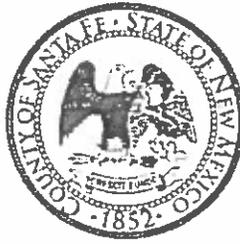


Henry P. Roybal
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

Date: January 15, 2016
To: Board of County Commissioners
From: Paul Olafson, Planning Projects Manager, Planning Division
Tony Flores, Deputy County Manager
Via: Katherine Miller, County Manager

Item: Update and Presentation Regarding Santa Fe County Actions Along The Santa Fe River In La Cieneguilla

SUMMARY:

On January 12, 2016, the Board of County Commissioners (BCC) requested that staff present an update on activities on the County open space property and along the Santa Fe River in La Cieneguilla at the BCC's scheduled meeting for January 26, 2016. This memo and attachments provide the requested update.

BACKGROUND:

Santa Fe County employs a holistic approach to land and resource management. County staff have continued to work with La Cieneguilla community members, stakeholders and multiple public agencies since acquiring the La Cieneguilla Open Space property in 2001. Staff has continued to be involved and engaged with all the stakeholders (federal, state, and local governmental agencies, land owners, community members, conservationists) in the area throughout this time.

The bullet points below outline some of the main items County staff have completed to date. It should be noted that the bullets do not reflect all of the hours dedicated by community members, County staff, volunteers and other stakeholders to conduct research, meetings, planning and maintenance activities related to these issues.

- Santa Fe County purchased approximately 150 acres of property in La Cieneguilla along approximately 0.75 mile of the Santa Fe River.
- In 2006, Santa Fe County worked with La Cieneguilla community members and other stakeholders to conduct bank stabilization, trash and non-native species removal along the Santa Fe River within the La Cieneguilla Open Space.
- Staff met with community members and agencies at the request of the community to discuss the beaver issue that resulted in resolution 2011-101.
- Santa Fe County Resolution 2011-101 formalized County participation with the La Bajada working group which included New Mexico Game and Fish, Bureau of Land Management, City of Santa Fe

and other community stakeholders to resolve issues related to river flow. In 2012 this group was renamed as the Santa Fe River Traditional Community Collaborative.

- Santa Fe County Resolution 2011-191 formally requested that the City of Santa Fe provide adequate release of treated effluent from the City's Wastewater Treatment Plant (WWTP) to provide adequate flows for downstream irrigators.
- House Memorial 2012 – 74 (HM 2012-74) was adopted by the New Mexico State House of Representatives during the 2012 Legislative session. HM 2012-74 requests that the City and County of Santa ensure that sufficient water is released into the Santa Fe River to support traditional agriculture around the communities of La Bajada and La Cienega.
- Santa Fe County Resolution 2012-133 requests that the City of Santa Fe give priority to the release of sufficient reclaimed water to the downstream users of La Cieneguilla, La Cienega, the Village of La Bajada and tribes for historical agricultural traditions.
- Staff has attended regular meetings of SFR TTC since 2011, when the group was formed.
- In 2011, the stakeholders identified various options on how water might be conveyed downstream, thus bypassing the beavers.
- Santa Fe County installed a Beaver Deceiver and Pond Levelers on La Cieneguilla Open Space in the Spring of 2014. These devices have succeeded in lowering the water and keeping debris out of the culverts under Calle Debra. Open Space staff continues to maintain and monitor these devices and adjust them as needed.
- Santa Fe County staff and community volunteers have wrapped trees in La Cieneguilla Open Space to protect them from beaver damage.
- Santa Fe County staff and community volunteers have conducted multiple clean-up and invasive vegetation removal over the past several years.
- La Cieneguilla Open Space was identified as the first priority property to develop a management plan in 2014. This management plan process is ongoing and is anticipated to be completed by July 2016. This plan includes examination of the County parcel and its relationship to neighboring parcels, with participation from the community and other key stakeholders including SFR TTC and public agencies. When completed, the management plan will identify the appropriate maintenance and management for the property and will include a focus on solutions to properly and effectively mitigate potential fire, flood or other hazardous conditions on the property.
- Santa Fe County Planning Staff worked with the communities of La Cienega and La Cieneguilla to complete a Community Plan which was adopted by the Board of County Commissioners in 2015. The plan identified concerns along the river including beaver and associated flood and fire risks were identified as a key issue.
- The 2015 Sustainable Land Development Code (SLDC) contains standards for development and riparian restoration activities that apply to the Santa Fe River in the La Cieneguilla area. These standards were reviewed and supported through the La Cienega and La Cieneguilla Community Plan.

- The County continues to address the concerns regarding this stretch of the Santa Fe River that flows through the La Cieneguilla Open Space. This includes attending the SFRTCC meetings, providing staff time and other resources for management of the County property and the commitment to develop the management plan that is consistent with Santa Fe County policies and practices.

ACTION REQUESTED:

Staff is not requesting any action with this item. When the management plan for the La Cieneguilla Open Space property is completed, staff will bring the management plan to the BCC for review.

ATTACHMENTS:

Exhibit A: Santa Fe County Resolution 2011-101
 Santa Fe County Resolution 2011-191
 House Memorial 2012 – 74
 Santa Fe County Resolution 2012-133

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY, NEW MEXICO

RESOLUTION NO. 2011- 101

A RESOLUTION ESTABLISHING DROUGHT MITIGATION MEASURES IN THE
SANTA FE RIVER

WHEREAS, Santa Fe County has been experiencing drought conditions, including above normal temperatures and little or no precipitation;

WHEREAS, numerous streams including the Santa Fe River have decreased water levels;

WHEREAS, the Santa Fe County, City of Santa Fe and BLM own property at upper La Cienega encompassing a segment of the Santa Fe River which conveys water that is released from the City of Santa Fe waste water treatment plant;

WHEREAS, colonies of beavers are now inhabiting the upper portions of the Santa Fe River, including properties owned by the City of Santa Fe, Santa Fe County, and the Bureau of Land Management, and are creating dams that may be obstructing the flow of water to downstream users;

WHEREAS, the Community of La Bajada has received no water from the Santa Fe River for over a month, resulting in a hardship and impact on agricultural land use and the community water system; and

WHEREAS, Santa Fe County is coordinating efforts with the City of Santa Fe and BLM to implement drought mitigation measures to enhance water flow in the Santa Fe River and to provide water to the residents of La Bajada;

NOW THEREFORE,, THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY RESOLVES , AS FOLLOWS:

1. The County shall coordinate efforts with the City of Santa Fe to provide immediate drought relief assistance to the La Bajada community.
2. The County shall coordinate with the New Mexico Game and Fish Department, so that the Department can conduct an immediate assessment of the number of beaver dams in the area and begin a beaver deceiver (flow device) program to improve river flow across county property. This effort will involve collaboration between the Santa Fe County Open Space Program, the City of Santa Fe and BLM.

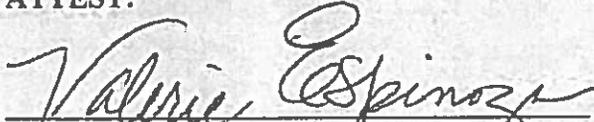
3. The County will coordinate efforts with the City of Santa Fe, BLM and New Mexico Game and Fish to improve flow across all properties upstream
4. The County shall collaborate with the City of Santa Fe and BLM to evaluate water conveyance system options for piping water back into the river at some point in the area by passing the beaver dams.
5. The County will create a working group to continue resolving the issues created by the Beaver dams. The working group may include representatives from Santa Fe County, the City of Santa Fe, BLM, NM Game and Fish, La Bajada community members, La Cienega community members, La Cieneguilla community members, Cochiti Pueblo, Office of the State Engineer, Army Corps of Engineers.

PASSED, APPROVED AND ADOPTED this 26 day of July, 2011.

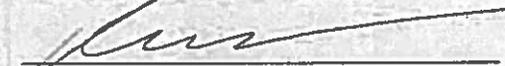
**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**


Virginia Vigil, Chair

ATTEST:


Valerie Espinoza, Santa Fe County Clerk

APPROVED AS TO FORM:


Stephen C. Ross, Santa Fe County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
PAGES. 2

I Hereby Certify That This Instrument Was Filed for
Record On The 27TH Day Of July, 2011 at 04:15:14 PM
And Was Duly Recorded as Instrument # 1641230
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Deputy  Valerie Espinoza
County Clerk, Santa Fe, NM

SFC CLERK RECORDED 12/27/2011

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

RESOLUTION NO. 2011-191

A RESOLUTION REQUESTING THAT THE CITY OF SANTA FE RELEASE
ADDITIONAL EFFLUENT INTO THE SANTA FE RIVER TO SUPPORT THE
HISTORICAL AND CURRENT AGRICULTURAL NEEDS IN THE
COMMUNITY VILLAGES OF LA CIENEGUILLA AND LA BAJADA

WHEREAS, Santa Fe County has been experiencing severe drought conditions,
including above normal temperatures with little or no precipitation;

WHEREAS, numerous streams including the Santa Fe River have experienced
decreased water levels;

WHEREAS, the villages of La Cieneguilla and La Bajada encompass a segment
of the Santa Fe River which also conveys water that is released from the City of Santa
Fe's waste water treatment plant;

WHEREAS, the villages of La Cieneguilla and La Bajada are traditional acequia-
based communities that utilize the Santa Fe River and whose culture and heritage are
intrinsically tied to water and agriculture;

WHEREAS, the County is experiencing increased urbanization and development
that is contributing to the loss of water in the Santa Fe River; and

WHEREAS, there is a critical need for the villages of La Cieneguilla and La
Bajada to maintain a traditional and sustainable local, small farming and ranching
economy that is essential to the health and economic well-being of County residents.

NOW THEREFORE, BE IT RESOLVED that the Board of County
Commissioners of the County of Santa Fe requests that the City of Santa Fe release
additional effluent water into the Santa Fe River to continue to support the historical and
current agricultural needs in the downstream community villages of La Cieneguilla and
La Bajada.

PASSED, ADOPTED and APPROVED this 13 day of DECEMBER, 2011.


VIRGINIA VIGIL, CHAIR

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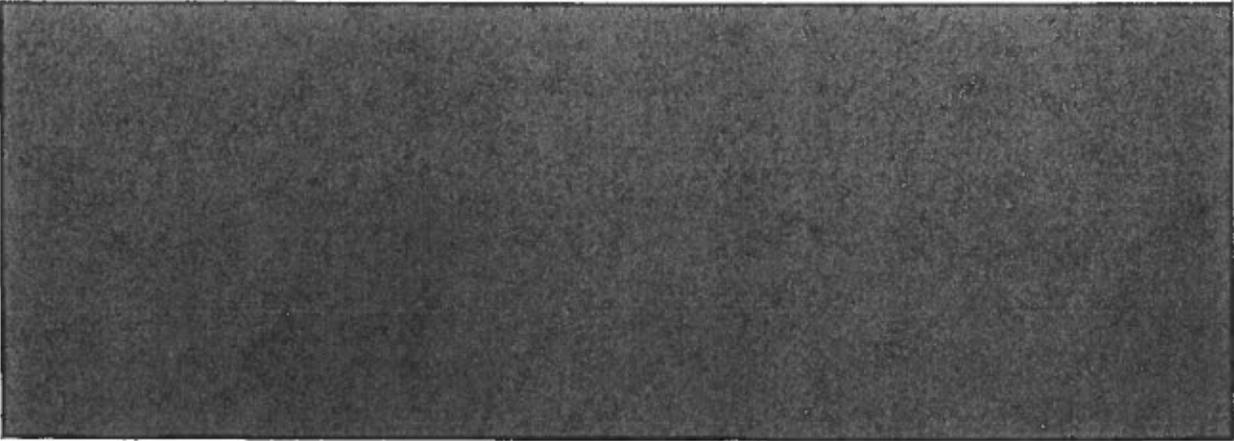
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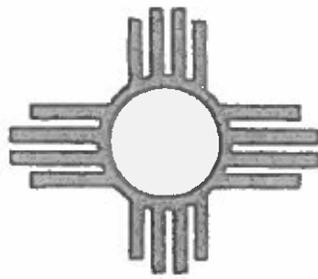
ATTEST
Valerie Espinoza
VALERIE ESPINOZA
SANTA FE COUNTY CLERK

APPROVED AS TO FORM:
Stephen C. Ross
STEPHEN C. ROSS,
SANTA FE COUNTY ATTORNEY



COUNTY OF SANTA FE) BCC RESOLUTIONS
STATE OF NEW MEXICO) ss PAGES: 2
I Hereby Certify That This Instrument Was Filed for
Record On The 27TH Day Of December, 2011 at 10:40:24 AM
and Was Duly Recorded as Instrument # 1655516
Of The Records Of Santa Fe County
Deputy *Erika Gomez* Witness My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM





The Legislature
of the
State of New Mexico

50th Legislature, 2nd Session

LAWS 2012

CHAPTER _____

HOUSE MEMORIAL 74

Introduced by

REPRESENTATIVE JAMES W. HALL AND REPRESENTATIVE JIM R. TRUJILLO



1 A MEMORIAL

2 REQUESTING THAT THE CITY AND COUNTY OF SANTA FE ENSURE THAT
3 SUFFICIENT WATER IS RELEASED INTO THE SANTA FE RIVER TO
4 SUPPORT TRADITIONAL AGRICULTURE AROUND LA BAJADA AND LA
5 CIENEGA.

6
7 WHEREAS, residents of the areas around La Bajada and La
8 Cienega in Santa Fe county have practiced traditional
9 irrigated agriculture for generations; and

10 WHEREAS, these areas were once known as the "breadbasket
11 of New Mexico"; and

12 WHEREAS, these communities are among the oldest
13 settlements in New Mexico; and

14 WHEREAS, residents of these communities continue to
15 maintain their lands and customs by wise and productive use of
16 their land and water resources; and

17 WHEREAS, maintaining the heritage of these communities
18 is important for retaining the diversity of people and
19 cultures that truly makes Santa Fe unique; and

20 WHEREAS, the waters of the Santa Fe river are critical
21 for the agriculture of these communities;

22 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
23 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the city of
24 Santa Fe and the county of Santa Fe work together to ensure
25 that sufficient water is released into the Santa Fe river to

1 support traditional agriculture in the areas of La Bajada and
2 La Cienega; and

3 BE IT FURTHER RESOLVED that copies of this memorial be
4 transmitted to the members of the Santa Fe city council and
5 the Santa Fe county board of county commissioners.
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Ben Lujan

BEN LUJAN, SPEAKER
HOUSE OF REPRESENTATIVES

Stephen R. Arias

STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES

SANTA FE COUNTY
RESOLUTION NO. 2012-133

**A RESOLUTION TO RESPECTFULLY REQUEST THAT THE CITY OF SANTA FE
GIVE PRIORITY TO THE RELEASE OF SUFFICIENT RECLAIMED WATER TO
DOWNSTREAM USERS OF LA CIENEGUILLA, LA CIENEGA, THE VILLAGE OF
LA BAJADA AND TRIBES FOR HISTORIC AGRICULTURAL TRADITIONS**

WHEREAS, the City of Santa Fe has an ongoing process for allocating reclaimed water produced by the City's Wastewater Treatment Plant;

WHEREAS, the County of Santa Fe is aware of the many demands for the City's reclaimed water and the City's position that the reclaimed water is a resource that is controlled by the City;

WHEREAS, the City's decisions regarding water over the last several decades have had a significant impact on water resources in the Lower Santa Fe River Watershed;

WHEREAS, the County of Santa Fe encourages the City of Santa Fe to recognize its unique capacity for participation in the protection and preservation of this vital water course;

WHEREAS, the County of Santa Fe requests a more active participation in the discussions and the committee hearings revolving around the use of effluent water from the treatment facility;

WHEREAS, the County of Santa Fe acknowledges and supports the efforts of the Santa Fe River Traditional Communities Collaborative (SFRTCC) which consists of representatives from: the Villages of La Bajada, La Cieneguilla and La Cienega; the Pueblo of Cochiti; the Santa Fe Watershed Association; Wild Earth Guardians; and legislative dignitaries;

WHEREAS, non-member governmental agencies who attend SFRTCC meetings in advisory capacities and provide technical support and guidance include, US Forest Service, Bureau of Land Management, New Mexico Game and Fish, Office of the State Engineer, City of Santa Fe, Santa Fe County Staff and Santa Fe-Pojoaque Soil and Water Conservation District;

WHEREAS, the Santa Fe County Board of Commissioners through County Resolution Number 2011-101, and the New Mexico State Legislature through 2012 House Memorial 74, have formally recognized the problems with the lack of water flows to traditional farms and ranches in the Lower Santa Fe River Watershed;

WHEREAS, SFRTCC will consider its responsibility in addressing these legislative initiatives during the river restoration planning process.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County to request that the City of Santa Fe give priority to release of sufficient reclaimed water to the downstream users of La Cieneguilla, La Cienega, the Village of La Bajada and the Pueblo of Cochiti for historic and agricultural traditions.

PASSED, APPROVED, and ADOPTED this 25th day of September, 2012.

By: *Liz Stefanics*
Liz Stefanics, Chair

Attest: *Valerie Espinoza*
Valerie Espinoza, Santa Fe County Clerk

Approved as to form:

Stephen C. Ross
Stephen C. Ross, County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
PAGES: 2

I Hereby Certify That This Instrument Was Filed for
Record On The 12TH Day Of October, 2012 at 04:14:15 PM
And Was Duly Recorded as Instrument # 1684455
Of The Records Of Santa Fe County

Deputy *Marcella Calzadilla* Witness My Hand and Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM

SFC CLERK RECORDED 10/12/2012

