



RESOLUTION # 95-22

A Resolution to oppose the U.S. Fish and Wildlife Service proposal to designate a portion of Torrance County as critical habitat for the Mexican Spotted Owl.

WHEREAS, the proposed designation includes private as well as public lands, and this constitutes a restrictive impact on private property rights, and is in violation of the 5th amendment to the Constitution of the United States; and

WHEREAS, the multiple-use concept pertaining to our National Forests would be severely curtailed, resulting in elimination of fuel wood gathering, hunting, camping, pinon picking, cross country skiing. Permitted uses, such as livestock grazing, natural resource conservation and ecological improvements and range improvement maintenance would be reduced or eliminated; and

WHEREAS, there are extensive well developed and well reviewed multiple-use oriented plans developed by the Mountainair Ranger District. These plans involve upgrading campgrounds, trails and roads; improving wildlife habitat, stabilizing watershed conditions, improving biodiversity, and enhancing ecological site condition. This effort, coupled with the cost of existing improvements, amounts to several million dollars of public and private investment; and

WHEREAS, this proposal is not sound from a public safety, private property and water rights, multiple -use, ecological or economic stand point. No conclusive scientific evidence is presented to substantiate the selection of this particular area. Critical habitat areas are admittedly "over estimated and inaccurately delineated." Commercial timber harvest is identified as the primary threat to the species. Commercial timber harvesting has not taken place in this area in more than fifty years, and none is contemplated.

THEREFORE be it resolved that the Torrance County Board of Commissioners are totally opposed to the proposed determination of critical habitat for the Mexican Spotted Owl for the above stated reasons. A map of the affected area in Torrance County is attached.



DONE at Estancia, Torrance County, New Mexico this 22nd day of March, 1995

TORRANCE COUNTY COMMISSION

Roy Spencer
Chairman

Rodger Wagner
Member

Member

Attest: Carl Clayton
Clerk of the Board