

SANTA FE COUNTY

2511837

Resolution No. 2003 - 61

A Resolution Establishing An Urgent Projects Application Policy For Acquisition of Open Space Properties Under the County's Open Space and Trails Program.

WHEREAS, voters in Santa Fe County approved General Obligation Bonds establishing funding for the "Wildlife, Mountains, Trails and Historic Places Program," ("Program") on November 3, 1998 and November 7, 2000; and

WHEREAS, the County adopted the Open Land and Trails Plan for the Wildlife, Mountains, Trails and Historic Places Program via Resolution No. 2000-60 on May 22, 2000, establishing an application process ("application process") for review and evaluation of proposals by the County Open Land and Trails Planning and Advisory Committee ("COLTPAC") with final approval from the Board of County Commissioners ("BCC") for the acquisition of land by the County for inclusion as open space and trails; and

WHEREAS, the application process does not include specific means to address urgent or time sensitive projects; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the BCC establishes an Urgent Projects Application Policy for Acquisition of Open Space Properties Under the County's Open Space and Trails Program to address urgent open space acquisition proposals ("Projects"). Projects that necessitate immediate review may be brought before the COLTPAC regardless of whether an acquisition phase is under way, so long as applicants for urgent project status complete the regular Wildlife, Mountains, Trails and Historic Places Program acquisition forms, provide all the information required, and meet these additional requirements:

1. An applicant with a project that meets the urgent project criteria must complete and submit an application (Attached hereto as Exhibit A and as may be amended from time to time) to County Open Space and Trails Program Staff ("Program Staff").
2. The application must contain documentation that proves that the project is time sensitive and requires immediate review. (Examples of time sensitivity include, but are not limited to, situations when other funding sources tied to the project may be lost without immediate action, personal hardship requiring immediate sale, threat of degradation of the resources contained on the property, or other legitimate, documented time pressures). The documentation must establish justification of urgency and an exception to the normal acquisition phase.
3. The application must show that the property contains unique features that, in the judgment of the Committee, would receive an exemplary score under the normal "Criteria for Evaluating Projects" (indicating that the property would measure well against

competing projects if it were submitted in the ordinary course of COLTPAC's acquisition phases).

- 4. Following receipt of a completed application, Program Staff will conduct an expedited review of the submitted documentation to determine completeness and shall request any additional information missing or necessary for COLTPAC to complete the evaluation. Upon determination that the application is complete, Staff will present information regarding the application to the Committee members. Program Staff or any Committee member may request a special COLTPAC meeting and/or site visit to evaluate the proposed project. A special COLTPAC meeting will be scheduled if members of the Committee, constituting a quorum, consent and indicate that they are available at the scheduled time. Upon favorable review by COLTPAC, the Committee recommendation will be forwarded to the BCC for review and a final decision at the BCC's next regularly scheduled meeting.

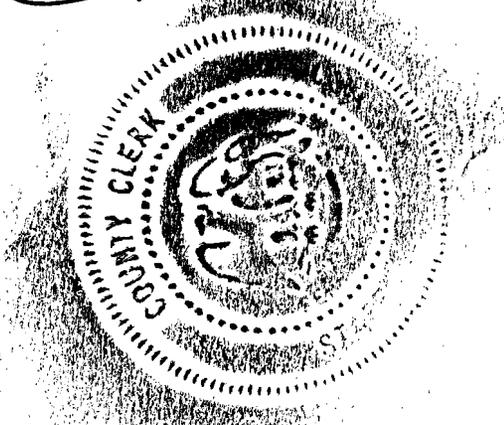
PASSED, APPROVED AND ADOPTED this 29 of April, 2003.

BOARD OF COUNTY COMMISSIONERS


 Jack Sullivan, Chairman

ATTEST:


 Rebecca Bustamante
 County Clerk



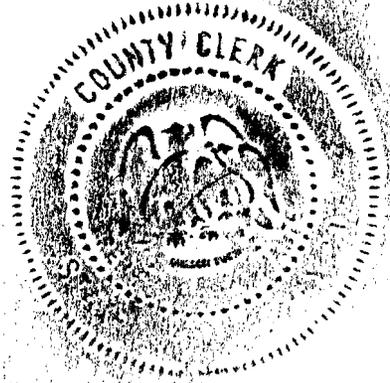
Approved As to Form:


 Sophia Collier
 County Attorney

CERTIFICATE OF FILING

I, Rebecca Bustamante, County Clerk, do hereby certify that the foregoing resolution, designated as Resolution No. 2003- 61 was filed in my office on the 1st day of May, 2003, in book Number 2511 at Pages 837-848

SANTA FE COUNTY CLERK

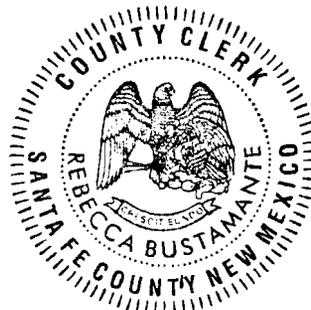



 Rebecca Bustamante

Attachment A: Existing Open Space and Trails Acquisition Documents

- Application Process Description
- Application Form
- Evaluation Criteria

2511839



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) SS 1263108
I Hereby Certify That This Instrument Was Filed For Record On The
1 Day Of May, A.D., 2003 at 11:08 AM/PM
And Was Duly Recorded In Book 2511 Page 837-840 Of The
Records Of Santa Fe County
Witness My Hand And Seal Of Office
Rebecca Bustamante
County Clerk, Santa Fe, NM *Marcella Salazar* Deputy

County Open Land and Trails Program Application Process

Revised: October 26, 2000

This program is voluntary on the part of landowners.

1. This program is voluntary on the part of landowners. Anyone may initiate the process by completing an Application Form (see attached) but evaluation only occurs during open acquisition phases. The form provides basic information, including the characteristics, location and owners of the property. The County Open Land and Trails Planning and Advisory Committee (COLTPAC) will review projects during property acquisition phases.
2. If the applicant is not the property owner, the applicant is responsible for identifying the property owner by a search of the County Assessor's records and contacting the owner in person. The applicant should determine the owner's interest in negotiating. The applicant must submit a letter from the landowner stating their interest in negotiating with the County. The County encourages landowners and applicants to work with other partners including the Trust for Public Land, Santa Fe Conservation Trust and other land trusts to identify other sources of funding such as private donations or grants. Open Space and Trails Program staff will answer applicant's questions regarding the process.
3. Once an acquisition phase is opened, County staff compiles a file of the received project application form for COLTPAC and determines if additional information is necessary. The applicant must provide all applicable maps, photographs, and/or aerial photography of the property being considered. Applicant must provide one (1) original application and thirteen (13) copies so that staff may supply copies of the applications to members of COLTPAC for review. Staff arranges a site visit for COLTPAC. COLTPAC determines if more information or a presentation is necessary, decides whether the properties meet the criteria, evaluates each property numerically and prioritizes the projects based on criteria scores.
4. Staff and COLTPAC make a final presentation to the Board of County Commissioners (the Board) and recommends for or against purchase of the property, or for purchase with conditions. The Board has the final decision-making power about projects for acquisition. The Board grants authorization for staff to proceed with negotiations.

This process must be completed before formal negotiations for a property are initiated.

Please return applications or direct inquires to:

**Santa Fe County
Open Space and Trails Program
(Attn: Paul Olafson)
102 Grant Ave, P.O. Box 276
Santa Fe, NM 87504-0276
(505) 995-2704
fax (505) 995-2791**

**Santa Fe County - Wildlife, Mountains, Trails and
Historic Places Program
Application Checklist**

2511842

Revised 10/26/00

Please attach descriptions for the categories listed below. Limit your answers to one page, or less, for each one. Provide applicable documentation for all categories to support claims.

Note: Santa Fe County will not participate in a purchase over fair market value, as determined by a qualified appraisal. A qualified appraisal will be done if the project is prioritized by COLTPAC and approved by the Board of County Commissioners. Applicants will need to provide a binding commitment from the landowner (an option or purchase and sale agreement) within 90 days of the Board meeting.

_____ **Basic Property Details:**

- List the estimated purchase price
- List the approximate acreage
- Provide a legal description, if you have one (optional)
- Provide an appraisal, if one has been done within 60 days (optional)
- Describe any existing structures on the property, if applicable

_____ **Negotiation Status.** Provide name of property owner or representative and a letter stating that the owner or representative is willing to negotiate or enter into an agreement within the County.

_____ **Site Map.** Provide a map (USGS 7.5 topo or better - one original) of the proposed project site. Show property boundary and any public land boundaries (if applicable). Show all current and proposed developments (roads, streets, easements, etc.), natural features (streams, ponds, lakes, wetlands) and mode of access to the property (public road, right of way, easement, etc.).

_____ **Area Map.** Provide a map of the surrounding area which displays current land uses (agriculture, rangeland, forest, pasture, development, etc.) and any proposed developments. Include any important land use features which may influence the project site. Please also identify other protected lands in the area and their ownership (i.e., local government, state or federal).

_____ **Water Rights.** Describe any water rights (surface, subsurface, well and drainage) that are necessary to protect and preserve the parcel's attributes. Who holds the rights? Will they transfer with the property?

_____ **Mineral Rights.** Describe any mineral, sand and gravel rights that are associated with the parcel. Will they transfer with the property? If not, who owns them and is development likely?

_____ **Land Uses.** Describe the existing land use practices on the site. What is the current zoning? What is the current land use?

_____ **Environmental Hazards.** Describe all known previous uses of the site, and any current uses not already described. What is the possibility of hazardous material or environmental problems on the site? Has a hazardous materials or environmental assessment been done? If so, what were the results?

_____ **Encumbrances.** Describe any known encumbrances or liens on the property.

_____ **Access.** Describe whether the site has legal access, if the project is a fee acquisition. Will public access be permitted or prohibited?

- ___ **Community Benefit and Significance.** Describe the significance of the parcel and its importance or benefit to the local community or county residents.
- ___ **Leveraging of Funds.** List all contributors and their level of contribution and approximate cost to the County for the project. Funds must be cash contributions. Are they committed or anticipated? Is the property owner willing to sell the land for a reduced price or consider a conservation easement or other form of conservation to off-set the cost? Document with letters, if applicable.
- ___ **Stewardship.** Are other community organizations, agencies or non profit organizations committed in part or in full to maintenance and improvements on the property? Document with letters, if applicable.
- ___ **Partnership.** In addition to the partners listed above, list other project partners. May include coordination with public agencies, or in-kind contributions. Document through letters of support, if applicable.
- ___ **Proposed Open Space Uses or Conservation.** Describe proposed uses of the site if it is acquired for open space. What will the land use be if the proposed open land or trails project is completed? Describe any proposed management approaches that would limit public access or protect resources.
- ___ **Community Support.** Provide evidence that the local community and county-at-large supports the project (*e.g.*, letters, petitions, resolutions, newspaper articles).
- ___ **Values.** Provide evidence through a map or photos indicating that the property contains significant natural, cultural, historical, traditional or recreational resources (see "List of Significant Resources," page 4 of *Criteria*).
- ___ **Aesthetic Quality.** Provide a description and photos of the aesthetic qualities of the property.
- ___ **Cultural and Historical Areas.** Describe and map historical and cultural resources on the property, if applicable. Does the property possess multiple cultural-historical resources? Does it contribute to community identity, history or provide a buffer between communities? Is it agricultural or contain acequias? Does it have educational or interpretive value? Does it contain archaeological or historical sites?
- ___ **Natural Areas.** Describe and map the natural areas on the property and species of concern on the property, if applicable. Does the property protect water quality or supply or access to water for wildlife? How undisturbed is the property? Is the property connected to other undisturbed or protected properties? Does it contain unique geologic features? Does it contain wildlife habitat for a diversity of species?
- ___ **Recreation and Trails.** Describe whether the property is on an existing trail system. Describe and map how the property serves recreation needs in the community, if applicable (*e.g.*, County, City or other Plans, aerial photos or historical documentation). Does it provide access to other public lands? Does it contain historic trails? Is the proposed open space use integrated into the natural setting?
- ___ **Proposed "Improvements".** Describe and diagram any proposed parks and recreation and trails proposed or other intended uses for the property, if applicable.

County Open Land and Trails Planning and Advisory Committee
(COLTPAC)

Wildlife, Mountains, Trails and Historic Places Program

Criteria for Evaluating Projects

2511844

Threshold Criteria

A Project must meet all of the threshold criteria to be further considered. (Answer YES or NO).

- ___ The project is in the County of Santa Fe.
- ___ It appears to have one or more of the following values: aesthetic, recreational, historical, cultural, agricultural, geological, ecological, traditional.
- ___ It has a public benefit.
- ___ It is feasible, appropriate to its intended use and appears to be free of substantial adverse impacts.
- ___ The appropriate title and ownership appear to be free of obvious problems.
- ___ The landowner or representative is prepared and willing to enter into an agreement.

General Criteria

(Score the indicators for each separate Criterion separately on a scale of 0 to 5. Total scores for each set of criteria will be equalized and then weighted. Weighting is based on COLTPAC's indicated priorities.)

FINANCIAL CONSIDERATIONS - The terms of the acquisition will allow the County to maximize its assets and leverage the open land and trails fund. (WEIGHT = .86)

- ___ 1. The project is available for a reduced cost, (e.g., it may include a partial donation, conservation easement, or offer of a bargain sale by the landowner).
- ___ 2. A partner or another party is willing to share or finance the cost of the acquisition.
- ___ 3. A partner or another party is willing to assume financial or in-kind responsibility for on-going management and maintenance of the project.

Comments:

COMMUNITY BENEFIT - The project will be beneficial to local communities and/or the county at large. (WEIGHT = .84)

- ___ 4. The project provides cultural, historical, recreational, natural open space or trail opportunities in a community that has expressed a need for them.
- ___ 5. The local community has evidenced strong support for the project, (e.g., organized efforts such as letters, meetings, or background research).
- ___ 6. It will benefit more than one neighborhood or the county at large.

Comments:

Note: The County will treat all communities equitably, and will favor those projects that have active community support.

PROTECTION / CONSERVATION - The project contains significant resources in need of protection or conservation (see attached list of definitions). (WEIGHT = .77)

- ___ 7. It contains significant **natural** resources in need of protection or conservation.
- ___ 8. It contains significant **cultural / historical** resources in need of protection or conservation.
- ___ 9. It contains significant **recreational** resources / opportunities.

Comments:

AESTHETICS - The project has exceptional, scenic, aesthetic or cultural values. (WEIGHT = .66)

- _____ 10. It has unique color, texture, patterns of vegetation or physical features that provide visual interest or scenic value (e.g., It contains back-drop views or unique geologic features, or has high visual exposure from roads or trails).
- _____ 11. It possesses qualities that inspire, or gives a sense of solitude and/or psychological space.
- _____ 12. It creates a buffer between communities.

Comments:

SYSTEM ENHANCEMENT - The project will enhance the existing or planned system of open land, parks and trails. (WEIGHT = .58)

- _____ 13. The project is identified on COLTPAC's County Open Land and Trails Plan as a high priority open land or trails area.
- _____ 14. It is consistent with adopted or proposed Cities' and County General Plans, and private conservation program priorities.
- _____ 15. It links or complements other open space or trails, (e.g., it is adjacent to, or part of, a trail system or public open land).
- _____ 16. It is consistent with its intended use, and it is safely and conveniently accessible.

Comments:

Specific Criteria

(Score the indicators for each separate Criterion separately on a scale of 0-5)

A. CULTURAL AND HISTORICAL AREAS (Maximum Points Equal to other Specific Criteria)

- _____ A.1 **The Project Represents the Historical Open Space Patterns in the County.** The project contains land surrounding a traditional community (or buffer land) which has historically been undeveloped or lightly developed and used as "common land". (WEIGHT = 10)
- _____ A.2 **It Possesses Multiple Cultural-Historical Resources** - The project possesses multiple cultural-historical resources (identified in the plan) and/or several cultural landscape layers important to the heritage or cultural character of a community or the county. (WEIGHT = 5)
- _____ A.3 **It Contributes to Community Identity, History or Culture** - The project contributes to a traditional/historical community's identity, history and cultural connections as defined by the community (e.g., a church, petroglyphs, Spanish colonial sites), and maintains the geographical and rural integrity of a community. (WEIGHT = 4)
- _____ A.4 **It Preserves a Lifeway** - The project preserves an open or regional cultural landscape representative of a traditional lifeway (e.g., farming, ranching, herding, mining/industry, and commerce/transportation), especially waterways and acequias. (WEIGHT = 3)
- _____ A.5 **It Contributes to the Historical Development, Heritage or Cultural Character of the County and Has Educational or Interpretive Value.** The project is an example of an aspect of a community that has been transmitted through generations (e.g., Glorieta Pass, Pueblo heritage sites, Chimayo chapel hill). The cultural character includes resources that contribute to our mixed cultural heritage including Native American, Hispano and Anglo (e.g., homesteads in southern part of county and acequias in northern part). (WEIGHT = 2)
- _____ A.6 **It Represents a Specific Archaeological or Historical Site or Cultural Landscape** (e.g., pre-Columbian Pueblo farms, Spanish Colonial Mission area, historic mining district). (WEIGHT = 1)

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B. NATURAL AREAS *(Maximum Points Equal to other Specific Criteria)*

- _____ B.1 **The Project Protects Watersheds, Water Quality and Supply, and Access to Water for Wildlife**, (e.g., by preserving or safeguarding a site with highly erodible soils on steep slopes near streams, damage to fish habitats can be prevented).
- _____ B.2 **It Provides Connectivity**. The project provides connectivity by linking critical resources/habitats for wildlife, such as upland and lowland areas (e.g., protecting riparian areas can allow wildlife access to water from upland areas).
- _____ B.3 **It Contains Relatively Undisturbed Sites or Sites that Can be Restored if Degraded**. (e.g., an overgrazed pasture may be easier to restore than a site that has been mined and buried in toxic mine tailings).
- _____ B.4 **It Includes Unique Geological or Ecological Features**. (e.g., unique geological features may include important recharge zones for aquifers such as unconsolidated alluvium; unique ecological features may include riparian areas or the presence of rare plant or animal species).
- _____ B.5 **It Provides Habitat for a Large Number of Plant and Animal Species**. (e.g., lands that support several species of wildlife or native plants rank higher than sites with low bio-diversity).
- _____ B.6 **It Increases the Number of Natural Community Types Such as Riparian, Grassland, and Forest Types that are Protected in Santa Fe County**. (e.g., this will be evaluated by COLTPAC mapping public lands as to the degree of protection afforded by the government agency as compared to the community types that are currently protected).

C. RECREATION AND TRAILS *(Maximum Points Equal to other Specific Criteria)*

- _____ C.1 **The Project is Located on a Primary Trail**. The project is on an existing or proposed primary trail system. *(WEIGHT = 5)*
- _____ C.2 **It Links to Primary Trail**. The project links to or is adjacent to an existing or proposed primary trail. *(WEIGHT = 3)*
- _____ C.3 **It is Part of or Contains a Loop Trail System**. The project is part of or contains an existing or proposed looped trail system that will serve the public. A loop trail is one that begins and ends at the same location, preferably a trailhead.
- _____ C.4 **It Provides Reasonable Trailhead Access**. The project has parking access or provides improved trailhead access to an existing (i.e., public lands) or proposed trail.
- _____ C.5 **It Serves as Alternative Transportation**. The project links important destinations within the community and allows non-motorized travel between two or more public places (i.e., schools, parks, communities, special use areas) or places of public interest.
- _____ C.6 **It is Part of a Historic Trail**. The project is part of a historic trail which has been in use for fifty years or more and generally reflects pre-motorized transportation system.
- _____ C.7 **It Contains Significant Recreation Resources or Open Space Opportunities Other Than Trails**. *(WEIGHT = 5)*
- _____ C.8 **It Minimizes impacts to Neighbors, sensitive natural areas and sensitive cultural areas**. The project is integrated into the natural setting.
- _____ C.9 **It Meets Appropriate Guidelines for Intended Use** If a specific use is proposed for the project site, the site is of sufficient size and shape to accommodate such use.

_____ C.10 It has Topography that is Appropriate for Intended Use.

_____ C.11 The Community or Another Partner has Developed a Funding or Maintenance Program to Support Initial Active Use Request *(applicable if the applicant is proposing development of facilities, trails or playing fields.)*

Vision Statement

The last step in project evaluation process is to review all proposed projects in light of the Vision Statement and

Ensure that “a diverse mix of projects, distributed equitably throughout the county,” are recommended.

List of Significant Resources and Definitions

(Note: other definitions are provided in the Open Land and Trails Plan and the County General Plan)

Natural Resources: Significant sites may include, but are not limited to the following:

- **Community Types**
 - groups of plants that grow together in recognizable units and are characteristic of different habitats such as riparian areas, (e.g., cottonwood-willow community), montane areas (e.g., spruce-fir community) and deserts, (e.g., blue gramma-cholla community).
- **Ecological Features**
 - unique, underrepresented, or interesting interdependent living systems that exist because of specific limiting factors such as the soils and nutrients, availability of water, climate, etc.
 - rare plants or animal species
- **Ecosystems Currently Underrepresented in the System.** Sites may include:
 - grasslands
 - cholla grasslands
- **Geologic Features**
 - recharge zones for aquifers
 - unique rock formations
- **Rare or Endangered Species**
 - Animals and or plants whose existence is threatened, as defined by State or Federal agencies.
- **Riparian Areas**

Ecological communities, existing along river banks, streams, springs, lakes or wetlands, that

 - Contain unique vegetation and wildlife habitat due to its association with bodies of water,
 - serve as perennial, ephemeral, or intermittent sources of surface or subsurface water,
 - provide habitat for animal species,
 - serve important cleansing and recharge functions for waterways, and
 - are referred to in the Southwest as Bosques.
- **Watersheds**
 - Entire regions in which the precipitation collects and flows into various tributaries or waterways with each tributary eventually draining into the mainstem of a river.
- **Waterways**
 - open water, such as lakes and ponds,
 - riparian areas, or relating to the banks of a natural watercourse, and
 - rivers and intermittent streams
- **An Ecosystem Currently Under-represented in the System,** for example:
 - grasslands and cholla grasslands

Cultural / Historical Resources: Significant sites may include, but are not limited to the following:

- **Sacred Places:** Represent places of spiritual meaning, for example:
 - churches, moradas, shrines, cemeteries and graves, and petroglyphs

- **Cultural - Historical Lifeways:** Represent land use practices that have historical *continuity* and meaning, for example:
 - agriculture, ranching, herding, homesteading, mining and industry, and commerce and transportation.
- **Historic resources:**
- **Archaeological and Historical Sites:** At least 75 years old and represent the historical antecedents of sacred places, lifeways, cultural places and traditional communities (defined above), for example:
 - old Pueblo agricultural fields identified by rock-lined cobble grid gardens, and archaeological villages like Arroyo Hondo and the Agua Fria School House.

Recreational and Trails Resources: Sites may include, but are not limited to the following:

- Existing historical trails
- Rare piece of remaining land in a community that may be used for recreation or community definition
- Parcels of land that directly contribute to the county trail backbone or primary trail system.