

## JIM WINDER: IT'S ABOUT OPEN SPACE

**"I WASN'T BORN** on the ranch," explains Jim Winder, "but as soon as I got out of the hospital I was back on the ranch." He is talking about the ranch near Nutt, NM, that his family has worked for four generations. These days Jim can once again be found back on the ranch, after several years of working on conservation developments around New Mexico.

According to Wikipedia, conservation development is defined as "a controlled-growth land use development that (allows) ...limited sustainable development while protecting the area's natural environmental features in perpetuity, including preserving open space landscape and vista, protecting farmland or natural habitats for wildlife, and maintaining the character of rural communities."

For Jim, the concept evolved naturally after he observed the way ranch sales were taking place in New Mexico. "The economics of ranching are terrible, so I needed to find something different," he explains. "What came to me was that I couldn't afford to buy a ranch, and I was seeing people buying ranches for recreational purposes and then struggling with the management. I thought we should get together. The idea came, and then it got more defined" in the years to follow.

The developments that Jim and his partners have worked on in collaboration with NMLC have led to the permanent conservation of nearly 24,000 acres.

"I started with Lake Valley Ranch — that was a small project" he says. "At that stage it was just me trying to figure things out. Cougar Mountain Ranch and Berrenda Creek Ranch were next. I began to be able to hire people and grow our organization but we were always out on the fringes. Deer Canyon Preserve was

attractive because it was a big chunk of deeded land and it was close to Albuquerque so the recreation value was high."

The method that Jim and his partners used was to purchase large ranches that were in the path of development and use conservation development to pay for and protect them. Rather than sitting behind computers to plan where the home sites and roads would be placed, they went out and got to know the properties. "It's harder work to do planning that way, because it's tons of walking and you have to learn how to read the land," he says. "But if you look closely, the land will tell you where to put roads and houses for the least impact."



Jim points out that you can use development as a tool to pay for the property, and move to the question of how much open space you can maintain. He and his partners, with careful planning, managed to preserve about 95% of the open space in all of their projects.

He believes that the development of scenic New Mexico ranches is inevitable. "Too much development is bad, but it's a relative thing. Some people are totally against grazing, but really grazing can be good or bad, depending on factors like timing and intensity. Some types of development are much less disruptive than others. The idea with conservation development is to maintain as much open space as you possibly can."

"In grazing we consider that the land has a carrying capacity — it's the same thing for development." Jim explains. "There are ways to build roads and homes that have minimum disturbance of natural processes and flow patterns. This type of planning is harder to do, but it is worth the effort."

*(continued on page 6)*

## Board of Directors

**Joseph R.T. Montoya**  
*Chair*

NM Mortgage Finance Authority  
Albuquerque, NM

**Dale Armstrong**  
*Treasurer*

TLC Plumbing and Utility  
Albuquerque, NM

**Moo Thorpe**  
*Secretary*

Sotheby's International Realty  
Santa Fe, NM

**Anthony L. Benson, PhD**  
*Founding Member/Past Chair*  
Rancher  
Taos, NM

**Sayre Gerhart**  
Architect  
Corrales, NM

**Cullen Hallmark**  
Garber & Hallmark, P.C.  
Santa Fe, NM

**John F. McCarthy, Jr., Esq.**  
Cuddy & McCarthy, LLP  
Santa Fe, NM

**Elizabeth H. Richardson**  
*Founding Member*  
Conservationist  
Los Angeles, CA

## Advisors

**Sid Goodloe**  
*Working Lands Advisor*  
Carrizo Valley Ranch  
Capitan, NM

**Jack Wright**  
*Chair Emeritus/  
Land Conservation Advisor*  
New Mexico State University  
Las Cruces, NM

## Staff

**Scott Wilber**, *Executive Director*  
**Beth Mills**, *Conservation Director*  
**Kris Murphey**, *Comm. & Org. Dev. Mgr.*  
**Lisa Adkins**, *Admin. & Finance Manager*  
**Ariel Patashnik**, *Conservation Specialist,*  
*Earth Care AmeriCorps Cadre*

[www.nmlandconservancy.org](http://www.nmlandconservancy.org)



## NEW STAFF

### BETH MILLS

**NMLC IS PLEASED** to welcome Dr. Beth Mills as our new Conservation Director. Before joining NMLC in June, Beth worked for ten years as a Planner for Santa Fe County's Open Space and Trails Program where she provided expertise in long range planning, GIS analysis and land acquisition, skills which are great assets in her new position as our Conservation Director.

In addition to her concentration on the conservation of critical landscapes in the American West, she is interested in the relationships between communities and their environment. Beth's work as a Cultural Geographer (Ph.D., UC Davis) has led her to research and teaching appointments in the West Indies, Hawaii, California, Washington D.C., Colorado, and New Mexico. She has two adult children who, as it turns out, love to study and travel as much as she does. ❖

# THE DIRECTOR'S CORNER:

# MOVING FORWARD

**DEAR FRIENDS,**

**IT'S** hard to believe that another year has already flown by. At this time last year, we were celebrating our 10th anniversary and the milestone of protecting 100,000 acres of high-conservation value land around the state. Now, as we turn our eyes toward the future and our ambitious goal of protecting one million acres over the next 25 years, we realize that, now more than ever, our role as a statewide land trust offers both opportunities and challenges.

The land trust community in New Mexico is small, and the past years have been difficult organizationally and financially for many groups. Two smaller land trusts have transferred their easements to us over the past two years when their leadership decided

to dissolve their respective organizations. We are honored by their faith in us and determined to ensure that NMLC remains a resource to other groups with complementary goals, while continuing to work with landowners across the state to put high conservation value land under permanent conservation.

In a time of competition for scarce funding resources, there is a temptation to sacrifice our long-term goals to keep our work going in the short-term. But with your help, we can ensure that our communication and collaboration — both within the conservation community and with the greater public — remains robust. The conservation community in New Mexico is stretched thin, and our mission to serve the entire state is one

that can be very resource intensive. As we watch non-profits around the state struggle with difficult choices, we feel it is important to strengthen our organization in order to uphold the commitment we have made to the public, which is to steward our protected lands in perpetuity.

To that end, in addition to our ongoing conservation and stewardship efforts, we are pursuing three strategic goals:

- To conduct outreach around the state to help landowners and others understand the value of land conservation;

- To complete professional accreditation through our national Land Trust Alliance, a process which will provide external confirmation

that we are a solid organization operating according to the best practices of the private land conservation industry; and

- To collaborate with other conservation organizations to augment each other's efforts.

One can easily become disheartened with what's is going on in this country right now — or perhaps better said — what's not going on, most notably at the national level with Congress's inability to get anything done due to partisan politics. With regard to some of the key legislation that directly affects our private land conservation work: we still don't have an extension of the federal tax deduction for conservation easements, we



From left to right: Scott Wilber (Executive Director, NMLC), Rand Wentworth (President, LTA), Sen. Martin Heinrich, Jameson French (Vice-Chair, LTA Board of Directors)

*(continued on page 4)*

*(Letter continued from page 3)*



### *Wyss Scholars Visit Petchesky Conservation Center*

**NMLC WAS VERY** pleased to host a retreat by the Wyss Scholars this summer at our headquarters in Santa Fe. The Wyss Scholars Program supports the graduate-level education of a new generation of leaders in western land conservation. Wyss Scholars learn the latest in conservation science and policy and apply that knowledge in careers at land management agencies and non-profit conservation groups. For more information, go to: <http://wyssfoundation.org/fellows-scholars/scholars/>.

still don't have a new Farm Bill and we still don't have full or even substantial obligation of the Land and Water Conservation Fund. The recent shutdown of our national government has only made matters worse by further delaying progress on these and a host of other important issues.

But that's where non-profit organizations like the New Mexico Land Conservancy come in — to fill in the gaps between what cannot be done by our governments or our elected officials with direct action at the grassroots level. In our case, we have protected another 20,000 acres of land since the beginning of 2012, thanks largely to the foresight and generosity of our private landowners and donors combined with a very helpful state tax credit.

And we are going to continue moving forward — one new landowner, one new donor and one new partner at a time — until we have reached our goal. There is strength in numbers, and we hope that you will join the rising tide of grassroots private land conservation in New Mexico toward the pursuit of a common goal — to preserve our precious and unique natural, cultural and agricultural heritage.

Adelante,

*Scott Wilber*  
Executive Director ❖

# NMLC BOARD PROFILE:

## CULLEN HALLMARK

**WHAT INSPIRES CULLEN** Hallmark, a busy attorney in private practice — who, in his free time, would really prefer to be out backpacking or running a river — to devote significant time sitting in NMLC board meetings or in front of the computer reviewing documents related to conservation easements?

He explains it this way: “I am grateful for the amount of time I have been permitted to spend out of doors. Doing things outdoors has always been a major part of my life, and I want to help preserve that opportunity for others.”

Cullen has been involved in conservation projects for many years, and his involvement with NMLC grew out of his service on the board of the Southern Rockies Agricultural Land Trust (SRALT). “When that land trust ceased operations and its easements were transferred to NMLC in 2011, I moved over from SRALT’s board to NMLC along with those easements. The two organizations were managed in very different ways, but both have done some excellent work. I’m very pleased to be working with NMLC.”

In addition to his involvement with NMLC, Cullen began working with the Quivira Coalition in about 2001. Among other things, he co-manages its Red Canyon Reserve near Socorro. Consisting of 320 acres, Red Canyon Reserve is being used to develop innovative land management techniques and to document how the land responds over time to the implementation of best practices. The project now has over ten years of data, and the results are clear and dramatic. “It is extremely rewarding to watch how this abused piece of land has responded,” Cullen says. “We think that our lessons should be shared, and that many other properties can have similar benefits.” He is also a frequent volunteer with projects sponsored by the Forest Service, Valles Caldera National Preserve, and New Mexico Wildlife Federation.



Though El Paso is his home town, Cullen has always felt a connection to New Mexico. “I’m not a native but I grew up three miles from the state line. I have lived in Santa Fe for 37 years and have been visiting since I was a child. What I like most about the state is its diversity in many forms: population, culture, geography, and ecological niches.”

He believes that there are many more conservationists than people care to admit. “People are afraid to embrace the term because it seems extreme, but most of us do have places we want to protect. My sense is that many people don’t know how to preserve the places they love. It would be nice if more people understood how to take action, instead of just accepting destruction as inevitable. People need to understand that there are many options. Conservation easements are not the only way to conserve our special places, but they can be a very useful tool.”

One of the things that is most attractive about easements, from his perspective, is the collaboration between landowners and other entities.

As an attorney, Cullen has a broad civil practice, with an emphasis on real estate, probate and estate planning, and civil litigation. He has been with the Santa Fe firm of Garber and Hallmark, PC, since its formation in 1986. His wife Jone is an illustrator, and son Grayson is 18 years old and planning to study architecture.

We are very glad that Cullen is working with NMLC to dispel the misconceptions about land conservation and help make the options known. ❖

*(Winder continued from page 1)*

Bringing ranches in as part of the deal just happened, Jim says, because he “kind of always had ranched.” It works for him, because in both ranching and development “it’s about the large tracts of open space. And it fundamentally changes the economics of ranching for the long term. Originally I couldn’t buy ranches because they had (development) potential beyond what the cows could pay for.” By combining thoughtful development with conservation easements and ranching — the Heritage Ranch concept — he is able to keep the land in agricultural production while reducing its potential sales value, which makes it much more affordable for the generations down the road. And of course there are tax incentives that can help finance the whole process.

But he knows not everyone in the agricultural community is ready for the idea. “I was a little bit unusual in the ranching community because I saw an opportunity to work with the conservation community,” explains Jim. “In all honesty, ranching wasn’t that great financially and I preferred to try new ideas over going broke doing the same old things.”

His positive experience has borne out. Not only is he involved in conservation for profit, but he has been involved with several non-profits as well. Along with Courtney White and Barbara Johnson, two conservationists he worked with while on the

board of the Rio Grande Chapter of the Sierra Club, Jim helped found the Quivira Coalition in 1997. The mission of the Quivira Coalition is to build resilience by fostering ecological, economic and social health on western landscapes through education, innovation, collaboration and progressive public and private land stewardship. “We started with a newsletter, which Barbara Johnson was really good at, and Courtney was

really good at organization,” Jim says. “It was the right thing at the right time.”

He and his wife Katrina have put several properties under easement working with NMLC. “Conservation easements aren’t the end-all but they are a very valuable tool. And they’re customized to

each situation. They are a tool like a hammer — you start to build something and not every house is going to end up the same.”

He says that NMLC has been “a really good ally. I know there are ranchers who get scared, but they should know this has been a really good relationship and that’s a big deal to me.”

As for alternative energy, which Jim has built into some of his projects, he would like ranchers and other landowners to know “It’s just a new value, and as you manage your land base you need to understand the values society puts on it. The values



Deer Canyon Preserve

used to be mining, timber, and cattle. Then came recreation and conservation ... and now energy. It brings with it opportunities and threats, and you gotta get it all figured out.”

He continues to pursue conservation as a shared value, more so than many other ranchers would be comfortable with. “To me, endangered species have value,” he says. “And indeed people will pay you money to help conserve them.”

In the end, Jim is proud that he and his family are still on the ranch. “We’re still out here. It sounds flippant but it’s really not, because in ranching, to survive is to win.” And furthermore, “a lot of people have helped out and we’ve conserved some important things.”

“You can measure by acres, impact, whatever. When we started people thought we were crazy to combine development with ranching. It’s really caught on.”

He says that ranching involves more than the immediate concerns of caring for livestock and trying to make a profit. “A rancher needs to understand he’s in both the livestock business and the land business. You have a responsibility to manage the land and take care of it for future generations.” ❖



Berrenda Creek Ranch

**Join us November 8th as we present  
Jim Winder with the  
Jane Wing Petchesky Conservation  
Award at our Celebration of Land  
Conservation in New Mexico  
at the  
Santa Fe Farmers’ Market Pavilion!**

**For more information, see  
[www.nmlandconservancy.org](http://www.nmlandconservancy.org)  
or call us at 505.986.3801.**

# NEW MEXICO'S WORKING LANDSCAPES

## SEE A LATE SUMMER GREENING

**AS MONSOON SEASON** draws to a close and our easement monitoring season kicks into full gear, we at NMLC have been happy to witness the revival of New Mexico's grasslands, woodlands and forests. Though much of the state still suffers from severe drought, late summer rains brought a bit of respite to ranchers and wildlife across the state after a very dry winter and spring.



Ancones Ranch

Few areas of New Mexico have been graced with as much rain this season as Catron County, where NMLC recently celebrated the completion of a 2,800-acre conservation easement over Rito Springs Ranch. The rolling grasslands and piñon-juniper woodlands of this ranch have been worked by the same family for generations. With funding from the U.S. Natural Resource Conservation Service (NRCS) Farm and Ranchland Protection Program, NMLC was able to permanently conserve

a significant portion of Rito Springs Ranch, bringing the total area of working grasslands, woodlands and forestlands protected by NMLC in Catron County alone to over 9,800 acres.

In the northwest, NMLC was excited to complete our first easement in Cibola County at the end of 2012. The El Morro Valley easement protects 850 acres of grasslands up into

the foothills of the Zuni Mountains, just north of El Morro National Monument. The property is home to a certified organic, grassfed cattle operation on land that has been grazed by both native peoples and Spanish settlers for hundreds of years. We were grateful for the opportunity to help conserve a landscape with such rich history and scenic beauty. This property continues to provide food to local markets and co-ops. We hope that this easement sparks a trend of private land conservation in this beautiful and culturally rich part of the state.

Traveling east across the mountains, NMLC continues to make progress on working lands conservation in the Hi-Lo Country of northeastern New Mexico. Partnering with landowner Greg Moore and the NRCS, NMLC is working to protect over 22,000 acres of sustainably-managed ranchland east of Wagon Mound in Mora County through a series of phased easements. The first easement over more than 7,000 acres of Wagon Mound Ranch was completed last year, and the two pending easements



over the remaining 15,000 acres will permanently protect important rangeland and wildlife habitat that forms part of the Canadian River watershed.

NMLC sees great opportunity for strategic conservation of large areas of private land in the northeast, and we are currently working on a computer model to highlight which parts of this region hold the most potential for conservation impact. Greg Moore was excited to report that Wagon Mound Ranch got three inches of rain one day this past September – a good omen, we hope, for working ranches and the associated wildlife habitat in the Hi-Lo Country and across the state.

These new landowner partners, along with those we have worked with over the past eleven years, have given us a broader appreciation for the importance of conservation on working landscapes. Looking forward, we hope to continue the momentum that allows us to permanently protect working ranches for the benefit of agriculture, wildlife, and the rural communities who steward this shared resource.



Catron County

In June, NMLC completed an easement over 288 acres of land adjacent to the Santa Fe National Forest in San Miguel County. This property, affectionately called “Creeky Springs” after an old bedspring that was discovered in the creek, is owned by the Forest Trust, a non-profit conservation organization based in Santa Fe. The Forest Trust holds a conservation easement over approximately 2,500 acres south of Creeky Springs, so with the completion of this new easement, NMLC and The Forest Trust have together permanently conserved a large buffer of land adjacent to the Santa Fe National Forest. The property is bisected by Sebadilla Creek, which supports an impressive stand of willows, cottonwoods, and other wetland vegetation whose fall colors are in great display this time of year. Creeky Springs is home to bears, turkeys, elk and other diverse wildlife. NMLC was pleased to partner with Henry Carey and the Forest Trust to conserve this special place. ❖



Pedernal

# WAYS TO LEAVE A LEGACY: RETAINED LIFE ESTATE

**A LANDOWNER CAN** donate real property to NMLC — a home, vacation home or farm — and continue to use it during his or her lifetime.

A Retained Life Estate is when the landowner makes an irrevocable gift to a non-profit like NMLC, and retains the entire use and responsibilities of ownership. The remainder interest to NMLC is a gift, and qualifies for a charitable deduction. Couples can make a gift in which both owners retain full life use, and NMLC cannot use or sell the property until both have passed away.

With a gift of a Retained Life Estate, the donors deed the property to NMLC at the time of the gift, but reserve the right to live on and use the property during their lifetimes. At the end of the donors' lives, the property is owned in its entirety by the non-profit. The size of the charitable

deduction is based on the life expectancy of the donor or donors and the appraised value of the property.

The gift of a retained life estate offers several advantages:

- The donors continue to use and enjoy the property through their lifetimes
- The donor is entitled to an income tax deduction in the year the gift is made
- The proceeds from the sale of the property after the donor's death by NMLC will support the protection of more land in the region.

For more information on how to arrange a Retained Life Estate, or other ways of giving to NMLC, contact Scott Wilber at (505) 986-3801.



# PNM FUNDS TRAIL CONSTRUCTION AT PETCHESKY CONSERVATION CENTER

**THIS FALL**, NMLC staff embarked on a conservation project very close to home. In September work began on a trail construction and land restoration project on our land at the former Petchesky Ranch. This project was made possible with support from a PNM 30th Anniversary Grant, awarded to NMLC in August.

The one-mile nature trail will honor the legacy of Jane Petchesky and, through interpretive signage, highlight the history of the Petchesky Ranch and the local environment. Development of the trail is part of an effort to expand our outreach to the community and to make the trail accessible to our neighbors, although initially the trail will only be open for the public to enjoy during NMLC business hours.

NMLC contracted with Reineke Construction to design and lay out the one mile pedestrian trail loop on 44 acres just north of our office. A work day on Saturday, October 5th, allowed volunteers the opportunity to visit our property and help put the finishing touches on the trail while experiencing our center's beautiful setting.

On Saturday, October 19th, Aaron Kauffman of Southwest Urban Hydrology led a workshop demonstrating restoration techniques for areas impacted by erosion close to the new trail location. The workshop provided an opportunity for community members to learn techniques that they can apply to projects on their own properties.

NMLC was excited to work directly with community members, the Trails Alliance of Santa Fe, students from Santa Fe Community College, and the Richards Avenue and Rancho Viejo neighborhood association on this project. With help from PNM, NMLC will continue to honor Jane Petchesky's wish that her beloved ranch be conserved and serve as a resource for the enjoyment and education of the community. ❖



PNM Representatives Amy Miller (front and center) and Claudette Horn (back row center) visit with NMLC staff and board member Cullen Hallmark



Trailbuilders work to control erosion along the trail

**NEW MEXICO  
LAND CONSERVANCY**

Conserving Land. Preserving Heritage.

P.O. BOX 6759, SANTA FE, NM 87502

NON-PROFIT ORG.  
U.S. POSTAGE  
PAID  
ALBUQUERQUE, NM  
PERMIT NO. 1888

Printed on recycled paper.

[www.nmlandconservancy.org](http://www.nmlandconservancy.org)

# Dust off your Boots

for

## *A Celebration of Land Conservation in New Mexico!*

**FRIDAY, NOVEMBER 8, 2013  
6:00 PM - 10:00 PM**

### **SANTA FE FARMERS' MARKET PAVILION**

- Presentation of the Jane Wing Conservation Award to Jim Winder
- Vintage cowboy western swing by Syd Masters & The Swing Riders
  - Guest speaker Hampton Sides, author of Blood and Thunder
- Delicious locally-sourced western buffet dinner by The Mine Shaft
- Local moonshine tasting • Silent auction of unique regional experiences

**TICKETS \$125 PER PERSON**

To order tickets send check to:

NMLC Celebration of Land Conservation, P.O. Box 6759, Santa Fe, NM 87502

For credit card charges call Lisa Adkins at 505.986.3801

**HOPE TO SEE YOU THERE!**

**THANK YOU TO OUR  
SPONSORS:** PNM, Los Alamos National Bank, Century Bank, Navajo Engineering and Construction Authority, Alphagraphics Santa Fe, Dale and Gail Armstrong/Montosa Ranch, Chama Peak Land Alliance, John Dupuy, Sayre and John Gerhart, New Mexico Tax Credit Alliance, Elizabeth Richardson, Michael Scisco & Neri Holguin, Dave Simon, Sierra y Llanos LLC (Werner and Helen Muller, Managers), Sotheby's International Realty and WA Group P.C. (Taos CPA LLC, AbqCPA LLC, Santa Fe CPA LLC and Heritage Trust Company), Wild Birds Unlimited of Santa Fe and Albuquerque, Hutton Broadcasting and KSFR 101.1 FM.