



*Montosa Ranch*

## **NEW MEXICO LAND CONSERVANCY**

### **ANNUAL REPORT**

**2004**

*Working to preserve New Mexico's precious land heritage by protecting productive agricultural lands, critical wildlife habitat, and scenic and recreational open space for the benefit of local communities, the public and future generations of New Mexicans.*

## A Letter from our Board,

We are pleased to report that by the end of 2004, the New Mexico Land Conservancy (NMLC) successfully partnered with landowners and public and private entities to complete nine conservation easement projects protecting over 46,000 acres of land across the state of New Mexico. Special lands protected over the past year included productive farms and ranches, critical wildlife habitat and scenic open space.

Of these nine projects, five were projects that we initiated and completed on our own, ranging in size from a 380-acre easement on the east side of the Aldo Leopold Wilderness near Winston, to an easement encompassing over 30,000 acres on the Montosa Ranch, located near the Very Large Array west of Socorro. The Montosa Ranch is the cornerstone project featured in *Saving the Ranch*, a book on ranchland protection co-authored by two of our board members and recently released from Island Press. The remaining four projects involved conservation easements that were transferred from the Taos Land Trust (TLT) because TLT determined that they were outside their core service area and felt that NMLC would be better suited to manage them. NMLC takes the transfer of easements as seriously as easements that we complete ourselves, and appreciates the confidence that both TLT and the landowners have in us as the new holders of these easements. We intend to do our best to ensure that these easements continue to be stewarded as well as they were under TLT's watch.

2004 was an important year for many different reasons. The addition of a Director of Conservation and a part-time Administrator to our staff increased our capacity in the areas of outreach, land protection and stewardship, and administration. Staff and board jointly undertook a comprehensive strategic planning process, which involved interviewing representatives of all of the major land trusts, conservation/environmental organizations and land management agencies as well as key leaders, decision-makers and policy makers around the state. This process has resulted in a clearer definition of vision, mission and strategic goals, as well as a name change that better reflects the organization's primary focus on direct land conservation.

2004 was also the first year that the recently-passed New Mexico Land Conservation Incentive Act went into effect. This legislation, on which NMLC worked with TNC and other conservation groups to help pass, creates a tax credit for New Mexico state taxpayers who donate land or perpetual easements for conservation purposes. Landowners who make such a donation can earn a tax credit against 50% of the value of their donation up to a maximum of \$100,000. NMLC is excited about the potential that this tax credit has to serve as an additional incentive for landowners to protect their land.

But 2004 will also be remembered as a year of increased Congressional scrutiny of land trusts and conservation easements due to some unfortunate abuses that have occurred around the country over the last few years involving inflated appraisals and tax deductions on a limited number of conservation easement transactions. The probable outcome of this Congressional inquiry is likely going to be tighter requirements for and more scrutiny of the appraisal process used to determine the value of conservation

easement donations for tax deduction purposes, as well as of the process of defining the conservation values and public benefits that is required to qualify an easement donation as a charitable contribution for tax deduction purposes. Many within the land trust community anticipate that it is very possible that the Congress may even require some form of regulation for land trusts. In response to this, the national Land Trust Alliance (LTA), of which NMLC is a member, has updated and strengthened its *Standards and Practices*, which provides guidelines to land trusts regarding all phases of operation, land conservation and stewardship. LTA is also taking the unprecedented step of developing a formal accreditation program in which NMLC intends to participate as soon as the official guidelines and accrediting entity are established.

In accordance with its strategic plan, the Board is reviewing its own policies and will adopt new and more comprehensive policies and procedures as necessary to ensure compliance with LTA's *Standards and Practices* and to continue guiding the organization through its operations and increasingly complex transactions and situations. Examples of new policies and procedures adopted this year include a conflict of interest policy, project selection criteria and an easement transfer/amendment process. NMLC recognizes that clear policies and procedures will help ensure that all conservation projects meet all federal and state criteria for conservation purposes and public benefit, and that all projects are completed in a responsible and ethical manner.

NMLC wishes to acknowledge the many individuals, businesses, organizations and foundations who have helped maintain the organization on solid financial ground. For fiscal year (FY) 2004 (July 1, 2004 – June 30, 2005), our total cost of operations was \$225,848.45 and we raised a total of \$197,346.26 of direct operating revenue (not including Stewardship Endowment Fund contributions). About 70% of this direct operating revenue came from a variety of foundation grants, and the remainder came from a combination of individual contributions and professional service fees. In addition, by the end of FY2004, we had raised an additional \$98,000 in contributions to our Stewardship Endowment Fund, increasing the total amount in this fund to \$127,185.17. The Stewardship Endowment funds are specifically set aside to enable NMLC to adequately monitor and enforce the conservation easements it holds into the future.

NMLC is proud of it has been able to accomplish after only three years of operation as a statewide, nonprofit land trust, but as New Mexico continues to grow at unprecedented rates, it will be essential for NMLC to prioritize its efforts to ensure that the most important lands in these areas get conserved before it is too late. Our continued success will only be possible with the continuing support of our contributors and partners and the generosity of private landowners, along with more hard work by NMLC's Board, staff and partners. But with your support, we are confident that we can play a significant role in helping ensure that New Mexico remains the "Land of Enchantment."

### ***Board of Directors***

Jack Wright, *Chair*  
Joseph Montoya

Dave Johnson  
Tony Benson

Elizabeth Richardson  
Anthony Anella

## Conserving New Mexico's Land Heritage

Generous landowners and our supporters made it possible for the New Mexico Land Conservancy to protect nine important properties throughout the state in 2004, bringing the total number of protected lands to 46,000 acres. The following conservation easements were transferred or donated directly to NMLC in order to protect their important agricultural, wildlife habitat and scenic open space values.

### Conservation Easements Completed by NMLC

#### ❖ *Montosa Ranch Easement (Socorro County)*



Located along U.S. Highway 60, approximately 15 miles west of Magdalena, the Montosa Ranch easement comprises an area of over 30,000 acres of mixed pinyon-juniper grassland between the Gallinas Mountains to the north and the Plains of San Augustin to the south. The ranch, which is adjacent to the Cibola National Forest, is known for its prime elk habitat, but it also supports a variety of other important wildlife species, including mountain lion, black bear, coyote, mule deer, pronghorn antelope, Merriam's wild turkey, Gambel's and scaled quail, and mourning dove. The ranch is also located near the Very Large Array of radio-satellite dishes, operated by the National Radio Astronomy Observatory.

Through an interesting partnership between the landowners, NMLC and a conservation-oriented landscape planning/architectural firm, the Montosa Ranch will now be protected forever as a working cattle ranch that includes an innovative limited development. Under the terms of the easement, the Montosa Ranch retains the right to sell seven homesites. Restrictive covenants provide that the owner of each of the 640-acre homesites can only build within a prescribed ten-acre area. With the exception of the seven reserved homesites, the easement specifies that there can be no further subdivision or development of the ranch, although it permits those improvements necessary to support the cattle ranching and other agricultural activities. The Montosa Ranch easement is a significant conservation achievement in and of itself but when put in the context that it is adjacent to the 95,000 protected acres on the Double H Ranch to the north, donated to the Rocky Mountain Elk Foundation in 2002, and approximately 300,000 acres of Cibola National Forest land to the east, it becomes an important part of and contributes to a much larger protected landscape.

❖ *Melton Easement (San Miguel County)*



This easement is located immediately north of State Highway 104, approximately two miles east of Las Vegas, and includes approximately 1,015 acres of open grassland which comprise part of an approximately

11,550-acre ranch owned by Pat and Marylena Melton. The property is located approximately two and a half miles north of the Las Vegas National Wildlife Refuge and provides tremendous views of Las Vegas and the Sangre de Cristo Range which forms the city's spectacular mountain backdrop. Traditionally, the ranch has been used for livestock production. Since completing the easement, the Meltons have sold half of the easement property to Doug Hendrickson and Wayne Kennedy, who intend to live on the property and breed horses. The Meltons will continue to periodically graze cattle on their half of the easement property.

❖ *Dethlefsen Easement (Sierra County)*



*Lyle and Vera Dethlefsen*

Located near Winston, in the foothills of the Black Range of southwestern New Mexico, this easement comprises approximately 380 acres of land, consisting primarily of mixed pinyon-juniper woodland and montane grassland and a small riparian area along a stretch of Monument Creek.

The Property is adjacent to the Gila National Forest and is located approximately three miles from the Aldo Leopold Wilderness boundary. The landowners, Lyle and Vera Dethlefsen, have allowed no livestock grazing since acquiring the property and wanted to ensure the permanent protection of its wildlife habitat and scenic values.



❖ *Cougar Mountain Ranch Easement (Torrance and Lincoln Counties)*



This ranch easement, granted by Jim and Katrina Winder, protects approximately 6,160 acres of mixed pinyon-juniper woodland and grasslands along the eastern and southeastern flanks of the Gallinas Mountains. The Property provides excellent habitat for elk, mule deer, pronghorn antelope, mountain lion, black bear, and a variety of small mammals and birds. The Property includes scenic open space that acts as a buffer to the adjacent Cibola National Forest lands and affords scenic views from U.S. Highway 54 and State Highway 42 of the Gallinas Range and the Jicarilla Mountains. Two national forest roads provide access to the Cibola National Forest. The property is divided into two parts. The northern portion of the ranch is located along State Highway 42, approximately five miles northwest

of Corona in Torrance County, and is bordered by the Cibola National Forest to the south. The southern portion of the ranch is located along U.S. Highway 54, immediately west and southwest of Corona in Lincoln County, and is bordered by the Cibola National Forest to the north and west. The ranch also includes two U.S. Forest Service grazing leases of 10,810 acres (the Corona allotment) and 9,340 acres (the Cougar Mountain allotment), respectively. The ranch is used for cattle production, ecological research and passive recreational use. The ranch headquarters includes several buildings and provides a base for part of the Heritage Ranch Institute, a non-profit organization that conducts research associated with the ecological impacts of ranch and land development. The landowners have subdivided approximately 2,000 acres of adjacent land into 50 forty-acre lots. Deed restrictions and restrictive covenants have been placed on these lots, limiting homesite development to one-acre building envelopes that have been designated. Through recreational use easements that have been granted by the landowners, the homeowners have access to the easement property for passive recreational uses (hiking, horseback riding, wildlife viewing, etc.).

❖ *Berrenda Creek Ranch Easement (Sierra County)*



This ranch easement, also granted by Jim and Katrina Winder, is located in the foothills of the Black Range, west of State Highway 27, approximately 17 miles southwest of Hillsboro. The easement comprises approximately 7,447 acres of deeded land, which are interspersed with Bureau of Land Management (BLM) and New Mexico State Trust lands. The Berrenda Creek Ranch holds associated grazing leases on 4,900 acres of BLM land and approximately 8,860 acres of State Trust land. The property consists primarily of Chihuahuan Desert grassland and scrub, but also contains some pinyon-juniper woodlands at the higher elevations, and riparian zones along Berrenda and Jaralosa creeks and some of their associated tributaries. The ranch provides excellent habitat for elk, mule deer, pronghorn antelope, javelina, mountain lion, black bear and a variety of small mammals and birds. Several cultural sites exist on the property, including pueblo house block ruins and numerous petroglyphs. Portions of the property are highly visible from State Highway 27, which has been designated

as a Bureau of Land Management National Backcountry Byway. The northwestern portion of the property is located approximately one mile from the Gila National Forest boundary. Two county roads provide access to the nearby Gila National Forest. The property is bordered to the south by the Double Lightning Ranch and to the east by the Lake Valley Ranch, both of which are also owned by the landowners and have conservation easements on them already. The Double Lightning Ranch easement comprises approximately 3,500 acres and is held by The Nature Conservancy. The Lake Valley easement comprises approximately 1,800 acres and is held by the Southern Rockies Agricultural Land Trust. The Property is currently used for cattle production, ecological research and passive recreation. The ranch headquarters includes several buildings and provides a base for part of the Heritage Ranch Institute, a non-profit organization that conducts research associated with the ecological impacts of ranch and land development. The landowners have subdivided approximately 3,750 acres of adjacent land into 75 lots ranging from 40 to 60 acres in size. Deed restrictions and restrictive covenants have been placed on these lots, limiting homesite development to one-acre building envelopes that have been designated. Through recreational use easements that have been granted by the landowner, the homeowners have access to the proposed easement property for passive recreational uses (hiking, horseback riding, hunting, wildlife viewing).

## Conservation Easements Transferred to NMLC

### ❖ *Homans Easement (Santa Fe County)*



*NMLC's Director of Conservation, Scott Wilber, with Helenty Homans*

NMLC's smallest conservation easement, this two-acre easement transferred from the Taos Land Trust was part of a project designed to preserve highly productive farmland and provide affordable housing within the traditional community of Pojoaque. Although the property is now owned by the Santa Fe Community Housing Trust, Helenty Homans, the original grantor of the easement, continues to live on the property and be a strong advocate for conservation and social causes.

### ❖ *La Tier Easement (Colfax County)*

This easement, transferred from TLT, protects 20 acres of wildlife habitat and open space along State Highways 72 and 526, northeast of Raton, near Sugarite State Park. Charlotte La Tier, the landowner, placed the property under an easement to protect it from subdivision and to ensure the permanent preservation of its natural habitat and scenic beauty.

### ❖ *Tyson Easement (San Miguel County)*

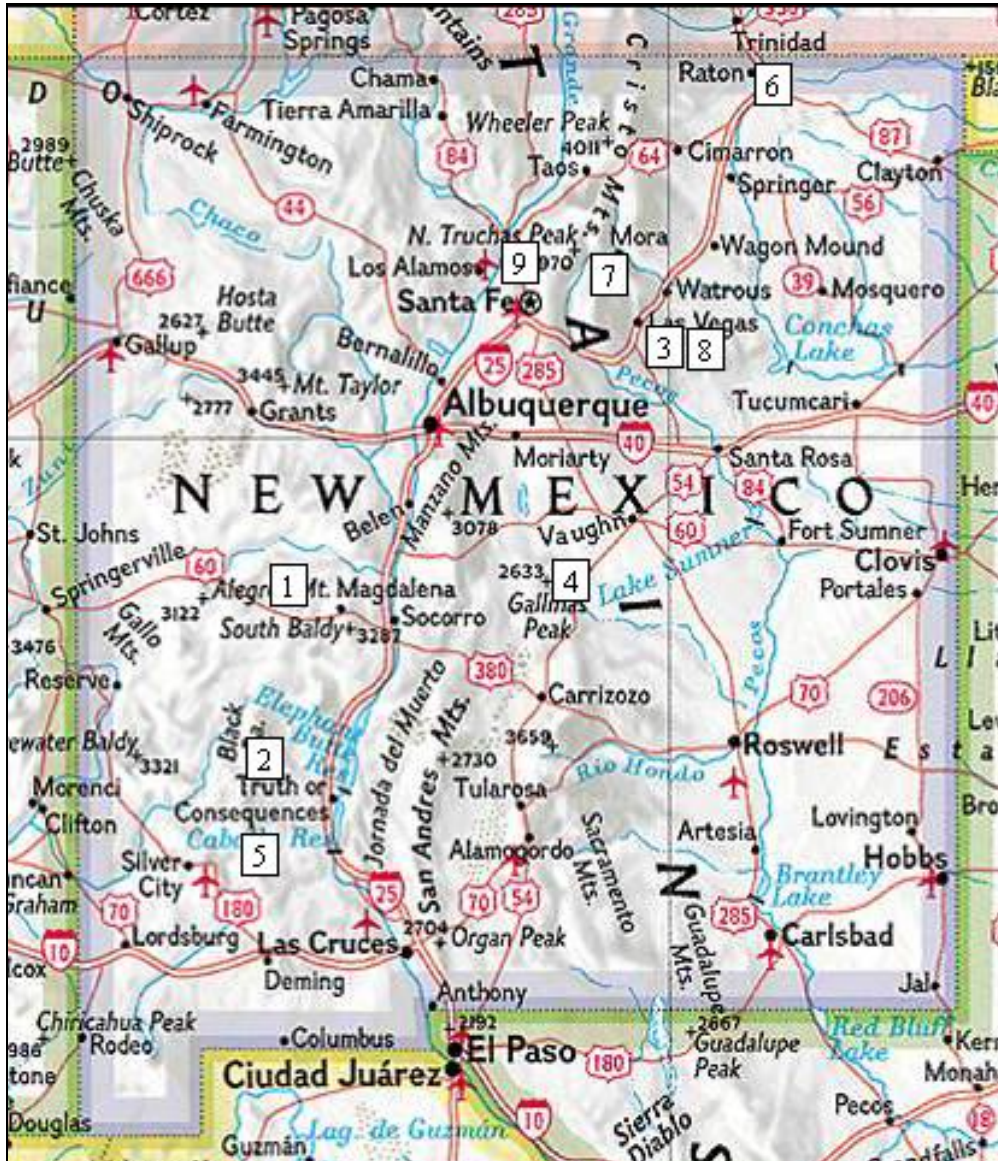
This easement, transferred from TLT, protects 58 acres of irrigated farmland, southeast of Las Vegas, along State Road 281, near the main entrance to the Las Vegas Wildlife Refuge. Frances K. Tyson, the landowner, wanted to protect the land from subdivision and retain the spirit of a small family farm. Today, the land is being farmed by Tyson's daughter and son-in-law, Helen and Werner Muller.

### ❖ *Zaplin Easement (San Miguel County)*

This easement, transferred from TLT, protects 103 acres of forested land and riparian habitat along Maestas Creek. Located in Maestas Canyon, near Rociada, the property is bounded by national forest land on two sides and the Pecos Wilderness Area on a third side. The landowner, Mark Zaplin, wanted to ensure that the property would never be subjected to improper development given its location next to a wilderness area.



**NEW MEXICO LAND CONSERVANCY  
CONSERVATION EASEMENTS COMPLETED IN 2004**



**Completed by NMLC:**

- (1) Montosa Ranch (30,828 acres)
- (2) Dethlefsen (380 acres)
- (3) Melton Ranch (1,015 acres)
- (4) Cougar Mtn (6,160 acres)
- (5) Berrenda Creek (7,447 acres)

**Total Completed: 45,830 acres**

**Transferred to NMLC:**

- (6) La Tier (20 acres)
- (7) Zaplin (103 acres)
- (8) Tyson (58 acres)
- (9) Homans (2 acres)

**Total Transferred: 183 acres**

**Grand Total: 46,013 acres**

## **Other Accomplishments**

### **❖ *Strategic Plan, July 2004 - 2009*** ***Executive Summary***

New Mexico is blessed with an impressive and unique array of important agricultural, natural and open lands that are inextricably tied to the quality of peoples' lives, the health of our ecosystems, and the economy our of state. We are also fortunate that many people understand and appreciate the values of these lands and care enough to work to conserve them. At the same time, continuing population growth from residents and in-migrants combined with a widespread desire for accelerated economic growth threaten many of the areas that people find special for so many different reasons.

As pressures continue to increase, it is essential that these crucial lands get conserved, particularly during the next decade when the future of so many places will be determined for all time. New Mexico's existing land conservation organizations focus on a variety of thematic (i.e., conservation values) and/or geographic areas, but services do not exist for lands with certain conservation values throughout much of the state. The New Mexico Land Conservancy (NMLC) will fill those gaps. Our mission is to preserve New Mexico's precious land heritage by protecting productive agricultural lands, critical wildlife habitat and scenic open space throughout the state for the benefit of local communities, the public and future generations of New Mexicans.

In the next decade, NMLC's goal is to conserve directly, or in partnership with others, 250,000 acres of these most important lands - especially properties of landscape-scale significance and other open lands that facilitate the protection of agricultural productivity, scenic views, wildlife habitat, and water quality and quantity, or that provide recreational opportunities. As a critical part of this work, NMLC intends to become a sustainable organization with the human, technical, financial, organizational and other resources required to monitor and defend conservation easements in perpetuity and to continue to do high quality conservation work using first-rate practices. By becoming a statewide information resource and doing outreach, we will also provide landowners, their advisers and other entities with timely, accurate information about the techniques and benefits of private lands conservation.

In collaboration with others, we will pursue the most essential needs and opportunities to ensure that New Mexico's public policy enables, supports and encourages land conservation. As our internal capacity expands, we will also work more at the national level. Finally, we recognize the importance of strengthening New Mexico's capacity for land conservation. Accordingly, when requested by others or when a need is perceived, we will offer workshops and other capacity building opportunities.

To better align our name with the adjusted mission, we decided to change our name from the New Mexico Land Conservation Collaborative to the New Mexico Land Conservancy. We invite you to join us in accomplishing these ambitious goals, and welcome your inquiries, comments, suggestions, contributions and involvement.

### ❖ *Land Conservation Strategy*



*View toward the Gila Wilderness*

In order to determine how best to allocate our resources, as part of the strategic planning process, we developed an initial land conservation strategy based upon existing analyses done by The Nature Conservancy, The Wildlands Project, American Farmland Trust, Natural Resources Conservation Service and others; information gathered from the strategic planning interviews; our own knowledge of the state the work being done by other organizations.

As expected, an enormous set of needs and opportunities arose, as well as many varied potential partnerships with other land conservation organizations, community groups and government entities. As a relatively new organization, over the next two years, we will employ a primarily opportunistic strategy, responding to requests for assistance in protecting properties with the highest conservation values of agricultural lands, wildlife habitat, scenic views and recreational opportunities. We intend to focus our efforts on projects of landscape scale significance, although we recognize that there are important unmet needs and opportunities for smaller scale, community-based projects. Two or so years out from now, our goal is to undertake a much more rigorous, GIS-based, analysis to help us better define land conservation priorities and opportunities throughout the state.

### ❖ *Statewide Open Space Funding Initiative*

NMLC was invited to participate in a statewide working group set up by Governor Bill Richardson to explore the potential and make recommendations for the creation of a permanent, statewide funding source for open space and land conservation. A bill was eventually introduced into the State Legislature and,

although the Legislature did not approve a permanent funding source during its last session, it did approve a \$5 million appropriation to the New Mexico Department of Game and Fish for conservation of critical wildlife habitat and open space.

## Current Conservation Projects

### ❖ *Corrales Farmland Preservation Program*



The Village of Corrales is a traditional, historic community located on the Rio Grande River between the metropolitan areas of Albuquerque and Rio Rancho. Concerned by the rapid rate of growth and development in the surrounding area and within the community, Corrales created its Farmland Preservation Program in 2002 to preserve the agricultural, scenic and open character Corrales through the acquisition of conservation easements on important farmland within the village. In 2003, Corrales received a grant through the USDA Farm and Ranchland Protection Program (FRPP), administered by the

U.S. Natural Resources Conservation Service (NRCS), which provides partial funding for the purchase of easements on prime farmland. In August 2004, Corrales passed a bond measure to create a local funding mechanism that could be used to leverage and match state and federal grants for farmland preservation. With funding available, NMLC was contracted by Corrales in January 2005 to assist them with the implementation of their farmland preservation program. NMLC is responsible for negotiating and drafting option agreements and conservation easements with participating landowners; preparing baseline documentation; coordinating with the Corrales Farmland Preservation Committee, the Corrales Village Council, NRCS, other partners, appraisers and other contractors; and assisting Corrales with grant writing and outreach. NMLC currently has three conservation easements under option and is working on a fourth easement project with The Trust for Public Land. NMLC anticipates completing these four projects by September 2005.

### ❖ *Lake Valley Easement Transfer*



At the end of 2004, NMLC completed two conservation easements on “Heritage” ranches owned by Jim Winder: the Cougar Mountain Ranch (6,160 acres) located in central New Mexico and the Berrenda Creek Ranch (7,447 acres) located in the southwestern part of the state. NMLC is currently working with the Southern Rockies Agricultural Land Trust (SRALT) to transfer the 1,800-acre Lake Valley Ranch easement, on property that is also owned by Jim Winder and is adjacent to the Berrenda Creek Ranch, from SRALT to NMLC.

### ❖ *Tijeras Canyon*

Early in 2004, a group of concerned citizens, non-profit conservation organizations and government agencies banded together to form the Tijeras Canyon Safe Passage Coalition (TCSPC) with the goal of creating a wildlife corridor between the Sandia and Manzano mountains to ensure safe passage of wildlife across the I-40 corridor. Tijeras Canyon has been identified by the Carnivore Working Group as one of the top four wildlife corridors in New Mexico, and by the Wildlands Project as one of the most important wildlife corridors in the southern Rockies. NMLC was asked to join the coalition in June 2004 to assist with the protection of key private lands within Tijeras Canyon, including lands owned by the Carnuel Land Grant, GCC Rio Grande cement company and other key private lands. During TCSPC’s start-up period, NMLC’s Director of Conservation served as a member of the coalition’s Land Use and Planning Subcommittee, which is responsible for identifying appropriate areas for wildlife crossings and pursuing opportunities to protect key private lands with the goal of making the corridor a reality.

## ❖ *Bioresearch Ranch*



This 5,000-acre property is located southeast of Rodeo in the heart of the Peloncillo Mountains, approximately 50 miles north of the Mexican border, in the extreme southwest part of the state known as the “Bootheel.” The Peloncillo Mountains have been identified by The Nature Conservancy (TNC), the World Wildlife Fund and the Wildlands Project as one of the most significant areas within the state in terms of biodiversity, and as a critical link in an important north-south wildlife corridor between the Gila Range to the north and the Sierra Madre Mountains to the south in Mexico. The property is ecologically classified as being part of the Chihuahuan Desert Ecoregion. It contains a variety of unique plant communities and species, and is noted for its avian fauna. It also provides habitat for a variety of wildlife species

including cougar, javelina, and deer. There is speculation that jaguar have occurred on the property. The current landowners acquired the property in 1972 and have been operating the “ranch” as an ecological research site/facility ever since. The property is located just south of lands that were acquired by TNC and conveyed to the Bureau of Land Management as part of the Owl Canyon Wilderness Study Area. The property is also located just to the west of the Animas Valley where the Malpais Borderlands Group has protected over 300,000 acres of working ranchland with conservation easements. Both TNC and the Malpais Borderlands Group have a strong interest in seeing the property protected. Although the landowners excluded livestock grazing when they acquired the property, the property has served as an important control area to compare grazed land with ungrazed land. The landowners approached NMLC in mid 2004 to explore the potential of protecting the property with a conservation easement. The landowners are committed to protecting the property and NMLC is looking into potential sources of funding to cover the transactional and stewardship fund costs associated with completing a conservation easement.

## Final Thoughts About Our Organizational Development

NMLC is in a critical juncture of its evolution, having successfully started up, achieved important land conservation successes, and determined its strategic direction for the next five years. Now we must begin to move towards sustainability which requires ongoing land conservation success, continued organizational development, and expanding and diversifying our funding support.

Between our five-member Board of Directors and two-member staff, NMLC has considerable land conservation and stewardship experience as well as expertise in other key areas such as non-profit management, organizational development, public policy and fundraising. We intend to gradually increase the size and diversity of the Board to 10-12 members, being sure to thoroughly acculturate, orient and train new board members. Our Board focuses on policy-making, governance and strategic planning while our staff is responsible for most of the implementation and all of the day to day work of the organization.

NMLC intends to become a sustainable and successful statewide land conservation organization. Accordingly, we are devoting substantial resources to organizational development because we know these things are essential for us to continue to do high quality, best practices land conservation work and to be able to monitor and defend our conservation easements in perpetuity. This includes ongoing development of policies, processes and structure across all functional areas in keeping with our own knowledge of what makes a strong non-profit as well as with LTA's *Standards & Practices*, which are technical and ethical guidelines for operating a first-rate land trust.

Investments that we believe would be of most impact include support for: (1) general operating funds, (2) development of a major donor program, through either a direct grant for that work and/or support to add a fundraising professional to the staff, and (3) outreach, information and communications of all kinds, with website development topping the list. We invite you to support our organizational development and to join us in achieving our ambitious land conservation goals.

### *Staff*

Scott Wilber, *Director of Conservation*  
Laura Gaetjens, *Administrator*



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