

## Water grab on the plains of San Agustin

Sen. Martin Heinrich - Mar 29, 2018 – El Defensor Chieftain

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To know the Plains of San Agustin of western New Mexico is to love it. I remember the first time I drove west of Magdalena and laid eyes on this vast expanse of grasslands. A couple winters ago, I took my son Carter on an elk hunt in the Continental Divide Wilderness Study Area where the views stretch out for miles above the surrounding plains. Some of my favorite memories are from hunting and camping trips on public lands whose wildlife are supported by the pristine aquifer that sits underneath the Plains.

Many would consider this area of the state a paradise, but the locals here are worried. They are concerned about their wells drying up and anxious about their ability to maintain their traditional way of life. Outsiders and academics have taken notice as well, listing the Plains of San Agustin as one of New Mexico's most endangered cultural properties.

Their cause for concern is Mr. Bruno Modena, an Italian billionaire whose New York-based company, the Augustin Plains Ranch, has proposed to pump 17 billion gallons of groundwater annually from the pristine aquifer beneath the Plains and construct a pipeline to transport the water far away from Catron County.

The legal battle over this speculative water proposal has now spanned a decade, and it has united conservative ranchers with Tribes, small business owners and conservationists in a broad coalition of local opposition.

Mr. Modena's first application was rejected in 2012 after the State Engineer determined that the Augustin Plains Ranch was not ready, willing and able to put the pumped water to "beneficial use," an important test in New Mexico state water law. That proposal, along with a subsequent application in 2015, were some of the most contested filings in the history of the State Engineer's Office.

Now in its third iteration, the application is once again before the State Engineer.

There are few substantive changes in this latest application, but there has been a change in the politics in Washington. The George W. Bush and Obama administrations both opposed Mr. Modena's Augustin Plains Ranch application. In 2007, the Department of the Interior's agencies—including the Bureau of Reclamation, Bureau of Land Management, and U.S. Fish and Wildlife Service—raised objections and filed formal protests against the San Augustin Ranch project because of potential damaging impacts on water and wildlife resources. The Bureau of Indian Affairs also expressed concerns.

Those protests remained on file throughout the Obama administration, but President Trump's Interior Department quietly erased them in May of last year. This came only five months after President Trump's transition team released a list of 50 major infrastructure priorities that unexpectedly included the Augustin Plains Ranch's water speculation proposal. The Trump administration later disavowed that list, but the troubling inclusion of the project on a list of major national priorities indicates that someone associated with the project may have the ear of the White House.

This month, I sent a letter to President Trump's Interior Secretary Ryan Zinke calling on him to provide answers to residents in Catron and Socorro Counties about his department's actions. Given the potentially devastating impacts of this water speculation project to rural communities in New Mexico, I am strongly urging Secretary Zinke to renew his department's longstanding and well-founded objections to the project. I hope Secretary Zinke takes a closer look at this issue and recognizes the project is not in line with the missions of multiple agencies under his purview.

I am also hopeful that State Engineer Tom Blaine will concur with his predecessors and reject the latest Augustin Plains Ranch's application. If he does not, there will be an awful lot of New Mexicans standing up to fight this project, and I will be right there with them.