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**MINUTES OF THE REGULAR MEETING
October 11, 2024**

Supervisors Present: Felipe Lovato, Jr., Chairman
Gerald Chavez
Aubrey Dunn
Dale Rose

Absentees: David Cain
Larry Gomez
Jack Lockridge

Others Present: Dierdre Tarr, District Manager
Josh Archuleta
Roy Gibson, Associate Supervisor
Katie Mechenbier, NMDA

CALL TO ORDER:

The regular meeting of the Board of Supervisors of the Claunch-Pinto Soil and Water Conservation District (CPSWCD) was called to order by Chairman Felipe Lovato, both in person and via Zoom at 8:04 a.m.

Welcome Attendees:

The chairman welcomed those present and thanked them for joining the meeting.
The meeting was opened with the Pledge of Allegiance, followed by a moment of silence.

APPROVAL/DISAPPROVAL OF AGENDA:

The board reviewed the agenda. **ACTION TAKEN:** Jack Lockridge moved to approve the agenda. Dale Rose seconded the motion. The motion carried by voice vote: Felipe Lovato, aye; Larry Gomez, aye; Jack Lockridge, aye; Dale Rose, aye.

APPROVAL/ DISAPPROVAL OF MINUTES:

The board reviewed the minutes of September 6, 2024. **ACTION TAKEN:** Jack Lockridge moved approval of the minutes of the September 6, 2024 meeting. Larry Gomez seconded the motion. The motion carried by voice vote: Felipe Lovato, aye; Larry Gomez, aye; Jack Lockridge, aye; Dale Rose, aye.

(A power outage occurred at approximately 8:15.)

TREASURER'S REPORT and APPROVAL/DISAPPROVAL OF VOUCHERS:

The board reviewed the treasurer's report for the month of September 2024 with accounts payable for October.

ACTION TAKEN: Dale Rose moved to approve the treasurer's report for September with accounts payable for October. Larry Gomez seconded the motion. The motion carried by voice vote: Felipe Lovato, aye; Larry Gomez, aye; Jack Lockridge, aye; Dale Rose, aye.

OTHER FINANCIAL MATTERS:

No report.

REPORTS:

NMDA Report:

The NMDA written report was included in board members' packets.

NRCS Report:

The NRCS written report was included in board members' packets.

District Manager's Report:

The district manager noted that attendees at the annual meeting did not take away her district annual report. She will post it on the district's web site. NMACD continues to ask for the annual report, but it has not been submitted as the district is not a member of NMACD. However, the report has been sent to the Soil and Water Conservation Commission.

CORRESPONDENCE:

The letter from Senator Liz Stefanics was included in board members' packets.

UPDATE ON GRANTS:

The district manager reported that most of the equipment has been repaired.

Watershed Health Grant – Water Trust Board:

Two projects have been completed since March.

New Mexico State Forestry Grant:

The district manager met with Juan Sanchez from the Chilili Land Grant, Andrew Alderete from the NMDOT, Kelly Smith from the Central Tri County SWCD, John Formby, and Victoria Sedillo to look at proposals for the Highway 337 project. A contractor has been selected.

Chilili will get all the wood from the project, and the contractor will deliver it to the community building in Chilili.

On the Highway 55 project, each land grant will receive the wood that is cut within its boundary.

Greater Rio Grande Watershed Alliance:

A Greater Rio Grande meeting will be held to review five proposals for the project in the Acoma, Grants area.

Collaborative Forest Restoration Program:

The district manager submitted a fire plan to the Forest Service, which she needs to revise. This is the first time that she has had to submit a fire plan and will have to find a template to find out what the Forest Service wants it to say.

Regional Conservation Partnership Program Grant:

2018 RCPP Funding:

The district manager said that some of the difficulties with field offices have been worked out regarding discrepancies between the GPS shape files provided and the landowners' actual project area boundaries.

2017 RCPP Renewal Funding:

There is a project funded with the 2017 renewal money. The district manager has prepared a contract for SWCA to sign.

FEMA Projects:

The district manager is preparing to send out an RFP on the FEMA project of about 140 acres. She may hire two contractors to work on it.

UNFINISHED BUSINESS:

Capital Outlay:

FY2022/2023 Capital Outlay Funded – Skid Steer, Remaining Amount -- \$49,475.60:

The district manager is required to submit a request to renew the funding. Mr. Gibson said that bids have been requested. It may not be necessary to use the CES contract since the purchase will be for less than \$60,000. Therefore, bids can be received from vendors not on CES.

The district manager also has to submit an application for new money for the vehicles listed on the ICIP. Mr. Gibson said that the application for the new funding is due by December and should be turned in as soon as possible.

Torrance and Lincoln County Wind Energy:

The district manager said that she would follow up with Pattern Energy to ask for a progress report on a quarterly basis since the district is a part of local government.

She has received fire plans from Pattern on current work. She described examples of what is included.

In addition, the district manager has followed up with Public Service Company of New Mexico (PNM) regarding a fire plan for the Western Spirit power line. She was informed that PNM does not consider the local area to be a priority regarding fire. She will invite the person in charge of the company's fire plan to give a presentation to the board on this matter.

Annual Meeting:

The district manager praised Victoria Sedillo's work on the meeting as the major organizer of the meeting and deserves the board members' thanks.

NEW BUSINESS:

No new business.

REPORTS:

South Central Mountain RC&D:

No report.

EBWPC:

The Estancia Basin Water Planning Committee met the previous day. The district manager reported on some of its agenda items. Some equipment has been purchased that will be used in wells that are being monitored. Another agenda item was a proposal to buy audio visual equipment for the Central Tri County SWCD (formerly known as the Edgewood SWCD) to be used to hold hybrid meetings at its office. She learned from the district manager there that the problem is not equipment but the unreliable internet connection.

The district manager said that it was reported that the Interstate Streams Commission will update regional water plans and that a rumor suggests that the Estancia Basin would be placed in the Upper Rio Grande regional water plan. The motive would be to acquire water from the Estancia Basin for Santa Fe, Albuquerque, Rio Rancho and Sandoval County. The question was raised whether the EBWPC should be dissolved. The district manager is the longest serving member of the committee. She reminded the group of the memorandum of understanding among the three counties regarding the

duties of the committee. She is going to meet with a representative of the state engineer's office to find out whether the EBWPC can develop its own regional water plan update. Whether Mountainair is in the Estancia Basin has also been an issue. She urged board members to continue to pay attention to issues raised by the EBWPC. Despite her efforts to recruit members to the committee from the southern area, the Claunch-Pinto district is the only member from the southern part of the basin.

SOIL and WATER CONSERVATION COMMISSION (SWCC) – LAND USE PLAN:

Kim Kostelnik began the review and discussion of the district's draft land use plan by saying that she augmented and improved the section on storm water management, but the board members don't have it in their copy. She added the positions of those responsible for storm water management as well as appropriate statutes.

Continuing from the beginning of the document, Ms. Kostelnik asked for changes or concerns. Ms. Rose stated that the draft is a powerful, important document, and she is excited by its content and substance. Coming from her background as an editor, she said that the document should be presented as cleanly and clearly as possible. Toward that end, she made suggestions regarding wording, sentence structure, punctuation, titles to and legibility of maps and inclusion of citations. She also recommended using a style manual like the *U.S. Government Publishing Office Style Manual* or the *New Mexico Legislative Style and Drafting Manual*. Ms. Kostelnik asked Ms. Rose to provide her with her notes. The discussion continued regarding the content of the draft document.

Mr. Lovato said that he was concerned that agencies like FEMA don't respond to the district's issues. Ms. Kostelnik said that the final document would be sent to the pertinent offices of FEMA and Homeland Security in the region that the district is a part of. She explained what the content of the cover letter should say regarding recognizing the critical role of the district in disaster recovery and wildland fire mitigation plus the importance of the agencies' response in a timely manner to the district's issues.

Mr. Lockridge asked about the use of the USDA data from 2022. Ms. Kostelnik explained when the department updated and published information. Because of COVID, the department has just published 2022 data in 2024, so it is the latest information available.

The question of whether the district has any input into the future of acequias was raised. Ms. Kostelnik said that the acequias have their own statute, and the land use plan can only acknowledge the importance of the acequias. Working with the acequias could be added to the district's objectives in the section on water.

Ms. Rose raised the question of the use of citations. She gave examples of instances where the language itself in the plan came from original sources that should be cited. Mr. Gomez said that the document is a plan and should be functional and easy to read and that nothing should interfere with this objective. Who the reader is should also be kept in mind. He also pointed out that there are different perspectives on scientific research and findings. The plan should be something that can be administered and put into practice. Mr. Lockridge said that the focus of the plan should be on what the district's mission is on getting something done and how that is going to happen. The document is the district's plan and can be agreed with or not. Ms. Rose suggested that a citations page referring to the original sources of language could be included that wouldn't interfere with the readability or the practicality of the document.

Regarding the readability of the plan, Ms. Kostelnik said that definitions of terms that are not in common usage have to be defined. Policies, statutes, and regulations that impact actions of the district also have to be included. The need to work with the local, state, and federal government underlies why these things are included in the document. Mr. Lockridge said that working with other entities, both

government and private industries is prevalent throughout the plan. Mr. Gomez stressed the need for collaboration and cooperation despite the reluctance or resistance of other groups to participate. Various examples were given.

The discussion turned to noxious weeds and the need for definitions that are assumed in discussing them. Ms. Kostelnik explained that they were included but removed. She will put them back in.

Mr. Gibson asked to have input on the section on storm water management and erosion. Ms. Kostelnik said that she will work with him on it. One of his concerns is construction that highly impacts the land. She explained the history of the district in respect to the construction of large-scale construction such as subdivisions. Soil and water conservation districts used to review large projects. Now this is not the case. Discussion followed on what entitles the soil and water conservation districts to get construction companies to provide information. Ms. Kostelnik stressed that the districts don't have powers of enforcement.

Mr. Lockridge said that in reading about the areas that the district has authority over and which need to be considered, he was struck by how so much was achieved by one person. Ms. Kostelnik pointed out that besides the hard work of the district manager without a large staff, the district manager has developed relationships with and contracted for services with companies such as SWCA, other entities, and with individuals such as the forest service and John Formby.

Discussion moved on to what is meant by air quality such as dust generated by plowing or construction and its impact on such things as visibility on roads. She explained that those individuals or entities who create problems with air quality can be asked to use best management practices because their practices are impacting air quality. She is trying to create standing on these issues so that the district is enabled to talk with them. Mr. Gomez said that it important to recognize that in this area ranching and farming are carried out in a windy, desert environment and that these activities plus construction will result in dust. He also said that the weather and terrain also have an impact. Ms. Kostelnik said that some poor air quality can be mitigated by certain practices. She also pointed out that the position of a section of a document does not indicate its priority in practice and she read the statement from the document that says so.

The next topic discussed was water. Ms. Rose asked whether playa lakes are considered discharge or recharge. Ms. Kostelnik will clarify the issue. Ms. Rose asked for clarification on a legislative change in statute made in 2003. Discussion followed about the importance of the statute and its effects on farmers and water rights and how the importance can be emphasized.

Ms. Kostelnik clarified the issue of "exclusion from waters of the United States." She explained why things that will not change are listed, but things which will change are not because they are in litigation. Ms. Rose stated that she thought that the objectives were powerful.

Discussion moved on to the section on grasslands. Ms. Rose thought that readers might be confused by terms like "native invasives" and "noxious aggressives." Examples were given of native plants like chollas and junipers that are native but may be considered to be invasive in grasslands in terms of management. The plan deals with management of these plants in grasslands. Ms. Kostelnik said that she would clarify the use of terms.

The next section considered was on livestock. No changes were made to the previous plan. Ms. Rose asked whether the shifting role of keystone species needs to be addressed in the objectives. Ms. Kostelnik said that she would clarify this area.

Threatened and endangered species was discussed next. Inclusion of birds like the southwest willow flycatcher and the brown pelican was questioned. Ms. Kostelnik explained why these birds are mentioned in the plan. Birds are listed that migrate through New Mexico.

Predator control was addressed. The question was asked whether the plan should say that a sustainable population of predators needs to be preserved as a goal. Ms. Kostelnik explained that in the past the district didn't want to take a stand on sustaining species like the Mexican Gray Wolf, for example. Discussion followed on the pros and cons, with examples of the coyote's impact in an urban setting as well as on cattle, pronghorn, and deer.

The section on wildfire was considered. Ms. Kostelnik will insert the Community Wildfire Protection Plan (CWPP). She has added post fire information to the plan. Mr. Gomez suggested that number 12 on the list of objectives on defensible space be moved to the number one position since so much of the district's efforts are spent on this activity.

Ms. Kostelnik revised the objectives in the section on energy and utilities. She will make sure that rock and gravel extraction is what is referred to under mineral development in the first goal. She reemphasized the fact that the district does not have powers of enforcement but that it does have the authority to talk to companies about concerns.

Ms. Kostelnik explained that special land designations is a term used by the BLM. She asked whether this topic should be retained. She explained that the district has worked with the BLM in the past on certain issues such as designating certain areas as wilderness. It was agreed to retain the topic. Visual resources is also a BLM designation which could be a concern resulting from various treatments. It is also a concern of environmental groups. It was agreed to leave this topic in the document.

Riparian habitat was considered next. It was asked whether the term "channelizations" should be explicitly explained to include arroyos.

The topic of mines and minerals was included because mines are present in the district.

The topic of travel management and maintenance is restricted to the forest service roads. Ms. Kostelnik said that she would make sure that this limit is clear.

The importance of the subject of customs and culture was discussed and how customs and culture underlay what the district does.

There were no changes to goals and objectives stated in the land use plan.

Ms. Kostelnik will revise the document and bring it back to the board in several weeks.

ASSOCIATE SUPERVISOR INPUT:

PUBLIC COMMENT:

OTHER:

NEXT MEETING SCHEDULED:

Regular meeting: Friday, 8:00 a.m. on November 1, 2024 at the Natural Resource Conservation Center, located at 1206 South Highway 5, Mountainair, NM.

ADJOURN:

There being no further business to come before the board, the regular meeting of the Claunch-Pinto Board, Larry Gomez moved to adjourn at 10:57 a.m. Dale Rose seconded the motion.

DAVID CAIN, VICE CHAIRMAN

GERALD CHAVEZ, SECRETARY