

Proposed rule for public lands expected to have outsized impact in New Mexico. Here's how to weigh in.

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A gas well sits on Bureau of Land Management land in northwestern Rio Arriba County in New Mexico in this 2021 photo. A proposed rule would allow the Bureau of Land Management to lease land to groups for conservation, just as leases are now issued for oil and gas development. (Eddie Moore/Albuquerque Journal)

A proposed rule under consideration by the Bureau of Land Management could help shape the future of Otero Mesa, the greater Chaco Canyon area and 13 million acres overseen by the federal agency in New Mexico.

And time is running out for the public to weigh in.

The agency is accepting public comment on the proposed public lands rule through June 20 — with a final decision expected in March next year.

A coalition of conservation and outdoor recreation enthusiasts is urging New Mexicans to support the proposal. They describe it as a way to put conservation on equal footing with other potential uses of public land — such as oil and gas development and livestock grazing — and to strengthen collaboration with Native American tribes, nations and pueblos.

Opponents, in turn, question whether the rule will be used to curtail drilling, grazing and similar activities.

The proposal, in any case, is expected have an outsized impact on the West and New Mexico, where the federal government is the largest land manager in the state.

It would allow environmental groups or others to lease federal land for conservation — a step the Bureau of Land Management says would simply put conservation on “equal footing” with other potential uses, such as development.

A conservation lease, for example, could be used to restore animal habitat or help compensate for development of other public lands.

Jesse Deubel, executive director of the New Mexico Wildlife Federation, said the proposal is particularly important for hunters and anglers in New Mexico, where some families rely on what they catch for food.



Fajada Butte rises within the Chaco Culture National Historical Park in this 2021 photo. The area within the park is already protected, but a proposed rule by the Bureau of Land Management could be used to lease land outside the park boundaries for conversation in the greater Chaco area. (Eddie Moore/Albuquerque Journal)

“To a lot of New Mexicans, public lands are more than just outdoor recreation,” he told the Journal on Thursday. “Public land is actually our grocery store.”

Advocates for the oil and gas industry, however, say the federal law already provides significant protection for sensitive lands and ecosystems.

The Independent Petroleum Association of New Mexico called the rule a “highly flawed proposal” that should be withdrawn.

“By elevating conservation above all other uses,” Jim Winchester, the group’s executive director, said Thursday, “the BLM violates its own statutory requirements to balance multiple uses of public lands.”

State Rep. Greg Nibert, a Roswell Republican who works as an oil and gas attorney, said the proposed rule could affect wind farms and renewable energy, not just drilling operations. Its practical impact, however, is unclear, given that the agency already is charged with managing the land for multiple uses, he said.

But “one of my concerns,” Nibert said, “would be that this would be used as a tool to slow things down or to create another hurdle for (oil and gas) leasing.”



Pottery shards lie near a gas well on Bureau of Land Management land in northwestern Rio Arriba County in 2021. Environmental groups say a proposed rule would allow land to be leased for conservation and restoration, similar to how leases are now issued for energy development. (Eddie Moore/Albuquerque Journal)

Joe Vigil of the New Mexico Oil and Gas Association described the proposed rule as “an overreach with too many unanswered questions.”

The Bureau of Land Management, he said, already has rules that strike the right balance between energy development and environmental stewardship.

But Danielle Murray, senior legal and policy director of the Conservation Lands Foundation, said the agency has skewed for decades in favor of extractive industries.

Under the rule, she said, development of federal lands will continue, but conservation would be on par with other uses and require the agency to show it has considered impacts on watersheds and landscapes.

Michael Casaus, New Mexico state director for the Wilderness Society, said the rule could help protect Otero Mesa — the largest remaining Chihuahuan desert grassland of its kind in the country, he said — in southern New Mexico. The area is home to 200 bird species, native pronghorn antelope and other wildlife, he said.

Vulnerable to oil and gas development, Otero Mesa is “one of the most endangered ecosystems in America,” Casaus said.

The greater Chaco region in northwestern New Mexico could also benefit, he said. Even outside the boundaries of the Chaco Canyon Historical Park, Casaus said, the broader region has archaeological sites that deserve protection.

The proposed rules requires meaningful consultation with Native American tribes, nations and pueblos.

“We know these lands, the animals and plants – their importance to our culture and history,” said Keegan King, who’s from Acoma Pueblo and is executive director of the Native Land Institute, which supports the rule.

The local coalition supporting the proposed rule the overwhelming majority of land managed by the BLM in New Mexico is open to oil and gas development, while only 11% is protected.

The Bureau of Land Management is part of the U.S. Interior Department, led by Cabinet Secretary Deb Haaland, a Democrat and former congresswoman from New Mexico.