

VALLES CALDERA NATIONAL PRESERVE
PUBLIC MEETING
Tuesday, August 13, 2002
2:15 p.m.
2201 Trinity Drive
Los Alamos, New Mexico

PRESENT:

William deBuys, Chairman
Steve Stoddard, Vice Chairman (Phone)
Bob Armstrong, Member

Leonard Atencio, Member
Steven Bone, Member
Karen Durkovich, Member
Palemon Martinez, Member
Thomas Swetnam, Member
David Yepa, Member

Gary Ziehe, Executive Director

ALSO PRESENT:

Dennis Trujillo, Preserve Manager
Rich Engstrom, Business Manager
Chris Morris, Controller
Jack McCarthy, Legal
Randy McKee, Ranch Manager

AGENDA

1. WELCOME AND INTRODUCTIONS
2. REVIEW AND APPROVAL OF AGENDA
3. REVIEW AND APPROVAL OF MINUTES
4. SCHEDULE EXECUTIVE SESSION
5. OLD BUSINESS
 1. Guided Activities Contract
 2. Interim Grazing Program
 - a. Staff Presentation and Recommendations
 - b. Board Discussion of Recommendations
 - c. Public Questions or Recommendations
 - d. Board Consideration of Finding of No Significant Impact
 - e. Public Comment
 - f. Board Consideration of a Decision
6. NEW BUSINESS
7. GENERAL PUBLIC COMMENTS
8. ADJOURN

WELCOME AND INTRODUCTIONS

Chairman deBuys welcomed everyone and thanked the public for their comments on the grazing environmental assessment. Mr. Stoddard joined the meeting via telephone, as permitted under the bylaws.

REVIEW AND APPROVAL OF AGENDA

Mr. Atencio moved to approve the agenda. The motion was seconded by Mr. Martinez and unanimously approved.

REVIEW AND APPROVAL OF MINUTES

The Chairman brought up the approval of past meeting minutes from November 14, December 13, January 23, and February 28 meetings and asked if there were any changes that needed to be made. Several grammatical corrections were presented by the Board members.

Mr. Bone made a motion to approve the minutes, as corrected, which was seconded by Mr. Yepa and the minutes were unanimously approved as amended.

SCHEDULE EXECUTIVE SESSION

The Chairman expressed the need to catch up on some internal housekeeping concerning financial matters, personnel matters and the like, and related the need to do this in executive session per the bylaws. After a brief discussion of schedules a motion was made by Mr. Martinez and seconded by Mr. Armstrong to schedule an executive session for two o'clock on August 29th. The motion was unanimously approved.

OLD BUSINESS

Guided Activities Contract: Mr. Ziehe presented the contract as a revised version of a typical Forest Service contract for concessionaires pending development OF contracting language specific to the Trust. After a brief Board discussion, Mr Atencio mad the following motion:

RESOLVED,

That the Executive Director, Gary Ziehe, be directed to execute the contract with Los Rios River Runners and Kimber Barber for providing guided activities on the Preserve, and that any amendments to the contract terms made during negotiations be approved by Counsel prior to signing.

Mr. Armstrong seconded the motion which was carried by all members, except that Mr. Stoddard, not having a copy of the contract with him, abstained.

INTERIM GRAZING PROGRAM

The Chairman opened the topic of the Interim Grazing Program and asked the staff to proceed. Staff Presentation: Dr. Ziehe presented the results of the approximately 140 public comments on the environmental assessment. He summarized by saying that the majority of the comments supported either Alternative One or Alternative Four.

Finding of No Significant Impact: Dr. Ziehe described the finding which states that there would be no significant impact under any of the alternatives presented in the environmental assessment. He read the contents of the finding and explained the eleven criteria which were met to support the finding. He read the statement included in the finding asserting that this action is a short-term interim grazing program for 2002, that, if implemented, would end on September 30, 2002, or as soon thereafter as conditions permit. Further, that prior to a decision to implement a grazing program in 2003, data from the 2002 program will be used to supplement and if appropriate, revise the present EA, which would then be reissued for 30 days of public comment.

Dr. Ziehe described the limitations to the program due to water and forage availability as described

in the Range Readiness Report and provided the staff recommendation of Alternative Two to provide the maximum flexibility for livestock on the Preserve and to provide greater flexibility for entry and exit strategy. The second recommendation from the staff was that allowable livestock numbers be between 800 and 1,000 head to provide the greatest opportunity for a successful operation this year.

Board Discussion of Recommendations: The Board asked several clarifying questions about the staff recommendations and how they were arrived at. The issues of water availability, weather predictions, entry/exit strategies, the available grazing period, potential conflict with the elk hunts, strategy for utilization of range riders, independent monitoring of the riparian condition, logistics of managing the herd, overtime by the range riders, utilization of riparian areas, and the flexibility allowed in each of the Alternatives were discussed.

Public Questions on Recommendations: There were clarification questions asked about the timing of having the exclosures in place, the selection of a cow/calf operation over steers, how monitoring next year will take place without the exclosures in place, planning for various numbers of animals, use of the north gate for access, and use of the valleys under different options.

Board Consideration of Finding of No Significant Impact: After a short discussion by Board members on the impact of different alternatives possible, Mr. Martinez moved as follows:

RESOLVED,

To adopt the Finding of No Significant Impact as written.

The motion was seconded and unanimously approved.

Public Comment:

Dale Jones: Mr. Jones commented that the Trust is set up as an experiment to do things differently and the environmental assessment for the grazing looked no different than any other EA he's read.

Bill Huey: Mr. Huey is with the Valles Caldera Coalition and commented on the need for experienced range riders and asked if a procedure has been developed for selecting the participants.

Bernie Foy: Mr. Foy is with the Sangre de Cristo Audubon Society. He voiced a concern about the health of the riparian zones given that the cows will, by necessity, have to be in the zones for water.

Daniel Rael: Mr. Rael is with the Carson National Forest and was a member of the Range Readiness Task Force that evaluated the conditions in the Valles Caldera. He outlined the readiness conditions of the Preserve and concluded that the range is ready to be grazed.

Board Consideration Of Decision: The Chairman set the stage for the discussion by outlining the four decisions to be made, the selection of an alternative, the setting of a stocking level under that alternative, the approval of the terms and conditions for participation, and the adoption of a lottery or draw for distributing opportunities to participate.

Dr. deBuys: I would be interested to know what the pleasure of the Board is on this matter, and what I would like to do is just go through the Board, and I note that Mr. Martinez is at one end of the spectrum and Ms. Durkovich is at the other, and just give everybody an opportunity to say whatever they would like to contribute to the discussion on these matters.

Mr. Atencio: I fully support the staff's recommendation to go with Alternative Two and the preferred number recommended.

Mr. Armstrong: I am deciding between Two and Three, and I want to look at the numbers that are there for Two, and if you could convince me, and I think you have, that maybe it would be lighter on the land to go with Two, that would be the best way.

Mr. Bone: I selected Alternative Three, but I also agree that the emphasis should be light on the land, what is best for the resource. But numbers I think are probably more important given logistics and water issues, and I would opt to be more conservative in the arena of around 1,000.

Ms. Durkovich: I selected Alternative Three also, and I would just like to briefly go over some of the reasons why. Any cattle that we put on there has to be consistent with our other goals, our management principles, with the things that we do to preserve and protect this place. We're in a terrible drought year, our grasses are compromised, our sod grasses aren't doing well, we know that our riparian areas have already been overutilized, there's not a lot of upland water, and those are the reasons why I chose Alternative Three and why I would choose smaller numbers in Alternative Three than larger numbers.

Mr. Martinez: I concur with Mr. Atencio on Alternative Two and the numbers as indicated in the EA.

Mr. Stoddard: As I said early on, I hoped that we, the Board, would err toward the conservative in the numbers of cattle that we put on it. Our management principles say regarding this area, I would think, among others, "We will exercise restraint in the implementation of all programs, basing them on sound science." As a consequence, I concur with Leonard, so I would favor Two, but I do want to hang tight with the up to a thousand head as was suggested by the staff.

Dr. Swetnam: My preferred alternative is Number Three. I do agree with the range of numbers that the staff has presented. Eight hundred to a thousand animals I think is reasonable. I am going with Three because I think it is really a more balanced alternative for all the people of New Mexico, for all sides of this issue, from the environmental and conservation communities to the livestock group, and for the people of the United States. Alternative 3 explicitly reserves one of the valles from grazing, and this is needed for scientific and social/cultural reasons

Mr. Yepa: There are several words in my mind that keep coming back, and a lot of it is what is in the legislation, and that is multiple use, protection, preservation of cultural and historic values, working ranch, and it is the balancing of those interests that I'm looking at. Of the alternatives that we have, I am leaning towards Alternative Two, and maybe a thousand to what is recommended or what is in Alternative Two with 1,300 is what I would feel comfortable with.

Dr. deBuys: The Chair only votes in the event of a tie, but I'll say my piece anyhow. The surrounding landscape has been stressed this year as it has not been stressed for a long time before and that causes me to want to err on the side of conservatism. We also need to make this effort, this year operationally successful and ecologically successful. I am persuaded by the recommendations of staff for 800 to 1,000 head. My personal feeling is that Alternative Two is probably the best choice and that is with a strong rider, and that is that if we take Alternative Two, we pursue it with the goal of using Valle Toledo principally as a safety valve or as an alternative route for getting cattle back to the Valle Grande for shipping, and that we make every effort to keep the pressure on Valle Toledo as low as possible, but that we have it for flexibility in case we need it.

The Chair noted three Board members speaking in support of Alternative Three and six in favor of Alternative Two.

Chairman deBuys agreed with Ms. Durkovich's suggestion of breaking the vote into three pieces. Therefore, as to the selection of an alternative, Ms. Durkovich moved and Mr. Swetnam seconded a motion to accept Alternative three. A roll call vote was taken with Ms. Durkovich, Mr. Swetnam, Mr. Armstrong and Mr. Bone voting aye and Mr. Atencio, Mr. Yepa, Mr. Stoddard, and Mr. Martinez voting nay. The motion failed when Mr. deBuys voted nay.

Mr. Martinez made a motion for the adoption of Alternative two and Mr. Yepa seconded it. A roll call vote was taken and Mr. Armstrong, Mr. Atencio, Mr. Martinez, Mr. Stoddard and Mr. Yepa voted aye. Mr. Bone, Ms. Durkovich and Dr. Swetnam voted nay. The motion passed.

The Chairman then raised the question of the number of cows to accept for the program, reminding the Board that the staff recommendation is 800 to 1,000.

Dr. Ziehe recommended that the number chosen be in an increment of 25 animals, which was agreed to by the Board.

Mr. Stoddard then moved that if Alternative Two has been selected that the maximum number of animal units be 800. The motion was seconded by Ms. Durkovich.

Mr. Martinez made a motion to lay the previous motion on the table so that a ballot could be taken as a straw poll to see the numbers the Board were considering. Mr. Atencio seconded the motion. There being no discussion on a motion to lay on the table, the roll was called. Mr. Armstrong, Ms. Durkovich, Mr. Stoddard, Mr. Swetnam and Mr. Bone voted nay. Mr. Atencio, Mr. Martinez and Mr. Yepa voted yea and the motion to lay the Stoddard motion on the table failed.

A roll call vote was then taken on the Stoddard motion limiting the cows to no more than 800. Mr. Armstrong, Mr. Atencio, Mr. Martinez, and Mr. Yepa voted nay and Mr. Bone, Ms. Durkovich, Mr. Stoddard and Mr. Swetnam voted yea. The Chair, Mr. deBuys voted nay and the motion failed.

The Board then conducted a straw poll to see what numbers came out from the Board members. The average of the numbers collected was 993.

Mr. Martinez moved that the Board adopt a number of cows between 1,000 and 1,025. The motion was seconded and, there being no discussion, a roll call vote was taken. Mr. Armstrong, Mr. Atencio, Mr. Bone, Mr. Martinez, Dr. Swetnam and Mr. Yepa voted yea. Ms. Durkovich and Mr. Stoddard voted nay and the motion passed.

The Chairman then raised the issue of the entry date of the animals onto the Preserve. After a discussion to clarify the staff recommendation of August 19, 2002, Mr. Atencio made a motion that livestock be able to enter the Preserve beginning on August 17, 2002. The motion was seconded by Mr. Yepa. After a brief discussion with staff as to the difficulty of meeting the proposed date, the motion was withdrawn, and Mr. Armstrong moved that the earliest entry date for livestock be August 19, 2002. The motion was seconded by Mr. Stoddard and the motion passed.

Dr. Ziehe then announced that Applications would be accepted until 3:00 PM on August 15, 2002 and the drawing will be held on August 15 at 5:00 PM.

After some discussion, Mr. Martinez moved and Mr. Yepa seconded a motion to adopt the Interim

Grazing Program environmental assessment with the conditions spelled out as agreed upon as to Alternative, number, and entry date. The Chair called the roll and Mr. Bone, Mr. Atencio, Mr. Armstrong, Mr. Stoddard, Mr. Yepa and Mr. Martinez voted yea with Ms. Durkovich and Dr. Swetnam voting nay.

RESOLVED,

That the Interim Grazing Program for 2002 be conducted according to Alternative two of the environmental assessment utilizing 1,000 to 1,025 cows to the nearest increment of 25 animals and that the entry date for livestock be no earlier than August 19, 2002.

NEW BUSINESS

There was no new business discussed.

GENERAL PUBLIC COMMENTS

The Chairman opened up the floor for public comments. Clarification questions on the interim grazing program were asked by Dale Jones, Virgil Trujillo, Ray Trujillo, Alberto Baros, Chris Lovato and Ildefonso Madrid covering the application process, cost for the program, timing of elk exclosure construction, types of ownership organizations that may apply, and use of the Preserve north gate for livestock entry.

ADJOURN

Mr. Stoddard made a motion to adjourn which was seconded by Ms. Durkovich and passed unanimously.

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