extremely busy. Although she had been in contact with Roy Seawolf, they have not been able to get together to finish the document. This item was postponed until the next meeting.

Roger moved the meeting be adjourned, seconded by Jimmy. The motion passed unanimously at 5:58 p.m.

Respectfully submitted,

Judy Keeler, Assistant Secretary  
Hidalgo County PLAC