

**COUNTY OF OTERO, NEW MEXICO
COUNTY COMMISSION EMERGENCY MEETING AGENDA
COMMISSION CHAMBERS - Rm#253
THURSDAY, MARCH 29, 2007 – 1:00 p.m.**

Commission Chairman: Doug Moore, Commission District 1 Commission Vice-Chairperson: Clarissa McGinn, Commission District 2 Commission Member: Michael Nivison, Commission District 3

INVOCATION

PLEDGE OF ALLEGIANCE

“I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.”

SALUTE TO THE FLAG OF NEW MEXICO

“I salute the flag of the state of New Mexico, the zia symbol of perfect friendship among united cultures.”

NEW BUSINESS:

- (1) Request approval of **Resolution #03-29-07/95-57** declaring a state of emergency and disaster in and around the communities and watersheds in the Sacramento Mountains of Otero County.
- (2) Request, pursuant to Otero County Ordinance No. 93-04, to prepare an informal letter and initial assessment report on the areas in Otero County impacted by the declared state of emergency disaster that has been caused by insect and disease infestations in the Sacramento Mountains.

ADJOURNMENT

For Information Only:

The next scheduled Otero County Commission meeting is Tuesday April 17, 2007 at 6:00 p.m.



Email: oteroadm@co.otero.nm.us
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1000 NEW YORK AVE., RM 101
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State of New Mexico
County of Otero

RESOLUTION NO. 03-29-07/95-57

**Declaration of a State of Emergency and Disaster in
and around Sacramento Mountain Communities and
Watersheds**

WHEREAS, it is the responsibility and within the scope of authority, of the Otero County Commission to protect the health, safety, and welfare of Otero County and its citizens, pursuant to the provisions of 4-36-11 NMSA 1978 (Senate Bill 1), and 4-37-1 NMSA 1978; and

WHEREAS, insect and disease outbreaks in and around Sacramento Mountain communities and watersheds have resulted in an increasing fire hazard condition in areas that are identified as high risk for loss of property and lives to catastrophic fire which threatens the health, safety and welfare of its citizens. These increased fire hazard conditions are occurring in areas identified as high risk in the Otero County Community Wildfire Protection Plan; and

WHEREAS, these outbreaks further threaten irreparable harm to the scenic beauty and recreational resources that are critical components of our local custom and culture, economic well-being, and quality of life. As more and more trees are destroyed by defoliating insects, we will face the loss of income and jobs that would be extremely difficult (and in some cases impossible) to recover from; and

WHEREAS, defoliating insects were first detected in aerial surveys by the U.S. Forest Service New Mexico Zone Forest Entomology staff during 2002. These infestations have steadily increased in successive years as a result of defoliating insect outbreaks by the Tussock Moth, the New Mexico Fir Looper, a new Looper species (*Nepytia*), and the spruce budworm, among others. The current geometrid moth defoliator *Nepytia janetae* is unique in that its caterpillar state actively defoliates year round. Drought conditions since 1996, recent mild winters and increasing tree stand densities are apparently major factors in the recent build-up of insect defoliator populations; and

WHEREAS, Forest officials have been aware for months of an explosion in the population of defoliating species that is causing the loss of recreational resources, damaging and destroying threatened species habitat, increasing the number of hazard trees, and elevating fire fuel levels; and

WHEREAS, the Board of County Commissioners has been signatory to a Memorandum of Understanding with the U.S. Forest Service providing for immediate notice to the County of circumstances such as these; and

WHEREAS, Section 4, A. of Otero County Resolution 93-04 states that requirements for coordinated resource project planning, the Otero County Comprehensive Land Use and Policy Plan specifically requires that a coordinated planning and review process be established for all federal actions and plans within Otero County; and

WHEREAS, Senate Bill 1 requires Counties to inform, cooperate with, consult with, and involve Federal agencies in their planning efforts; and

WHEREAS, Federal laws (e.g. the National Environmental Policy Act, etc.) and regulations contain reciprocal requirements concerning cooperation, consultation and coordination by Federal agencies with state and local governments; and

WHEREAS, the first information concerning insect outbreaks was provided to the Board of Otero County Commissioners on March 27, 2007, which is five years after Forest officials were first made aware of existing and impending outbreaks. Clearly, this constitutes a failure to communicate, consult, cooperate and coordinate with Otero County in violation of county ordinance, state statutes and executive orders. Further, it has significantly increased the risk of catastrophic wildfire in and around the communities and watersheds of the Sacramento Mountains along with the loss of recreational resources; and

NOW THEREFORE, hereby be it resolved that the Board of County Commissioners of Otero County declares a state of emergency and disaster to exist in and around the communities and watersheds in the Sacramento Mountains including the Wildland Urban Interface areas identified as critical in the Otero County Community Wildfire Protection Plan; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners hereby formally requests that State and Federal officials take immediate action to eliminate hazardous conditions in and around the communities and watersheds in the Sacramento Mountains including the Wildland Urban Interface areas identified as critical in the Otero County Community Wildfire Protection Plan; and

BE IT FURTHER RESOLVED, that this resolution be called immediately to the attention of the Secretary of Agriculture, New Mexico Congressional delegation, Governor Bill Richardson, the New Mexico legislature and the New Mexico Office of Emergency Preparedness, and

BE IT FURTHER RESOLVED, that the Governor of the State of New Mexico and the New Mexico Office of Emergency Preparedness are hereby called upon to declare a state of emergency and disaster in the various counties and national forests effected by severe insect infestation; and

BE IT FURTHER RESOLVED, that Forest Service personnel are hereby called upon to be immediately responsive to the communication, cooperation, consultation, and coordination with, and provide immediate notification to Otero County upon being made aware of or discovering situations such as this; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners calls upon the U.S. Department of Agriculture, U.S. Congress, the New Mexico Legislature, and the New Mexico Governor's office to immediately provide emergency funding to accomplish aerial spraying, tree thinning, dead tree removal and other ancillary fuels removal to protect affected areas from catastrophic wildfire; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners calls on State and Federal officials to immediately coordinate a meeting to address the issues raised by this resolution; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners calls upon the U.S. Department of Agriculture and the U.S. Congress to conduct an investigation to determine why the requirements of county, state and federal ordinances, laws and regulations are not being routinely followed in relation to public safety, recreation, wildfire and economic issues on Otero County forest lands.

PASSED, APPROVED AND ADOPTED on this 29th day of March 2007.

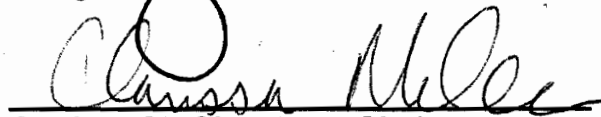
**BOARD OF COUNTY COMMISSIONERS
OTERO COUNTY, NEW MEXICO**

ATTEST:


Robyn Silva, County Clerk

(Seal)


Doug Moore, Chairman


Clarissa McGinn, Vice-Chairperson


Michael Nivison, Member