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## **MINUTES OF THE REGULAR MEETING January 10, 2014**

### **Supervisors Present:**

LeRoy Candelaria  
William Caster  
J. Brian Greene  
Felipe Lovato, Jr., Chairman  
Jerry Melaragno  
Richard Shovelin  
Dan Williams

### **Absentees:**

### **Others Present:**

Dierdre Tarr, District Manager  
Kenneth Lujan, District Conservationist, NRCS  
Katheryn Taylor, District Volunteer  
Jim Wanstall, NMDA  
Frank Luna, Claunch-Pinto SWCD  
Juan Pereira  
Guillermo Candelaria  
Dale Finocchi, Sr. Director of Development, 52Eighty  
Nancy Roux  
Mark Mathews, Bureau of Land Management  
Daniel Antonio Herrera, Manzano Land Grant  
Susan Bunnell  
Michael Rifkin  
Anthony Martinez, U.S. Forest Service  
Lance Elmore, U.S. Forest Service  
Aubrey Dunn, Chairman, Chaves SWCD  
Deborah Jones  
Jan Eshleman  
Nick Franks  
Christine Franks  
Michael E. Stogner  
Anne Embry  
Susan Aulde  
Karen Smith  
Kathy Baur  
Tanya Peterson  
Marilyn Conway  
Addie Draper

Norma Pineda, Salinas Pueblo Missions NM  
Glenn M. Fulfer, Salinas Pueblo Missions NM, National Park Service  
Todd Pohl  
Diann Bradshaw  
Robert Chung, Mountainair Police Department  
Theresa Grate  
Nancy Stone

**CALL TO ORDER:**

The Claunch-Pinto Soil and Water Conservation District (CPSWCD) regular meeting of the Board of Supervisors was called to order by Felipe Lovato, Jr., Chairman at Alpine Alley, located at 210 N Summit in Mountainair, NM at 8:10 a.m.

**Welcome Attendees:**

The Chairman welcomed those present and thanked them for taking the time to attend.

**APPROVAL/DISAPPROVAL OF AGENDA:**

The Board reviewed the agenda. **ACTION TAKEN:** Richard Shovelin moved to approve the agenda. William Caster seconded the motion. Motion carried. Vote was unanimous.

**APPROVAL/DISAPPROVAL OF MINUTES:**

Minutes of the regular meeting from December 6, 2013. **ACTION TAKEN:** Richard Shovelin moved to approve the minutes as amended. William Caster seconded the motion. Motion carried. Vote was unanimous.

Delete the following text under Correspondence:

"The District Manager said that she received a request for comments on two proposals by the U.S. Fish and Wildlife Service concerning the Mexican Gray Wolf: 1. Removing the Gray Wolf from the List of Endangered and Threatened Wildlife and Maintaining Protections for the Mexican Wolf by Listing It as Endangered 2. Proposed Revision to the Nonessential Experimental Population of the Mexican Wolf."

Replace it with:

"The District Manager said that she received a request for comments on two proposals by the U.S. Fish and Wildlife Service concerning the Mexican Gray Wolf:

1. Removing the Gray Wolf (*Canis lupus*) from the List of Endangered and Threatened Wildlife and Maintaining Protections for the Mexican Wolf (*Canis lupus baileyi*) -- by listing this specific subspecies as endangered,
2. Proposed Revision to the Nonessential Experimental Population of the Mexican Wolf."

**TREASURER'S REPORT AND APPROVAL/DISAPPROVAL OF VOUCHERS:**

The Board reviewed the treasurer's report for the month of December with accounts payable for January. **ACTION TAKEN:** Jerry Melaragno moved to accept the report and pay the accounts payable. William Caster seconded the motion. Motion carried. Vote was unanimous.

**OTHER FINANCIAL MATTERS:**

The District Manager prepared a semi-annual budget report that she will disseminate to Board members.

**REPORTS:**

**New Mexico Department of Agriculture (NMDA):**

Jim Wanstall is the new field specialist from NMDA to the Claunch-Pinto Board, replacing Roy Todd, who has retired. He introduced himself and said that he asked to be reassigned to soil and water

conservation districts because he enjoys working with them. He pointed out the dates on the written report for the New Mexico Legislature Session, Ag Fest and the SWCD Day at the Legislature. He also mentioned that the proposed CO2 pipeline was discussed at the Soil and Water Conservation District Commission on January 7 and at a meeting of his division. The division will be submitting comments on issues that would affect private landowners and SWCDs. The District Manager has prepared the application for AgFest and has requested space in a booth at the SWCD Day at the Legislature for the New Mexico Coalition of Conservation Districts.

**NRCS Field Office Report:**

Kenneth Lujan referred members to his written report. He said that he expected about the same amount of money for EQIP for this fiscal year as last year's allotment. A meeting will occur the following Monday that may clarify funding issues. He said that he expects to have the required eight CSP applications.

**District Manager's Report:**

The written report is included in the Board packets.

**CORRESPONDENCE:**

The District Manager reported on an email that she received regarding the Mexican gray wolf. She will forward the information to Board members. Mr. Melaragno referred to the article: "Ten Statements Regarding Restoration of Piñon – Juniper Land" in the *East Torrance District News*. He suggested that the article be displayed in the District office. The District Manager said that she would have it posted on the District's website after she has checked with the NM State Forestry.

**UPDATE ON GRANTS:**

The District Manager reported on grants listed below, meetings attended, progress on projects, status of proposals to funding agencies, and RFPs issued by funding agencies.

**Estancia Basin Watershed Health and Restoration Monitoring (EBWHRM) Project – Water Trust Board and State Forestry Grants (NFL,) and Greater Rio Grande Watershed Alliance:**

Projects are progressing, and reimbursements are being made. The southern Claunch-Pinto grant has been closed out. The Estancia Basin grant is the only remaining State Forestry grant. Projects are being planned in Deer Canyon, and contracts should be ready to sign at the end of next week. The Estancia Basin grant for 2013 has been funded and the Core Steering Committee will meet to distribute the money and to begin contracting.

The District Manager distributed a report from the USDA on the Isleta multi-jurisdictional project to which 11 project partners have committed since May 2008, including the Estancia Basin Watershed Monitoring Group. She is very proud of the amount of cooperation that culminated in the award of one to two million dollars to the project which will be carried out in Isleta, Chilili, on Forest Service land and on private land. The project is one of five in the United States. In October, she found out that NRCS and the Forest Service could submit proposals. She complimented Ian Fox from the U.S. Forest Service and the Mountainair Ranger District for submitting proposals. She described the role of the Claunch-Pinto and Edgewood districts. The land is in the Edgewood district. Information from NRCS will be submitted right away. The District Manager emphasized what can be accomplished from effective partnerships. She also said that this project will contribute to fire safety in the area.

**Central New Mexico Cooperative Weed Management Area:**

No report.

## **Collaborative Forest Restoration Program:**

### **Ojo Peak Restoration:**

The District Manager reported that sawyers are working in the Abó area, that the forest is closed and that continued work depends on the weather. This riparian restoration project in Ox Canyon was used as a demonstration project in a PowerPoint presentation at a recent CFRP meeting.

### **Red Canyon Project:**

Three hundred acres have been completed with 38 more acres to finish.

Mr. Luna said that 25 people have received wood, donated by Manzano from the project.

## **UNFINISHED BUSINESS:**

### **Future Directions Committee – District Property, Building Progress**

The District Manager reported on the progress on the District's building. She said that the building is 65% complete. She brought carpet, paint, and window blinds samples for Board members to look at. Carpet tiles will be installed, so that damaged carpet can be easily replaced. The furniture, which is currently used by the District in the front office, belongs to NRCS and will be moved to the new building. Some changes to the parking lot will occur. Eighteen acres of trees have been thinned as a demonstration site to show the difference between thinned and un-thinned acreage. NRCS officials visited the site and were impressed with the amount of progress on the building.

### **Land Use Plan**

The Chairman said that the working meeting to address the land use plan has been postponed until the February 7<sup>th</sup> meeting.

### **Envirothon Competition**

The competition will occur in April. Kenneth Lujan and the District Manager will meet with the high school science teacher and the new agriculture teacher next month to plan for the event.

### **52Eighty**

The Chairman introduced Dale Finocchi, Senior Director of Development for the 52Eighty, a wireless tower company, which is asking Board members if they want the District's property to be considered for a possible lease for installation and operation of a communications tower. If so, the Board is asked to sign a memorandum of intent. Mr. Finocchi presented the background on the project. He asked for the exact latitude and longitude of the property and where the District would want the tower to be placed. He talked about his role, the process for considering the site, the construction of the tower and addressed questions and possible issues: liability for injury or damage, effect on taxes, community opposition, impact of a blinking light on the tower, possible benefits to the town, leases to service providers, possible free space on the tower for the District, the rural wireless initiative, how the service to users is delivered, and the extent of wireless of coverage outside of town. **ACTION TAKEN:** Richard Shovelin moved to refer the 52Eighty request to the Building Committee for a recommendation. William Caster seconded the motion. Motion carried. Vote was unanimous.

## **NEW BUSINESS:**

### **Discussion on Proposed CO<sub>2</sub> Pipeline**

The Chairman asked attendees to introduce themselves. Then he called on Mark Mathews, the Assistant Field Manager from the Socorro Field Office of the Bureau of Land Management (BLM) to begin the discussion. Mr. Mathews said that his remarks were intended to brief the Board on the pipeline proposal and that the discussion did not constitute a true scoping meeting. He gave a general briefing on the proposal and described the review process of the pipeline proposal by the BLM. He said

that in September of 2012, Kinder Morgan CO<sub>2</sub> Company submitted an application to the BLM, requesting a right-of-way across public lands for the construction, operation, and maintenance of a CO<sub>2</sub> pipeline to transport CO<sub>2</sub> for enhanced oil recovery at existing oil fields in Texas and Eastern New Mexico. The proposed pipeline would originate at the St. Johns CO<sub>2</sub> field in Apache County, Arizona and would cross three New Mexico counties (Catron, Socorro, and Torrance) and would terminate at the existing Kinder Morgan Cortez Pipeline. Up to four pump stations would be located along the proposed new pipeline route. His office does not have specifics yet on the proposal or the exact location of the possible routes. He said that the process of review is in the beginning stages and public scoping meetings have been held. The purpose of the scoping process is to identify broad concerns related to the project. All of the specific facts are not known during the scoping process, either by the BLM or concerned local residents. Broad general concerns should be submitted at this time. The scoping period ends on January 29, 2014. Comments and transcripts of the scoping meetings will be posted on the BLM's website. After scoping is complete, a draft Environmental Impact Statement (EIS) will be prepared which will analyze the impacts of the project. When the draft is complete, it will be available to the public for comment. The process is expected to take two years or more.

Area residents and landowners expressed concerns and asked questions regarding the proposed pipeline.

Concerns:

Possible location of pipeline route in people's backyards -- principal concern  
Dangers posed to the environment during construction of the pipeline  
Damage to existing plants and trees from herbicides and pesticides used along the pipeline  
Introduction of invasive weeds along pipeline route  
Destruction of soil  
Potential lack of maintenance of the land by Kinder Morgan  
Lengthy amount of time needed for ecosystems to recover from the clearing necessary for the project  
Pollution and/or destruction of area wells, aquifers and ground water  
Potential problems because CO<sub>2</sub> is heavier than air  
Dangerous precedent set for building future pipelines and pumping stations in the county and encouragement of the ongoing misconception that hazardous fossil fuels are the most viable energy option  
Harmful effects of burning carbon-based fuels  
Significant harm to people and environment caused by potential small and large leaks  
Intrusive, harmful effects that on-going maintenance would have on landowner's property and the environment  
Infringement on Individual rights to real and personal property  
Potential decline in property values  
Fear that without careful planning and resistance to non-beneficial infrastructure, area will become an industrialized corridor  
Lack of attention by politicians to concerns of the people in rural Torrance County  
Destruction of natural beauty of the area  
Effect on cultural resources of ancestral lands  
Trespassing by Kinder Morgan on private land  
Denial of access to maps of the proposed routes by the BLM  
Need for cooperating agency status for Clauch-Pinto  
Questions:  
Will Clauch-Pinto comment on the pipeline to the BLM by January 29?  
Can the scoping period be extended?  
Can Clauch-Pinto become a cooperating agency with the BLM?  
How do the conservation district and the BLM assess the risk of polluting the aquifers?

What is the risk to our wells?  
What harmful effects on the land will occur from blasting and other activities during construction?  
What would happen in case of an explosion in the pipeline?  
What economic advantages exist for landowners in Torrance County and the state?  
Why not use existing infrastructure for the pipeline as opposed to damaging untouched land?  
Are there now only two alternative routes instead of four?  
What happens to the land and infrastructure when the pipeline is no longer needed?  
How much property on either side of the pipeline will be needed?  
What is the diameter of the lines, and how much pressure do they carry?  
What is the county's take on the pipeline?  
Does Kinder Morgan have the right of eminent domain, and to what extent will residents be forced to allow the pipeline to cross their property?  
Can local entities recommend routes?  
Will proposed routes cross park or forest land?

Several points were clarified during discussion:

Claunch-Pinto will submit comments by January 29,  
a Kinder Morgan representative will attend the Claunch-Pinto Board meeting of February 7,  
Kinder Morgan representatives have accepted an invitation to walk a proposed route on January 29,  
Claunch-Pinto will request cooperating agency status with the BLM on this issue,  
the national park system will submit comments in a letter from the regional office in Denver, and  
this issue will be taken up during the development of the District's land use plan.

#### **Discussion on the US Fish & Wildlife – Mexican Wolf Issue – Cooperating Agency Status**

Aubrey Dunn, chairman of the Chavez SWCD, explained that his board asked for cooperating agency status for his district with the U.S. Fish and Wildlife Service in regards to the Mexican wolf issue. The request was denied twice, and his district has sent a temporary restraining order and a letter of intent to sue for cooperating agency status to the U.S. Fish and Wildlife Service. He is asking for a memorandum of agreement indicating that the Claunch-Pinto District joins in the Chavez suit. His board has set aside the funds necessary to pursue the suit and is not asking for money from the Claunch-Pinto District for that suit. If the suit is successful, Chavez will ask for reimbursement from the government under its rules. If the suit is not successful, Chavez will go back to the other districts and ask for a voluntary contribution to defray the costs of the suit. **ACTION TAKEN:** Richard Shovelin moved to approve a memorandum of agreement supporting Chavez Soil and Water Conservation District in its suit. William Caster seconded the motion. Motion carried. Vote was unanimous.

#### **REPORTS:**

##### **New Mexico Coalition of Conservation Districts (NMCCD):**

Richard Shovelin referred the Board to his written report, prepared by the District Manager. He added under Partnership Development that he met with the Roosevelt SWCD on behalf of the coalition on December 7. He said that Kim Kostelnik was present at the coalition meeting to report on her efforts with districts regarding Land Use Plan development. The District Manager said that a question came up about whether Ms. Kostelnik could facilitate plan development for other districts. The only way help can be provided without cost is if the district is a member of NMCCD. Another question arose about risk management insurance. (Claunch-Pinto's has paid its fee.) Mr. Shovelin reported that the new boundaries of the East Torrance district were discussed during the meeting and that Valencia SWCD got its mil levy passed with help from Claunch Pinto's District Manager.

##### **South Central Mountain RC&D:**

Brian Greene reported that the group met in December. One topic of discussion was about the fact that some funds are received from counties to help defray operating costs, and that groundwork is being laid to encourage Otero County to contribute funding. Two members of the South Central Mountain RC&D



from Otero county are working with officials of the county commission to inform them about the RC&D's work.

**Estancia Basin Water Planning Committee (EBWPC):**

Mr. Greene said that a meeting was held right before Christmas. He reported that at the last session of the legislature, \$400,000 was allowed for the Interstate Stream Commission to help fund updates of regional water plans. The EBWPC is concerned because there is some talk that the format and requirements for the plans may change. The EBWPC may be the only entity that has provided updates to their plan since plans were required in the early 90's. The update was submitted within the last six to eight months. The concern is that EBWPC's plan may not be accepted or receive funding because the update wasn't developed under the new requirements. EBWPC is working with the Interstate Stream Commission to get it to recognize the plan so that it doesn't have to be redone. A fair share of the funding will be requested to offset costs of updating the plans.

**ASSOCIATE SUPERVISOR INPUT:**

**OTHER:** Mr. Lujan asked for help in recruiting applicants for CSP funding. Applications are due by February 7. Mr. Greene asked for an update on the Sun Zia project. Mr. Mathews said that a decision has been postponed because of objections by the military. An analysis is being conducted. Mr. Shovelin asked whether the county commission is involved. Mr. Candelaria said that the commission is not involved.

**MEETINGS ATTENDED:**

**PLAN FOR NEXT MEETING:**

Mr. Greene suggested that Art Swenka be invited to the next meeting to share his experiences with leasing space to a communication tower.

**NEXT MEETING SCHEDULED:**

The next regular meeting will be held Friday, February 7, 2014 at 8:00 a.m. at Alpine Alley, located at 210 N Summit in Mountainair, NM.

**ADJOURN:**

There being no further business to come before the Board – **ACTION TAKEN:** LeRoy Candelaria moved to adjourn the meeting at 11:45 a.m. William Caster seconded the motion. Motion carried. Vote was unanimous.

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FELIPE LOVATO, JR., CHAIRMAN

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RICHARD SHOVELIN, SEC. – TREAS.