Disaster, healing, action

2022 brought devastating wildfires and a difficult recovery, as well as climate-protecting methane safeguards, a victory for stream access, and a dramatic final chapter for a costly and polluting coal plant. See Year in Review, Page 7.

Clockwise from top left: Las Vegas resident Anita Gonzales and her son evacuating wildfires and burned trees courtesy Anita Gonzales; San Juan Generating Station at its peak production, by Mike Eisenfeld/San Juan Citizens Alliance; boater navigating wire fence on Rio Chama put up by landowner by Scott Carpenter; methane flare by Don Schreiber

Inside:

Farmington drops effort to revive San Juan coal
The city and its corporate partner announced Dec. 20 that their plan to reopen San Juan with carbon capture was not feasible. Page 3.

NM lawmakers consider climate, water
An economy-wide climate-justice bill and water funding are likely to be introduced in the New Mexico legislative session that starts in January. Page 5

Caja del Rio likely to close to shooting
BLM publishes notice of intent to close some Santa Fe County properties to firearm discharge except for lawful hunting. Page 9

‘Sierran’ publication information

The Rio Grande Sierran is published four times a year, in January, April, July and October, by the Rio Grande Chapter of the Sierra Club as a benefit for members in New Mexico and West Texas. The opinions expressed in signed articles in the ‘Sierran’ are the opinions of the writers and not necessarily those of the Sierra Club. Products and services advertised in the ‘Sierran’ are not necessarily endorsed by Sierra Club.

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Donate My Vehicle Today!
City abandons plan to revive coal

BY MONA BLABER
Communications director

In December’s last days, the drama over the fate of San Juan Generating Station came to a surprisingly swift conclusion. On Dec. 21, the City of Farmington, a 5% owner of the now-shuttered coal power plant, announced it was abandoning its attempt to take the plant and sell it to Enchant Energy for a $1.4 billion retrofit.

The scheme was already on shaky ground, with no too many permits or buyers for the coal, plus unsung and inefficient technology that would have made the coal power, already the most expensive electricity resource, even less cost-effective. But it was an arbitration panel’s Dec. 14 rejection of Farmington’s request for an order to halt other owners from auctioning off plant equipment that was apparently the last straw.

In 2017, majority owner and operator PNM announced that San Juan was too expensive to continue operating and that the last two of the plant’s four units would be retired in 2022. On-the-ground communities and advocates had long called attention to the plant’s expense and damage to health, air and water quality and climate.

The final stack at the 924-megawatt San Juan plant burned the last of a stockpile of coal on Sept. 29, immediately lowering utility bills because of lower fuel charges. But Farmington city leaders had planned to use an agreement with the other eight owners to buy the abandoned plant, sell it to developer Enchant Energy and reopen it after installing equipment they claimed would capture 90% of the plant’s carbon pollution.

Sierra Club and other environmental and community advocates opposed the project because carbon-capture technology has failed wherever it has been attempted in the U.S. and has never come close to the 90% capture rate that Enchant promised. In addition, it does nothing to reduce the health-harming pollution like nitrogen oxide.

“The carbon-capture conversion was unrealistic in reviving a polluting plant that has failed elsewhere where it has been attempted in the U.S. and has never come close to the 90% capture rate that Enchant promised. In addition, it does nothing to reduce the health-harming pollution like nitrogen oxide,” said Sierra Club’s northern New Mexico Group board member.

“I spent over 20 years as an industrial chemist at San Juan Generating Station and El Paso Natural Gas. What Enchant proposed would never work, well and would have been in constant upset/breakdown mode and constantly polluting our air,” said Norman Norvelle, a Farmington resident, and Sierra Club Northern New Mexico Group board member.

“I can see clearly now. I can’t believe how clear the air has been since the closure of San Juan Generating Station,” said Norvelle.

Before, the air only became clear after a rainstorm, Norvelle said. “Now it is that clear most of the time.”

“The solar and storage replacement power approved in 2020 were slated to bring $1 billion in investment in the communities most impacted by San Juan. With pandemic supply chain and other delays, it is uncertain upon PNM to work with the developers to overcome these obstacles and get those projects online as soon as possible. Analyses showed that the San Juan Solar facility, slated to begin construction this year in the same school district, will replace the entire property-tax base of the coal plant. PNM’s plan to replace the services of the San Juan coal plant with clean energy, and New Mexico’s groundbreaking Energy Transition Act, position the state and utility as potential leaders in reducing costs to customers, supporting the communities that have served the energy needs of the state, and meeting critical climate goals,” said Jeremy Fisher, Senior Advisor at Sierra Club. “Enchant Energy’s attempt to keep this coal plant online would have maintained years of climate and noxious emissions, added novel and dangerous waste streams to the community, and undermined the region’s ability to lead clean-energy development.”

With the passage of the Inflation Reduction Act, the City of Farmington now has the opportunity to aggressively pursue clean-energy incentives in the form of direct-pay tax credits for solar, storage, and wind, support low income customers through added tax credits and federal rebates, and even use EPA’s new grants program to drive down the cost of decarbonizing the Four Corners region,” Fisher said.

San Juan Mine owner Westmoreland sealed the mine in early December. Converting San Juan to carbon capture would have cost Farmington and Enchant an estimated $1.4 billion, and 365 of the plant’s 924 megawatts of power would have been consumed just to run the carbon-capture equipment.

Norvelle highlighted the need for proper cleanup now that the plant’s fate is confirmed. “Over 50 years of damage was done to the environment. From releasing plant wastewater effluent into the Shumway Arroyo to air pollutants and mercury into the San Juan River watershed to plant solid and liquid waste disposal into unlined surface mine pits. There will be need for extensive cleanup and monitoring to verify cleanup of the contaminants. Sampling and monitoring should be done by 3 or 4 different organizations to ensure completeness and honesty.”

Other owners plan to submit a demolition plan by Dec. 31, according to PNM officials. Environmental and community groups will monitor the plan to advocate for proper reporting, monitoring and enforcement to remediate the plant’s pollution.

Stay lets PNM off hook for undermining ETA savings

BY MONA BLABER

If you’re a PNM subscriber, you should be seeing $8-$10 credits on your electric bill every month now, thanks to Energy Transition Act bonds and the closure of the costly coal-fired San Juan Generating Station.

You should be seeing those credits, but you aren’t, because PNM has delayed the bond issue and received a State Supreme Court stay on a Public Regulation Commission ruling requiring the credits.

PNM closed the costly coal plant in September. In 2020, New Mexico’s Public Regulation Commission approved plans for PNM to close San Juan, switch to cheaper renewable energy and battery storage, and pay off the plant’s remaining debt with low-interest bonds. Combined, those changes would lower the average customer bill by more than 36%.

However, the utility quietly revealed this year that it wouldn’t issue bonds until after its upcoming rate case is decided — potentially 18 months. In the meantime, PNM will collect more than $100 million and continue collecting operating and maintenance costs on a plant that no longer operates.

Western Resource Advocates, Prosperity Works, Coalition for Clean Affordable Energy and other groups filed a PRC motion to require PNM to credit customers for the savings they should be seeing from the bonds.

PRC hearing examiners agreed, saying PNM was “galloping” the public and recommending that the utility be required to issue a customer credit that would amount to $0.40 a month to the average ratepayer, — about $160 over the course of the 18 months.

The commission unanimously voted to order PNM to issue the credits. Partial credits started when the first two units were shutted in June.

But PNM appealed to the New Mexico Supreme Court, which has stayed the credits pending a final decision. Environment and consumer groups are intervening at the Supreme Court and in the PRC rate case that PNM filed in November, so stay tuned. Moving from coal to clean energy costs, PNM and you aren’t, because PNM has delayed the bond issue and received a State Supreme Court stay on a Public Regulation Commission ruling requiring the credits.

PNM did pre-fund the other major benefit from the ETA bonds, the $40 million paid to a retired community. The funding goes through state agencies, which have paid some of the worker severance and transition but haven’t identified projects to receive community funding yet.

Frontline community groups including Diné CARE, Navea and San Juan Citizens Alliance, are advocating for Navajo and local community projects such as regenerative farming and solar installations rather than the companies’ harmful proposals for hydrogen production and liquefied-gas transport.

The groups have requested to meet with agency representatives to urge speedy disbursement of the community funding for an equitable energy transition.
I t’s easier to think about the irony of a weatherman who denies climate change now that the re-election of Gov. Michelle Luján Grisham is in hand. The thought that after a summer of fires and floods, we’d be faced with reversals of carefully crafted policies, born of the Governor’s 2019 Climate Executive Order, and that we’d be scrambling to defend our progress, was enough to chill my climate-warmed heart.

But that was not the case. Voters in New Mexico recognized the urgency of acting on the climate crisis, and that urgency was echoed by young voters throughout the country. Offering further faith in voters, almost all election deniers seeking higher office lost their bids, and while (according to the polls) we were all grappling with the meaning of the current economy, democratic stability won the day.

A commitment to democracy is at the core of our Chapter’s work and that of the Sierra Club. And I want to thank each of you who engage so deeply with us in those efforts. This election season our volunteers, led by Political Chair Richard Barish, carried out dozens of endorsement interviews with well qualified, climate-committed candidates. And many of you joined him and dozens of other leaders in writing, calling and walking for these candidates. Because of your efforts, we held our environmental majority in the state House, and we’ll work in the coming 60-day legislative session to pass comprehensive climate-justice legislation along with a host of other bills to protect our air, water and communities.

So now we’ll need you at the Roundhouse with us (whether virtually or in person). As always, we’ll brief you daily (by email) and weekly (by Zoom) about the happenings at the Legislature and how you can help. Our grassroots lobbyists (you) make all of the difference in speaking for environmental bills because you are in every district in the state, speaking meaningfully about the issues and are as passionate about these issues as their urgency demands.

We wish you cozy holidays and some winter peace and quiet, and then we’ll see you at the Roundhouse!

Welcome new Executive Committee members

In December, Sierra Club Rio Grande Chapter members elected members of our group and chapter executive committees. Each term on group excoms lasts two years, and chapter seats run for three years.

Welcome to our new excom members!

Chapter
Diane Reese
Tricia Snyder
Derrick Toledo

Northern New Mexico Group
Chris Calvert
Ken Hughes
Norman Norvelle
Carlos Trujillo
Joe Wells

Central New Mexico Group
Susan Gorman
Jessica O’Callahan
Terry Owen
Laurine Zunner

Southern New Mexico Group
David Baake
Howie Dash
Gayle Fagin
Mary Katherine Ray

El Paso Group
Ann Falknor
Laurence Gibson
Carolina Greenfield
Jerry Kurtyka
Elizabeth Walsh

The Pajarito Group is planning to rejoin the Northern New Mexico Group, which surrounds it, pending a chapter excom vote in January.

Thank you to all for dedicating your time to protect New Mexico and Texas water, climate, wildlife and people!

Check that mailbox! Your contributions make us work

Every year, local Sierra Club chapters mail our year-end appeal to you, our terrific members. We rely on your donations to fund the Rio Grande Chapter’s six staff members, volunteer organizing and resources that help foster victories here in New Mexico and West Texas.

This year has been truly extraordinary. We have all been impacted by multiple crises, from ongoing pandemic impacts to the deterioration of our democracy and climate disasters forcing people to flee their homes. Together, we are rising to meet the challenge. Rio Grande Chapter members show up day after day. In 2022, we achieved Clean Cars standards in New Mexico, an EPA ozone designation for El Paso that means Texas will have to start requiring its biggest polluters to clean up their act, and strong requirements to slash climate-damaging methane pollution. Our volunteer activists and organizing were a key part of a David-vs.-Goliath effort to defeat multiple hydrogen bills at the 2022 Legislature.

We need that energy and organizing to pass economy-wide climate-justice legislation in the 2023 legislative session, and we rely on your contributions to fund this work. Please donate at rioriadventures.org/donate (or scan the QR code with your phone) or return the form you received in the mail. Thanks for helping us fight for a better and healthier New Mexico and West Texas.
I t feels like it was just yesterday that I was coming back home after a long 60-day legislative session in February, and now, everything is ramping back up again. We have an opportunity to make real change for our planet, the climate and our communities in New Mexico.

This year is a “long” 60-day legislative session starting Jan. 17, and there will be many exciting opportunities for Sierra Club members to provide input and participate (sometimes late into the night) in the process. Below are a few of the bills we are expecting and will be advocating for or against in the next session:

CLIMATE & ENERGY

Climate Solutions and Just Transition

This legislation will put into law aspects of Gov. Michelle Lujan Grisham’s Executive Order on Climate Change and create a comprehensive framework for addressing climate change in New Mexico. Building on the Energy Transition Act, which focuses on the energy sector, the Climate Action Act will likely require a 50% reduction in greenhouse-gas pollution across all economic sectors by 2050 and a 90% reduction by 2050. It grants broad authority to all state agencies to implement the rules necessary to achieve the reduction targets and protect against climate damage. The bill also establishes a coordination requirement for overburdened communities and Tribal nations and creates a Just Transition Fund to coordinate financial resources and government programs to support economic transition of communities most impacted by fossil-fuel pollution and production. It also creates a Resiliency Office and a statewide Climate Investment Fund to address climate-related emergencies and to ensure efficient allocation of federal Inflation Reduction Act dollars for energy efficiency, methane reduction programs, environment and justice block grants, and clean cars and trucks.

Oil and Gas Reform

Legislation likely will be introduced to reform and modernize the 1935 Oil and Gas Act to more adequately protect the public interests at stake today. When the Oil and Gas Act was enacted more than 85 years ago, the negative impacts of oil and gas development were not yet apparent. Today, we know that oil and gas development is a major contributor to the climate crisis, creates serious health damages from air pollutants; and disproportionately harms frontline communities. It’s long past time the act was updated to take account of all interests. The New Mexico Oil and Gas Justice and Reform Act would expand the duties and authorities of the Oil Conservation Commission and Oil Conservation Division to include protection of the environment, protection of public health, and meaningful involvement of all the public — especially communities of color, low-income communities, and tribal and indigenous communities who bear the brunt of oil and gas operations. The bill would also expand and diversify the composition of the three-member Oil Conservation Commission, charged with making statewide rules, to include two additional members appointed by the Legislature.

Climate Investment Center

Creating legislation recognizing a healthy environment as an inherent and generational right of New Mexicans to become legislators by allowing additional time to propose, address and improve legislation. It would provide a salary for legislators, increasing the opportunity for New Mexicans to become legislators and expanding the diversity of those elected. It authorizes year-round and permanent staff by allowing additional time to propose, address and improve legislation. It would provide a salary for legislators, increasing the opportunity for New Mexicans to become legislators and expanding the diversity of those elected. It authorizes year-round and permanent staff.

New Mexico’s 60-day legislative session begins Jan. 17. Sierra Club and many other organizations will advocate for transformative legislation like a comprehensive climate bill and low-income utility rates. Contact us at sierracublegrand@gmail.com to join our team and learn how to make a difference with your legislators.

Low-Income Utility Rates

This bill will require electric and gas utilities to provide a low-income rate. The goal is to bring the average low-income user to an energy burden of 5% or less of annual income. 19 other states already offer a low-income rate.

LANDS, WATER & WILDLIFE

Conservation Fund

Establishes a new conservation fund to help protect New Mexico’s communities from the threat of wildfire, flood, and drought while growing the outdoor economy in rural and urban areas. State investments must be made in the 2023 session to unlock millions of dollars in federal support. Federal Inflation Reduction Act funds cannot flow through to New Mexico without a substantial state fund or consistent conservation investment. Over $3 billion is available nationally in the IRA for forest health, wildfire resilience, river and watershed restoration, and conservation.

Strategic Water Reserve

This bill would provide $25 million to the Strategic Water Reserve. The Reserve, created by the Legislature in 2005, is a pool of publicly held water rights dedicated to 1) ensuring New Mexico can meet commitments in our interstate river compacts and 2) assisting New Mexico in protecting threatened and endangered fish and wildlife, including habitat restoration work. The Strategic Water Reserve is an important tool that can be employed in sustaining environmental flows to our rivers to ensure sustainable and climate-resilient water systems that meet the needs of all water users. A key component of supporting these efforts is adequate and consistent funding and ensuring dedicated agency capacity for implementation.

Water Governance Reform and Climate Resiliency

See article on page 6 on the Water Policy and Infrastructure Task Force.

Wildlife Reform Bill

Sen. Jeff Steinborn will be sponsoring a bill to modernize the statutory language encompassing the Department of Game and Fish so that the scope of the agency’s mission is broadened to better further wildlife conservation in our challenging time of species declines.

New Mexico Reforestation Center Act

This bill would create the New Mexico Reforestation Center to address the impacts of climate change on the state’s forests.

ENVIRONMENTAL QUALITY

Prevent Temporary Storage of High-Level Nuclear Waste

The bill proposes to ban the storage or disposal of high-level nuclear waste in New Mexico, unless preempted by federal law, just as Texas, Oregon and other states have done. See article, Page 10.

Environmental Rights (Green) Constitutional Amendment

This proposed amendment to the New Mexico Constitution adds a new section to the Bill of Rights recognizing a healthy environment as an inherent and generational right of New Mexicans. If passed by the Legislature and approved by voters, government officials would be required to prioritize environmental protection when advancing energy policy, considering development, and crafting and implementing legislation and regulations.

Plastic Pollution Reduction Act

This bill addresses single-use disposable plastics, which break down and contaminate New Mexico’s land and water. It would end distribution of single-use plastic bags at point of sale with a 10-cent fee for paper bags as a funding mechanism for local communities to support recycling and education.

DEMOCRACY

Reform of New Mexico Legislature

A proposed amendment to the 1912 New Mexico Constitution. Increase the duration of legislative sessions from today’s alternating 30- and 60-day sessions to 60-day sessions each year and an option for a 10-day extension, with a goal of improved quality and efficiency by allowing additional time to propose, address and improve legislation. It would provide a salary for legislators, increasing the opportunity for New Mexicans to become legislators and expanding the diversity of those elected. It authorizes year-round and permanent staff by allowing additional time to propose, address and improve legislation. It would provide a salary for legislators, increasing the opportunity for New Mexicans to become legislators and expanding the diversity of those elected.

Voting Rights

New Mexico, thanks to Secretary of State Maggie Toulouse Oliver, continues to increase access to voting. Although comprehensive voting reforms didn’t pass last session, legislation will return this session.

TAKING ACTION

Jan. 17: Session begins
Feb. 9: Public Land Days at the Roundhouse
Feb. 23: Climate Action Day at the Roundhouse
March 18: Session ends

Please email us at sierracubleriode@gmail.com to join our rapid-response grassroots lobbying team. If you can call or write your legislator, you can participate! We’ll provide a weekly list of focused primers online and in-person learning and lobby opportunities on Feb. 9 and 23, and whenever you can join us at the Roundhouse.
I it is no secret that New Mexico is in a water crisis. In fact, the whole Southwest is in the driest two decades it has seen in at least 1,200 years. And the hard truth is climate projections tell us conditions will only get more challenging from here. We can expect temperatures to increase 5-7 degrees F over the next 50 years, with a 25% decrease in our overall water supply, increasing demand and competition across the state for this precious resource even as it slips through our fingers.

The Water Policy and Infrastructure Task Force is tackling these challenges head on. Established by Gov. Michelle Lujan Grisham over the summer and fall of 2022, the Task Force has brought together a diverse array of members to identify solutions that have broad consensus to some of our toughest water challenges. The Task Force appointees, called Water Ambassadors, are New Mexicans from all sectors: natural resource agencies, industry representatives, agricultural producers, acequia leadership, Tribes and Pueblos, environmental organizations, and more. Together they have worked hard to develop 17 recommendations with more than 100 associated actions that will make our state significantly more climate-resilient.

We’ll see some of these recommendations take shape in the 2023 legislative session. A few you’ve already heard of, like adding funding and capacity for the Strategic Water Reserve, a pool of publicly held water rights that can be deployed to meet our obligations through interstate compacts or for the benefit of imperiled species. Some may be new, like rethinking our regional water-planning process and funding a permitting program for surface water quality. All will help New Mexico build a more secure and equitable water future through unprecedented challenges.

The Task Force was initially envisioned to be a one-time convening during the summer and fall of 2022. But given what this diverse group of experts has produced, it is becoming increasingly clear that to not reconstitute on a regular basis would be a serious waste of the social infrastructure the effort has built. Water in the American West is always a technically complex and socially contentious issue, and yet this group of New Mexicans, with very different perspectives, goals, priorities, and expertise, has managed to come together and develop a long list of workable solutions that represents years of work to implement but will protect our ecosystems and communities.

We encourage you to engage with the Sierra Club during the 2023 legislative session to support these recommendations moving forward and to talk to your legislators about the need for the important work of the Water Ambassadors to continue, at least until their long list of solutions is implemented.

Our efforts are supported by fishing and hunting groups like the New Mexico Wildlife Federation, which worked hard to get the Valles Caldera to the Park Service. Fish and elk habitat are being hammered by trespass cattle. The National Park Service is required to respond to our Notice of Intent to Sue within 90 days. We understand the federal agencies are having new conversations in response to our notice. If they don’t come up with an effective, long-lasting solution, we are ready to proceed to litigation.

What you can do: Write to Valles Caldera Superintendent Jorge Silva-Batuelos and urge him to solve the trespass cattle problem in 2023. His email address is: Jorge_silva-batuelos@nps.gov. Also write to U.S. Rep. Teresa Leger Fernandez and ask her to support Sen. Heinrich’s efforts to fund a fortified fence on the Preserve’s north boundary: fernandez.house.gov/contact.

In January 2023, members of the Pajaro Group, one of five regional groups making up the Sierra Club Rio Grande Chapter, received an online poll asking whether we would like to remain the separate Pajaro Group or rejoin the Northern New Mexico Group from whence we separated in about 1998 to focus on Los Alamos National Laboratory issues and saving the Valles Caldera from development.

Voters were 68% to rejoin the Northern Group. As with so many other organizations, many of us confessed we don’t have the time to commit to sustaining the structure of a separate group, but people confirmed they want to continue as a Los Alamos activist group focused on local issues (particularly county development and land use in the Northern Group).

January is the moment when the National Sierra Club recognizes that our little Pajaro, with so many successes in our environmental activism and so many accomplishments in our environmental work, will rejoin the Northern Group, which surrounds us and is headquartered in Santa Fe.

As members of the large, dynamic, energetic Northern Group, we’ll have a much broader array of activist mandates with more diverse areas of interest.

Thank you for the nearly quarter century of loving our mountains and the flora, fauna, trails, rocks, intermittent streams, soil, and mycorrhizal fungi that connect us all together. Thanks for spending your time becoming educated, motivated with purpose, advocating for species, and giving voice to those who don’t speak human.

We’re still working together. Only the nature of our change has changed. Please write to me at anteaterjb@gmail.com with any thoughts and comments or if you’d like to attend the January meeting to discuss this topic.

WATER AND LANDS

Pajaro is rejoining Northern Group

BY JODY BENSON
Pajaro Group Chair

In June, members of the Pajaro Group, one of five regional groups making up the Sierra Club Rio Grande Chapter, received an online poll asking whether we would like to remain the separate Pajaro Group or rejoin the Northern New Mexico Group from whence we separated in about 1998 to focus on Los Alamos National Laboratory issues and saving the Valles Caldera from development.

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Trespass cattle damaging Valles Caldera

BY TOM RIBE
Caldera Action

In 1999, New Mexicans had the opportunity to buy the sprawling Baca Ranch in the Jemez Mountains from willing sellers, and the Sierra Club and others pushed Congress to buy the 100,000-acre ranch for the American people. Congress agreed, and after 14 years of experimental management advocated by the late Sen. Pete Domenici, various organizations got Congress to transfer the Valles Caldera National Preserve to the National Park Service.

The National Park Service manages America’s most important lands and historic sites. It has a mandate to protect the land for present and future generations while allowing appropriate visitation. The NPS does a good job at Chaco Canyon, Bandelier, Pecos National Historic Park and Great Sand Dunes National Park among other places nationally. But their management at the Valles Caldera has been problematic from the start.

Most concerning has been hundreds of trespass cattle grazing on the Preserve every summer since the federal government bought the property. By law, the Preserve is closed to cattle grazing except in a small fenced area. Ranchers using National Forest land to the north of the Preserve have been allowing their cattle to enter the Caldera in violation of their contracts with the Forest Service and in violation of federal laws. Neither the US Forest Service nor the National Park Service has done anything effective to stop the trespass grazing, which has increased year after year.

In 2022, up to 200 trespass cattle were congregating on the San Antonio and Toledos Creeks in the Preserve. They were gathering in sensitive marshes and pulverizing rare plant habitat while defecating across the landscape. Cows severely damage habitat and they cause serious water-quality problems for the Preserve and downstream users like Jemez Pueblo.

In his October 2021 confirmation hearing, National Park Service Director Charles Sans III promised New Mexico Sen. Martin Heinrich, “I am committed to figuring a way to ensure that there are no trespass issues.” So far, the Director’s Office has not inspired the managers at the Valles Caldera to rid the Preserve of these unwanted cattle.

Persistent pressure for 14 years from Caldera Action and Western Watersheds Project has so far failed to get the National Park Service to take action to protect our Preserve. This fall, Caldera Action, Western Watersheds Project, and WildEarth Guardians, backed by a coalition of three other organizations, filed a Notice of Intent to Sue the National Park Service under the Endangered Species Act. We contend that the trespass cattle grazing is damaging critical habitat for the endangered western jumping mouse, the spotted owl, and the Jemez Mountain salamander.

Our efforts are supported by fishing and hunting groups like the New Mexico Wildlife Federation, which worked hard to get the Valles Caldera to the Park Service. Fish and elk habitat are being hammered by trespass cattle. The National Park Service is required to respond to our Notice of Intent to Sue within 90 days. We understand the federal agencies are having new conversations in response to our notice. If they don’t come up with an effective, long-lasting solution, we are ready to proceed to litigation.

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January | February | March 2023

Task Force building solutions to New Mexico’s water crisis

BY TRICIA SNYDER
Rio Grande Chapter Executive Committee

It is in a water crisis. In fact, the whole Southwest is in the driest two decades it has seen in at least 1,200 years. And the hard truth is climate projections tell us conditions will only get more challenging from here. We can expect temperatures to increase 5-7 degrees F over the next 50 years, with a 25% decrease in our overall water supply, increasing demand and competition across the state for this precious resource even as it slips through our fingers.

The Water Policy and Infrastructure Task Force is tackling these challenges head on. Established by Gov. Michelle Lujan Grisham over the summer and fall of 2022, the Task Force has brought together a diverse array of members to identify solutions that have broad consensus to some of our toughest water challenges. The Task Force appointees, called Water Ambassadors, are New Mexicans from all sectors: natural resource agencies, industry representatives, agricultural producers, acequia leadership, Tribes and Pueblos, environmental organizations, and more. Together they have worked hard to develop 17 recommendations with more than 100 associated actions that will make our state significantly more climate-resilient.

We’ll see some of these recommendations take shape in the 2023 legislative session. A few you’ve already heard of, like adding funding and capacity for the Strategic Water Reserve, a pool of publicly held water rights that can be deployed to meet our obligations through interstate compacts or for the benefit of imperiled species. Some may be new, like rethinking our regional water-planning process and funding a permitting program for surface water quality. All will help New Mexico build a more secure and equitable water future through unprecedented challenges.

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We encourage you to engage with the Sierra Club during the 2023 legislative session to support these recommendations moving forward and to talk to your legislators about the need for the important work of the Water Ambassadors to continue, at least until their long list of solutions is implemented.

January | February | March 2023
**January**

New Mexico Gov. Michelle Lujan Grisham proposes Advanced Clean Cars standards that would require automakers to offer more zero-emission vehicles in the state. The American Lung Association found that such standards would save New Mexicans an estimated $20 billion in the next 30 years by improving air quality. Lujan Grisham proposes a joint resolution that would require automakers to offer more zero-emission vehicles in the state. The American Lung Association found that such standards would save New Mexicans an estimated $20 billion in the next 30 years by improving air quality.

**February**

• Local elected officials and outdoors advocates, including the 10-mile radius of Chaco Culture National Historical Park as part of the national Honoring Chaco Initiative. But Chaco protectors, urging landscape-level safeguards to protect the cultural integrity of all of Greater Chaco and its communities, find little meaningful public engagement or tribal collaboration at the meetings.

• Four pieces of legislation that offered hundreds of millions in subsidies or incentives for methane-fueled, or “blue,” hydrogen development. They died during the 30-day session thanks to New Mexicans showing up in force at every remote community hearing and advocacy groups’ unified opposition.

• Sierra Club endorsee Paulette Maes wins election as Taos mayor. With Maes as the at the fifth vote, the town council also gains a progressive majority.

**March**

• Low-income energy-efficiency improvements for low-income New Mexico homes are now available in the state. The Legislature and is signed by the governor, providing $10 million in a pilot project to support energy-efficiency improvements for low-income New Mexico homes to save money and lower energy bills. It was approved under a joint resolution sponsored by Rep. Christine Chandler also passed to send a constitutional amendment to voters to allow the state to directly service the utility needs of low-income New Mexico households without violating the Constitution’s anti-donation clause.

• PNM announces it will delay the Energy Transition bond issue that would lower customer bills by more than $8 a month until after its planned 2023 rate case. Environmental groups and low-income advocates file a Public Regulation Commission motion to force the utility to credit customers for the savings they should be seeing once the plant closes.

• The New Mexico Supreme Court unanimously rules that the state’s Public Regulation Department must permit New Mexico’s waterways to be “privatized” and sealed off from public access. The court voided all Game Commission privatization certificates that had authorized three wealthy landowners to close boatable sections of the Upper Rio Chama and the Upper Pecos River and sections of the Manus and Whirlpool streams in southern New Mexico.

• Disregarding public input and dozens of comments, Albuquerque’s City Council votes 6-3 to reject its own Clean and Green Ordinance, commonly known as the ban on distribution of single-use plastic bags. A study on the ordinance’s effectiveness had been planned to conclude on June 30. Councilors Benton, Davis and Fiebelkorn defended Clean and Green.

• A Stanford University study reveals staggering rates of methane emissions upward of 9% in New Mexico’s Permian Basin, far eclipsing the 1.4% estimate the EPA uses for calculations like what methane-fueled hydrogen facilities will be eligible for federal tax credits. It also highlights the importance of robust state and federal safeguards to flush oil and gas waste of methane, which is 80 times more potent than CO2 as a greenhouse gas.

• The NM Environmental Improvement Board finalizes safeguards to cut smog and methane pollution from oil and gas facilities. The board adopted a majority of the proposals from environment and community groups to strengthen the pollution protections, including leak-detection and repair requirements for all operators.

• Hermits Peak and Calle Canon fires begin to tear through Northern New Mexico and combine near Las Vegas, burning for months, forcing hundreds to evacuate and eventually burning an area bigger than New York City.

• BLM nominates 740,000 acres for auction for oil and gas leasing in a June lease sale, but after incorporating reforms from an Interior Department review of federal oil and gas leasing, the agency scales back the lease sale to 140,000 acres in eight states.

**May**

• New Mexico Gas Co. signs a settlement with Coalition for Clean Affordable Energy, Western Resource Advocates, New Energy Foundation, New Mexico attorney general and other intervenors, agreeing to cut its proposed rate increase in half, setting a new project to begin hydrogen into its gas supply and fund an already existing experiment on hydrogen by reducing impacts using shareholder, not ratepayer, dollars.

• Environmental Improvement Board adopts Advanced Clean Cars standards requiring automakers to provide increasing percentages of electric and low-emission vehicles in New Mexico. With incentives for early action, more EVs should begin to appear in showrooms in 2023. Hundreds of Sierra Club members and supporters submitted comments urging adoption of Clean Cars, with many sharing how much money they’ve saved by driving plug-in hybrid or full electric cars and how difficult it is to find EVs at New Mexico dealerships.

• Albuquerque City Council extends its Zero Waste Watchers, Valencia County Commission holds a new meeting to hear an oil and gas ordinance that had been improperly noticed and approved at a June commission meeting. Despite opposition from hundreds of speakers, the commission passes the measure, which makes it easier to drill for oil and gas in the country.

**June**

• Sierra Club-endorsed candidates win 15 of 19 races in New Mexico primary elections.

• PRC orders PNM to credit customers an average of $84/month to help pay for the savings from closing San Juan Generating Station upon the coal plant’s retirement in September. PNM had previously announced it would delay issuing ETA bonds that would lower customer costs. The PRC ruling requiring the utility to credit customers for the savings they should be seeing from use of Energy Transition bonds, which PNM has delayed.

**July**

• After public uproar led by Valencia Water Watchers, Valencia County Commission passes the measure, which makes it easier to drill for oil and gas in the country.

• Operator and majority owner PNM closes coal-fired San Juan Generating Station.

• New Mexico Supreme Court grants PNM a stay on the ruling requiring the utility to credit customers for the savings they should be seeing from use of Energy Transition bonds, which PNM has delayed.

**September**

• Sierra Club-endorsed candidates win 15 of 19 races in New Mexico primary elections.

• PRC orders PNM to credit customers an average of $84/month to help pay for the savings from closing San Juan Generating Station upon the coal plant’s retirement in September. PNM had previously announced it would delay issuing ETA bonds that would lower customer costs. The PRC ruling requiring the utility to credit customers for the savings they should be seeing from use of Energy Transition bonds, which PNM has delayed.

**October**

• New Mexico Environmental Improvement Board hears appeal of the Environmental Improvement Board’s decision to prevent the filing of Roper Construction’s concrete plant in Alto. Residents of the small town have formed a broad coalition made up of a wide range of residents to stop construction of the plant, which threatens to harm the air quality. A local group called Billy the Kid Nation lobbied nearby homes. The board will likely make a final decision on the permit denial in March 2023.

• Environmental Improvement Board creates a rule to enforce the ETA’s carbon limit for coal plants.

**November**

- In a national environment where pro-environment and pro-development candidates do much better than expected, 34 of 37 local and state candidates endorsed by the Sierra Club Rio Grande Chapter won. Volunteer-fueled victories included strong climate and democracy champs Gov. Michelle Lujan Grisham, Land Commissioner Stephanie Garcia Richard and Secretary of State Maggie Toulouse Oliver; maintaining a pro-environment majority in the state House and flipping New Mexico’s 2nd Congressional District with a win for Gabe Vasquez.

- Energy Transition Act Committee, which recommends which projects should receive $20 million in ETA funds earmarked for community investment, alsoFather of the year.

- The Environmental Protection Agency releases a rule proposal that would establish strong, common sense protections against methane and other harmful pollutants from oil and gas industry, improving on a draft rule that EPA issued in 2021. See Page 10.

**December**

- PNM announces that it has filed for a rate increase of about 9%, though the increase will be offset by reduced fuel charges because San Juan coal will be replaced by solar and storage, which don’t have fuel costs. However, PNM is still collecting profits from customers on San Juan coal and instead continue to charge San Juan for as long as two years after the plant closes. Dozens of impacted community members and Sierra Club supporters spoke passionately at a hearing urging commissioners to require PNM to keep its promises to close the plant, pre-fund $40 million in worker and community ETA needs, and not impose the savings from transitioning away from expensive coal.

- The City of Santa Fe, Sierra Club and Coalition of Sustainable Communities help provide solar to 39 families through Solarize Santa Fe, a low-cost bulk-purchasing pilot.

- Both the San Juan coal will be replaced by solar and storage, which don’t have fuel costs. However, PNM is still collecting profits from customers on San Juan coal.
PRC AND ELECTIONS

34 of 37 Sierra Club endorsesees win

BY RICHARD BARISH
Chapter political chair

Thanks to all of you who voted and volunteered in the 2022 general election! Your show of hands and door knocks resulted in climate champions winning up and down the New Mexico ticket, and perhaps made the difference in a priority state House race our candidate won by just 35 votes.

A big PRC transition in 2023

New Mexico’s Public Regulation Commission has a major impact not just on our electricity and gas rates, but also on whether fossil fuels or renewable energy are powering our homes. And starting Jan. 1, 2023, the PRC will go through a big change.

New Mexicans in 2020 approved a constitutional amendment to move from five elected commissioners to three commissioners on Jan. 1, 2023, the PRC will go through a big change. The 60-day legislative session starts in just a few weeks. Contact camilla.feibelman@ sierraclub.org to join our grassroots lobby team and add to our people-powered movement!

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New Mexicans in 2020 approved a constitutional amendment to move from five elected commissioners to three commissioners appointed by the governor from a slate given to her by a selection committee.

Much of our Sierra Club energy advocacy happens at the PRC, and the outgoing commission has made some of the most important decisions in decades: approving the retirement of San Juan coal plant and choosing as replacement 100% solar and storage to be sited in impacted communities, rejecting a PNW transfer plan for its Four Corners Power Plant share that would have extended the plant’s life, and rejecting an unnecessary addition to El Paso Electric’s Newmen Gas Plant, among many others.

The selection committee sent Gov. Michelle Lujan Grisham a list of nine finalists in December. At press time, the new commissioners had not been announced.

Your advocacy has always been critical in PRC decisions, and that won’t change, no matter who is sitting in those commission seats.

BY MONA BLABER
Communications director

In November, the Public Regulation Commission approved a settlement between New Mexico Gas and environment and consumer groups that requires the utility to drop its efforts to charge ratepayers for a hydrogen-blending experiment, abandon another hydrogen pilot altogether, and cut a proposed rate increase in half.

Coalition for Clean Affordable Energy (of which Sierra Club is a member), Western Resource Advocates, PRC staff, the New Mexico attorney general, New Mexico Clean, Reliable Energy Alliance, New Energy Economy, and Incorporated County of Los Alamos all signed off on the settlement with NM Gas.

The final settlement included:
• Agreement that NM Gas will not provide any customers a blend of hydrogen and natural gas without seeking the PRC’s approval in a future case;
• Agreement that NM Gas will use shareholder funds to pay for its Phase 1 pilot study and will share all data and findings, including impacts and potential hazards of hydrogen on household appliances, from Phase 1 with parties in the case;
• Agreement to analyze electric options when the company purchases passenger vehicles and trucks and to “show a preference” for electric passenger vehicles and trucks when feasible;
• Agreement to end an offer to finance, construct, and operate compressed natural gas fueling stations for customers on the customers’ property; and
• Agreement to analyze the feasibility of electrifying some or all of the company’s compressor stations.

Although not included in the settlement, the utility also agreed to work with WRA, CCAE, NEE and others on a legislative proposal to enable reduced utility rates for lower-income New Mexicans.

“Under the settlement, customers won’t foot the bill for a hydrogen pilot project that would have increased climate pollution and put air quality at risk,” said Sara Gersten, a senior attorney at Earthjustice who represents CCAE in the case.

“Without the distraction of this hydrogen pilot project, New Mexico’s leaders should tackle climate and air pollution by helping customers upgrade to zero-emission electric appliances and quit burning fossil fuels in their homes and businesses.”

“Not only will customers see lower rates than the company originally proposed, but under our agreement, New Mexico Gas has also agreed to study important health impacts of residential hydrogen-blend projects. Among other requirements, the company must report on indoor air-quality measurements as part of its Phase 1 hydrogen blend project,” said CCAE attorney Cara Lynch.

“We look forward to working with New Mexico Gas Company to establish low-income utility rates. A reduction in energy burden via low-income rates will help many families who are struggling to balance high energy bills, housing costs, and other essential expenses,” said Tammy Feibelman with Southwest Energy Efficiency Project.
Northern NM Group

Caja Del Rio likely to be closed to shooting

BY THE GREATER CHACO COALITION

A delegation of Indigenous community leaders and Greater Chaco protectors traveled from New Mexico to Washington D.C. to lobby our New Mexico congressional delegation, as well as other members of Congress for Greater Chaco protections and to premiere a screening of the award-winning Our Story: The Indigenous-Led Fight to Protect Greater Chaco, which showcases the threats the Greater Chaco Landscape and its communities face from combustible oil and gas leasing and drilling.

Sen. Martin Heinrich and U.S. Rep. Teresa Leger Fernandez spoke at the premiere. Both support the recently introduced Chaco Cultural Heritage Protection Act of 2022, which would permanently withdraw future federal minerals from leasing within a 10-mile buffer of Chaco Culture National Historical Park. Other agency officials attended as well.

Following the film, Greater Chaco Coalition delegates hosted a panel featuring Chairman Daniel Tso (Navajo Nation Council delegate and Our Story co-director), Samuel Sage (Diné C.A.R.E. board vice president), Kendra Pinto (Earthworks Four Corners Indigenous Community field advocate and Our Story co-producer), Mario Atencio (Greater Chaco Energy Organizer for Diné C.A.R.E. and Our Story consultant), and Somah Haaland (Pueblo Action Alliance media organizer and narrator of Our Story), moderated by Rebecca Sobel (WildEarth Guardians organizing director and Our Story consultant). The panel thanked the New Mexico delegation for their support and reaffirmed the Greater Chaco Coalition’s call for cumulative impact analysis, landscape-level planning, clean-up and remediation, and meaningful consultation.

The Greater Chaco region is a living and ancient cultural landscape held sacred by Indigenous Nations and Tribes throughout the Americas, with Chaco Canyon, a National Historical Park and UNESCO World Heritage Site, at its center. For over a century, Greater Chaco has been under siege by an onslaught of oil and gas drilling, negatively impacting public health, air, water, climate, and cultural resources. Spills, leaks, and explosions happen daily, while Diné communities experience poor air quality, increased traffic accidents, health effects and other negative impacts related to increased industrialized oil and gas activities.

In recent years, the Bureau of Land Management has updated its resource-management plans, rubber-stamping multi-agency horizontal fracking without ever analyzing the cumulative impacts of this technology. The Greater Chaco Coalition has long called on the Bureau to pause new oil and gas activities until the cumulative impacts of this fracking are studied, meaningful tribal consultation and consent has occurred, and landscape-level protections for the region are assured.

In response to longstanding calls for protection, in 2021, Interior Secretary Deb Haaland launched the first-of-its-kind Honoring Chaco Initiative, a collaborative approach to cultural landscape management in the region, which the Greater Chaco Coalition hopes will finally address the cumulative impacts of oil and gas extraction and chart a path toward justice for Greater Chaco communities. We hope this trip to Washington D.C. will further our coalition efforts to protect the Greater Chaco Landscape and communities impacted by oil and gas fracking and bring us closer to legal and just transitions and environmental justice.

Caja Del Rio likely to be closed to shooting

BY TERESA SEAMSTER

Northern NM Group

“Recreational” shooting or any discharge of firearms except for lawful hunting will soon be prohibited on three Bureau of Land Management properties in Santa Fe County. Citing public-safety issues, dumping on BLM lands, resource degradation, gunshot noise and threat of causing a wildfire, the agency published a Notice of Intent in August announcing the proposed closure of land to dispersed shooting.

The Final Scoping Report has just been released on public meetings that solicited comments on two identical areas for three public shooting ranges on the 1) Camel Tracks area on the Caja Del Rio, 2) Buckman Alamó Creek area, and 3) San Pedro Mountains. More than 150 individuals and organizations submitted extensive concerns and alternatives to all three, with special emphasis on the size and location of the shooting range at Camel Tracks on the Caja Del Rio.

The Caja Plateau, west of Santa Fe, long has been used as an area of “open” target shooting, off-roading and illegal dumping. BLM and US Forest Service lands make up much of this volcanic plateau that draws hikers, wildlife watchers, horseback riders, mountain bikers and OHV users. The easy access to the plateau and the steady development of housing and municipal offices at the base of the mesa has created an urban-interface and growing use-conflict area where unmanaged target shooting areas are within 0.5 miles from residential homes and in the line of sight.

The Scoping Report defines three components of the proposed project:

- Develop three new target shooting ranges on BLM land within the county
- Remediate currently used shooting locations
- Close land to shooting at current locations and provide a buffer from existing roads

Many concerned entries have held extensive meetings and shared comments with BLM Project Manager Brad Higdon, including San Felipe Pueblo, Pueblo of San Ildefonso, wildlife and trail advocates, and northern Sierra Club members.

BLM and US Forest Service lands make up much of this volcanic plateau, which the Climate Atlas describes as playing “a key role in helping wildlife species adapt to climate change and is among the Top 20% of unprotected public land with the highest conservation value in the lower 48 U.S. states.”

The planning process provides for ongoing consultation with Native American tribal governments and with cooperating agencies and all other interested parties at BLM’s ePlanning project website at eplanning.blm.gov/eplanning-ui/project/2013605/510/
Groups visit Permian Basin oil and gas fields

BY ANTOINETTE REYES
Chapter organizer

The Permian Climate Justice Coalition of which our Rio Grande Chapter is a member, had a November gathering in Carlsbad, N.M. During the tour, many were shocked to see how dense and prevalent oil and gas is on the landscape, especially in Carlsbad and Hobbs when compared to other oil and gas basins.

We were surprised to see the amount of oil and gas going on, though routine venting and flaring were banned in New Mexico a year and a half ago. The group was fortunate enough to have a meeting with the mayor of Jal, a small community in Lea County.

Despite being supportive of oil and gas, the community has put in some of the first setback rules in New Mexico requiring a distance between oil and gas operations and homes, schools, and other community buildings.

The group also had a very productive and educational meeting, updating each other on our shared work around New Mexico to reduce the negative impacts that oil and gas has on the health of our communities. The coalition is also happy to announce the hiring of a contractor to conduct a New Mexico Permit Landscape analysis that will seek to better understand the social and demographic realities of Southeast New Mexico.

The Permian gathering would not have been possible if it were not for the Carlsbad community group Citizens Caring for Community. The coalition met some of the community members who shared the area’s rich history of activism going back decades, and we celebrated the development of what the group has grown to become today.

EPA Releases improved methane safeguards

Supplemental federal rule includes smaller operators in a win for communities and climate

BY CAMILLIA FEIBELMAN
Chapter director

On Nov. 11, the Environmental Protection Agency released a supplemental rule proposal that would establish strong, common-sense protections against climate-damaging methane and other harmful pollution from the oil and gas industry. This proposal improves on a draft rule that EPA issued last November to reduce methane pollution from the oil and gas industry.

Methane is a potent greenhouse gas more than 80 times as powerful as carbon dioxide over a 20-year period, driving about a quarter of the warming our planet has experienced to date. Each year in New Mexico, oil and gas operators waste enough methane to heat every home in the state. Methane is emitted from oil and gas sources alongside other damaging pollutants, such as smog- and soot-forming volatile organic compounds and carcinogens like benzene and formaldehyde.

Federal rules will build on strong New Mexico state safeguards. The New Mexico Energy, Minerals and Natural Resources Department’s rules went into effect in 2021 and ban routine venting and flaring. The New Mexico Environment Department’s ounce-precursor safeguards went into effect this summer. These standards require oil and gas operators to inspect all wells for leaks on a frequent basis and to protect those leaking closest to oil and gas by requiring more frequent inspections to find and fix leaks in proximity to homes and schools. The Independent Petroleum Association of New Mexico has sued over these rules despite failing to provide any witnesses or testimony during the rulemaking at the Environmental Improvement Board.

The EPA will host a public-comment session on Jan. 10, 11 and 12. If you’d like to make a short public comment, please email antoinette.reyes@sierraclub.org.

“This updated rule comes as a welcome reprieve to those of us living in the most prolific oil field in the United States, the Permian Basin, said Kayley Shoup of Citizens Caring for the Future. “We’re happy to see the EPA following the lead of New Mexico by adopting strong rules that not only cut methane pollution, but also allow those of us in frontline communities to breathe easier. We hope that these rules can be implemented and enforced swiftly, as the Permian faces down one methane pollution levels that are in violation of the Clean Air Act.”

“Of the 35,000 New Mexicans living within 1,000 feet of an oil well site, more than 2,700 are children under the age of 5, and 19,000 are people of color,” said Wendy Atcitty, Diné Energy Organizer for Navajo. “The EPA’s revised rule to cut methane and other harmful pollutants will make a real difference in the health and safety of our communities. It includes provisions requiring equipment that doesn’t emit pollution and inspections of smaller wells with leak-probe equipment. While we appreciate the EPA’s initial steps to address flaring, we call on the EPA to ensure the final rule ends all pollution from routine flaring. We need both the EPA and tribal governments to act to protect our climate and health.”

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“EPA updated rule is a major step in the right direction. For years, methane leaks from oil and gas drilling in the Permian Basin have plagued New Mexico’s national parks and communities,” said National Parks Conservation Association New Mexico Senior Program Coordinator Emily Wolf. “In fact, recent reporting showed that Permian companies emit nearly 1.4 million metric tons of methane each year. This pollution inflicts damage on the communities, fragile ecosystems, landscapes and wildlife in and around Carlsbad Caverns National Park and Chaco Culture National Historical Park, and threatens the health of people in New Mexico and beyond. By ensuring strong and lasting cuts in methane waste and pollution across the country, the EPA can combat the climate crisis, benefit New Mexico’s economy, and guarantee future generations can experience our national parks.”

New Mexico’s oil and gas methane and smog standards have been a real example for the federal safeguards that came out this morning,” Sierra Club Rio Grande Chapter Director Camilla Feibelman said. “We were encouraged to see the Biden rules strengthened in key ways that will protect our communities and fragile ecosystems, like Texas, where meaningful protections are entirely lacking.”

“The EPA’s supplemental rule represents a significant step forward in U.S. efforts to curb the worst effects of climate change,” Western Environmental Law Center senior attorney Tannis Fox said. “We appreciate that EPA listened to the vast amount of public input it received on last year’s draft proposal and are proposing measures to ensure the rule’s air quality and public health benefits are felt where they are most needed, in frontline communities like those in the Permian Basin and the Four Corners.”

Protecting NM from high-level nuclear waste

BY PATRICIA CARDONA
Chapter Nuclear Waste Committee

The Sierra Club along with Southwest Alliance for a Safe Future (SAFE) and other groups are supporting legislation directing state agencies to not issue any state permits related to sites storing high-level radioactive waste unless a permanent repository is in operation.

The proposed Holtec Consolidated Interim Storage site could store more than 30,000 in a Safe Futurequote spent fuel rods currently “temporarily” stored at nuclear power plants where they were used. Fuel rods are used inside a nuclear power plant to generate heat to produce electricity. These rods contain uranium and other radioactive elements that continually give off radiation and disrupt living matter as well as penetrating solid matter like metal, concrete and soil.

Radiation enters human cells, animal cells and plant cells and disrupts their DNA structure, weakening immune systems and creating conditions for disease.

In a Nov. 16 letter to President Biden, Gov. Michelle Grisham wrote, “I ask that you direct the Department of Energy and the Nuclear Regulatory Commission to suspend consideration of the Holtec license application and to directly engage with the state of New Mexico within a consent-based framework on the many unaddressed issues related to nuclear waste disposal at this and related facilities that we have been raising for years.”

The following are a few of the problems with Holtec and NRC actions:

• Failed to obtain New Mexico’s consent for establishment of an interim storage facility.
• Failed to design the “interim” facility to properly store NRC’s spent fuel rods from terrorist attacks by proposing a visible above ground storage design.
• Failed to demonstrate legal authority to suspend the NRC and Holtec’s license to establish an “interim” storage facility for the high-level waste from nuclear power plants.
• Failed to use the scientific recommendations from the Nuclear Waste Technical Review Board to spend a minimum of a decade to develop better cask and canister designs before attempting to transport spent fuel rods.
• Failed to provide proof of adequate financing of a consolidated “interim” storage site, creating conditions for more abandonment of nuclear waste in NM.
• Failed to demonstrate the ability to pay for state services required for medical and other health services due to the presence of the facilities.
• Failed to provide for reimbursement for agricultural, recreational and hunting business services displaced due to the presence of the storage site.
• The proposal from NRC and Holtec are illegal, financially reckless and scientifically unfounded in its plan for storing high-level nuclear waste, the most dangerous material known.

JANUARY | FEBRUARY | MARCH 2023
A novel approach to protect Mexican wolves

BY MARY KATHERINE RAY
Chapter Wilderness Chair

The most significant cause of Mexican-wolf mortality is illegal shooting, but it has been difficult to prosecute wolf killers because of what has come to be called the “McKerricher Policy.” A person need only claim he thought he was shooting a coyote, which is legal, and it becomes impossible for the government to prove that the shooter knew he had an endangered wolf in his crosshairs when he pulled the trigger. 

Coyotes, which are not imperiled even after a century of persecution, do look a lot like wolves. The similarity is so striking that the US Fish and Wildlife Service asking that coyotes be listed under the Endangered Species Act in areas where wolves are recovering. If accepted, under this “similarity of appearance” listing, coyotes would get the same protections as wolves, and killing a coyote would carry the same penalties as killing an endangered Mexican wolf. The excuse of mistaken identity would no longer be a get-out-of-jail-free card. The Sierra Club Arizona and New Mexico chapters signed on to this petition along with a dozen other conservation organizations. Science has shown that both coyotes and wolves can limit their own reproduction. Neither has to be killed to satisfy some misguided goal of “control,” and both species are important to the integrity of ecosystems. Neither New Mexico nor Arizona does enough to protect coyotes or to acknowledge their value in nature.

The photo on the left is a highly endangered Mexican wolf, only about 200 of which are left in the wild in New Mexico and Arizona. The one on the right is a coyote, which can legally be shot year-round in New Mexico. Can you tell the difference? Endangered wolves have died because coyote shooters could not. Not all wolves wear telemetry collars.

New ‘Day Hikes’ book released

BY JOHN BUCHSER
Chair, Northern New Mexico Group

Santa Fe must be the luckiest city in the U.S. Since 1981, more than 60 volunteers have shared their passion for hiking as volunteer outings leaders. Featuring a destination for visitors from all over the world, the 9th edition of the Sierra Club Northern New Mexico Group’s Day Hikes in the Santa Fe Area offers world-class documentation of the many trails in our region.

Outings leader Aka Oppenheimer was encouraged by Norbert Sperlich several years ago to update the 8th edition. Aka did not know that his passion for excellence would take so much of his time for two years. With the assistance of Ed Coeders’ background in digital media and Travel Bug owner Greg Ohlsen’s expertise in map creation, the latest version rivals the best hiking books in the world.

Given the varied climates surrounding Santa Fe created by the erosive forces of water and the tectonic forces of our planet, our area presents many opportunities for discovering the outdoors. Aka’s primary goal was to offer hikers options for most of the trails that ranged from easy to difficult. The end product went far beyond that, making directions to the trailheads clear and consistent. The many hikers and proofreaders ensured the clarity of description and respect for tribal and private properties.

Thanks also go to the Northern Group leadership over the years, who have ensured that there was always enough money in the bank to pay for reprinting and new editions. Sales of the book have benefitted the Group, the bookstores that sell it, and the locals like me who have such a great resource to refer to when wondering where to go hiking next.

Day Hikes in the Santa Fe Area can be purchased at Santa Fe bookstores and REI in both Albuquerque and Santa Fe. We hope to expand sales to local bookstores in Albuquerque. The Travel Bug will ship the book to other locales.

It is my hope that this book will continue to create a passion for caring for the land through recognition of the beauty we have before us.

Roxy’s Law is in effect

BY MARY KATHERINE RAY
Chapter Wilderness Chair

The first trapping season in which it is unlawful to place a trap, snares, poisons, and even cage traps on public land in New Mexico is underway. Public lands include all national forests, national parks and monuments, wildlife refuges, BLM-administered lands, and State Trust lands. In all, 32 million acres are off limits to most wildlife trapping in our beautiful state. Trapping can still occur on private land. Trapping season began Nov. 1 and lasts until March 15, but we know from past years that people enjoying the outdoors are most likely to encounter a trap in the months of December, January and February, when fur has the most value.

Because it’s a new law, some trappers may choose to trap illegally. If you or your companion animal find a trap on public land, please report it. Don’t take matters into your own hands. Leave the trap in place and untouched. (Unless your dog has been trapped, then of course, please do whatever needs to be done to free them.) Then contact law-enforcement authorities. By doing this, you are ensuring that evidence is preserved and, if a crime has been committed, the perpetrator can be prosecuted. Roxy’s Law counts each trap that a person sets illegally as a separate violation. Also, there are exceptions where a trap on public lands may be legally set — for instance to protect human health and safety, for scientific purposes, and for ecosystem management, among others. Let law-enforcement officers make the correct determination. Illegal trappers should be held to account. We want hikers, snowshoers and others enjoying our public lands to stay on the right side of the law too.

If you find a trap on public land, please report it on the TrapFree New Mexico website at https://trapfreemtn.org/report-trap-incident/. You may also call Operation Game Thief: the hotline set up by NM Game and Fish to report poaching, at 1-800-432-4263. Roxy’s Law will only work if it is properly enforced, and you can help make that happen.

Seeking Rio Grande Chapter Outings Co-chair

Do you enjoy planning, organizing and helping those around you succeed? The Rio Grande Chapter Outings Program has grown significantly over the last two years, and we’re looking for someone to help us to continue to grow the program across the state. Here’s a summary of this volunteer opportunity as Rio Grande Chapter Outings Co-Chair: Reviewing and editing outings for publication, advertising outdoor events and outings, light database input, responding to outings leaders and participants’ questions, attending or providing training for outings leaders, and assisting with provisional leader outings. If you’re interested, please contact Terry Owen, teowen@comcast.net, or Camilla Feibelman, Camilla.feibelman@sierracn.org, for more information.

OUTDOORS

Photo by A2O&F
Hikers enjoy an October hike to Kitchen Mesa at Ghost Ranch. To join free hikes at every difficulty level, all open to the public, check out the listings on this page.

**SATURDAY, FEB. 4**

**Snow Moon Snowshoe Hike**

Glistening snow, a chill in the air and the crunch of snow under your feet create the perfect landscape to take in the views of the setting sun, the full moon and the city. Participants must be in good physical condition and tolerate high altitude. An all-wheel-drive or four-wheel-drive vehicle is highly recommended. Children 14 years and older with parent or legal guardian are welcome. Appropriate Covid-19 protocols will be observed. Outing size is limited to six, so register early. Register by Jan. 30 at the link below.

Trip leader: Sandra Corso sandracorso@yahoo.com
Level: Moderate-Strenuous Location: Santa Fe, NM
Sign up: www.riograndesierraclub.org/calendar

**WEDNESDAY, FEB. 8 THROUGH THURSDAY FEB 9**

**Lightweight Backpacking Outing**

If you’ve mastered basic skills traveling in the backcountry lightweight style, this trip is right for you. Participants will meet at Winsor Trailhead and travel to Puerto Nambé area where we are going to spend the night. The next day we will do an Alpine-style ascent to Santa Fe Baldy so that we can see the sunrise from the summit. We will plan to return to the trailhead soon after we refuel and pack out our packs. Please sign up for this outing only if you feel comfortable and fit to carry a backpack for more than 4 miles with elevation gain, summit the mountain and backpack back to the trailhead comfortably. This is not an outing for beginners. The route is 13.5 miles roundtrip with 3,500 feet of elevation gain. We will go over map and compass navigation, gear selection, Leave No Trace principles, self-care, off-trail hiking, outdoor cooking and a few basic mountaineering skills. Leader will email a gear list ahead of time. Bikers must be prepared for varying weather conditions and feel comfortable sleeping under the stars or in a tent. Meet at 10 a.m. at Winsor Trailhead, adjacent to the public bathrooms and picnic table at the Santa Fe Ski Basin. No dogs please. Children 14 and over with parent or legal guardian are welcome. Appropriate Covid-19 protocols will be observed. Outing size is limited to six, so register early. Read more on the link below.

Trip leader: Sandra Corso sandracorso@yahoo.com
Level: Moderate-Strenuous Location: Santa Fe, NM
Sign up: www.riograndesierraclub.org/calendar

**MONDAY, FEB. 24**

**Tres Pistas [Three Gun Springs] Hike. 8:30 a.m. to 2 p.m.**

We’ll get exercise taking this uphill, rocky trail to beautiful views. We’ll take a break at the top, so bring snack or lunch and water. Route is 5 miles and 2,000 of elevation gain on rough trail and no shade. Sunscreen that are a must; walking sticks are recommended. No Dogs. Appropriate Covid-19 protocols will be observed.

Trip leader: Diane Reese DianeAbqNM@gmail.com
Level: Moderate Location: East of Albuquerque
Sign up: www.riograndesierraclub.org/calendar

**WEDNESDAY, MARCH 1 TO THURSDAY, MARCH 2**

**Intro to bike-packing**

If you feel comfortable riding a bike on dirt roads and wish to learn how to travel in the backcountry on two wheels lightweight-style, this trip is right for you. Participants will meet at Abiquion Wilderness Study Area sign, travel along the mountain and spend the night in the highest point on the route. The next day we are going to enjoy the sunrise, and have conversations about bike-packing basics. We will plan to leave camp at around mid-morning and return to our vehicles. Please sign up for this outing only if you feel comfortable and fit to peddle a MTB bike loaded with overnight gear for more than 13 miles with elevation gain. This is not an outing for beginner cyclists. The route is 22 miles roundtrip with 1,334 feet of elevation gain. On this outing we are going to go over map and route navigation, gear selection, Leave-No-Trace principles, self-care, backcountry bike riding, outdoor cooking and a few basic bike-packing skills. Leader will email a gear list ahead of time. Participants must be prepared for varying weather conditions and feel comfortable sleeping under the stars or in a tent. No dogs, please. Children 14 and over with parent or legal guardian are welcome. Appropriate Covid-19 protocols will be observed. Outing size is limited to six, so register early. Register no later than Feb. 9 at the link below.

Trip leader: Sandra Corso sandracorso@yahoo.com
Level: Moderate Location: San Ysidro, NM
Sign up: www.riograndesierraclub.org/calendar

**FRIDAY, APRIL 21 TO SUNDAY, APRIL 23**

**Earth Day Service Trip to Secluded New Mexico State Park**

Celebrate Earth Day by giving back. City of Rocks State Park is a city of ancient volcanic rocks that needs a gentle facelift and we need your help. We’ll stay in a group campsite with bag showers, take in the sunsets, and share evening campfires and conversations. On Friday and Saturday, we’ll enjoy light trail maintenance and have time for an eight-mile trail bike ride or hike on Sunday to enjoy our handiwork. No dogs. Appropriate Covid-19 protocols will be observed. Outing size is limited to six, so register early. Register no later than Feb. 9 at the link below.

Trip leader: Sandra Corso sandracorso@yahoo.com
Level: Moderate Location: San Ysidro, NM
Sign up: www.riograndesierraclub.org/calendar