

**South Central New Mexico Stormwater Coalition
Regular Meeting
February 26, 2015
Held at the BLM Las Cruces Field Office Conference Room
Minutes**

The meeting was called to order by Chairman Zack Libbin at 1:30 p.m.

Participants introduced themselves. Attendees included:

Zack Libbin-- Chairman

Paul Dugie, Doña Ana County Flood Commission—Vice Chairman

Sam Calhoun, DASWCD—Secretary

Slim Whitlock, Village of Hatch, Caballo SWCD

Susan Downs, Caballo SWCD

Joe Delk, DASWCD

Rusty Stovall, Bureau Land Management

Conrad Keyes, Jr., Paso del Norte Watershed Council

Jessica Knopic, Bureau of Land Management

Corey Durr, Bureau Land Management

Casey McGuire, EBID/CSWCD

Anthony Hom, Bureau Land Management/Reality

Dennis McCarville, EBID

Joseph Navarro, Bureau Land Management/Minerals

Robert Armijo, Dona Ana County

Leo Barrett, EBID

Gary Esslinger, EBID

Naomi Ontiveros, EBID

(Blue color indicates Coalition member representative)

Slim Whitlock motioned and Joe Delk second to approve the January 16, 2014 minutes. Motion carried.

Zack advised all members and guest present that the meeting was being recorded for the purposes of accurate minutes.

Anthony Hom, BLM Reality Specialist, introduced himself and advised he would be going over right of ways (ROW), leases, and permits. Anthony begins with noting there are currently 20 ROW's considered high/significant hazard rating (HSHR). BLM understands the reason for the HSHR is due to the downstream risk. He suggests there are two options to help mediate the risks. One being maintenance and the second redesign the structure to meet current flood protection. The ROW holder is the responsible party to maintain maintenance, which he understands can be a hardship. He acknowledges concerns related to cost of removal of sediment and proper disposal. He adds BLM has worked with ROW holders to help find solutions. Jim Covey asked the question why it is a case by case basis. Anthony advised that each case needs to be researched and each ROW has limits. Paul Dugie adds the flood commission and the BLM have worked together on The Little Hallow Wilson to remove the sediment but adds it is costly to do once again; which it is in need of. He asks what easy process could be done. Anthony suggests they may need to amend the current ROW to include additional facilities and may consider an emergency stabilization effort. He adds if you have a ROW it is your right to maintain at any time. Gary

Esslinger has a question within ROW. Anthony proposed a maintenance request letter be sent to Bill Childress prioritizing by most important dams. It was advised a letter for each dam and permission request be sent providing maintenance request with sufficient information. Making sure request is associated with existing ROW; proposal needs to be within OSE guidelines as well. BLM would like to have O&M plan provide information about ROW. ROW's vary even with an O&M plan some maintained annually and some rarely. Gary: Dam inspections need BLM participations. Zack: Especially when new personnel. Anthony suggests sending a second letter requesting permission to do maintenance; he reminds it is a case by case basis. ROW holder can maintain at any time with BLM concurrence with request; stockpile is not ideal. Stockpiles need to be removed eventually for capacity for future maintenance is valuable.

Dave adds that weather stations outside of ROW must be submitted for approval. A categorical exclusion to provide ROW fast. Gary asked on accessing a weather station. Anthony responds weather station access to weather stations will need documented access. Dave adds that even if access to dam not was not documented with ROW, access will be allowed.

Dave adds that the issue of mineral issue is separate from ROW issues. The new mineral manual is 182 pages and he believes all sediment behind the dams is minerals. It was once stipulated on ROW due to minerals needing to be avoided. There will be a long term lease for disposal site but does not want to keep building up a mountain as it will flow back into the river. Mineral materials program 43CFR3600 process for free use permits. Amount to be removed less than 50k cubic yards. EA7-8h permits is 180 days for BLM to do; EA 11-12h private and quicker; CX is much simpler permit. Must specify location and for reclamation document fill and maintenance activities; permit request for 10 years.

Gary asks if IBWC gives a ROW to anyone private or not; can BLM allow ROW to DAC? Public benefit is also being removed none can be sold or bartered. Defining public benefit as removal. The charge can only be for removal and cannot sell it or barter it. Zack adds there are funding opportunities for maintenance. Rusty Stovall adds maybe the Army Corps of Engineers could help.

In summary BLM highly recommends knowing your ROW and get your ROW amended for your specific needs. Dave adds dam maintenance permissions requests will not be held up.

Next Meeting Discussions: March 19th meeting will be held at Sunland Park to discuss Anapara and Sunland Park issues. Tentatively scheduled for April 16th to discuss Sierra issues and to conduct an organizational meeting.

Meeting adjourned 4:00 pm.