

# *SANTA FE COUNTY*

## *RESOLUTION NO. 2014 - 020*

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### **A RESOLUTION TO DIRECT STAFF TO CONSIDER ARROYOS AS A SOURCE OF FILL MATERIAL WHEN SUCH MATERIAL IS REQUIRED AND APPROPRIATE FOR COUNTY ROAD MAINTENANCE**

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**Whereas**, Santa Fe County encompasses a geographical area of approximately 2,000 square miles; and

**Whereas**, the County is primarily rural with small areas of concentrated development; and

**Whereas**, a comprehensive road system provides necessary and vital links between communities; and

**Whereas**, there are an estimated 1,500 total miles of roads within the County; and

**Whereas**, of the total miles, approximately 576 miles are recognized as County roads and maintained by the County; and

**Whereas**, the County's goal is to provide the best services possible to County residents within the available resources; and

**Whereas**, in the course of road maintenance, County maintenance forces occasionally require fill material; and

**Whereas**, typically, such fill material is purchased; and

**Whereas**, the County road network crosses approximately 80 arroyos; and

**Whereas**, these arroyos often present a source of sand and gravel that could be used as fill material; and

**Whereas**, in some cases, it is cost-effective to pull fill material from these arroyos; and

Whereas, in the past, the County has cooperated with other entities to pull fill material from arroyos owned by the other entities for road maintenance purposes; and

Whereas, the US Army Corps of Engineers (USACE), which has permit authority over certain arroyos in Santa Fe County, allows, via a nationwide permit, the County to pull material from these arroyos 200 feet above and below any arroyo crossing by a County road when it is done as part of County road maintenance and limits the volume of pulled material to twenty-five (25) cubic yards;

NOW, THEREFORE, BE IT RESOLVED the following:

1. When County forces, in the course of County road maintenance, require fill material, and when the requisite fill material does not need to be engineered or otherwise specified, County forces shall investigate the efficacy of pulling material from nearby arroyos.
2. If it is deemed efficacious, County forces shall endeavor to coordinate with the entity owning or governing the arroyo to utilize the material in said arroyo.
3. When the County pulls material from any arroyo, the County shall comply with the terms of the USACE nationwide permit even if the arroyo in question is not under the purview of the USACE.
4. Nothing in this resolution shall be construed to compel County forces to harvest material in arroyos solely for the purposes of maintaining or improving said arroyos.
5. The County will carefully consider the limitations imposed by the anti-donation clause in the State constitution when carrying out the actions in this resolution.

PASSED, APPROVED, and ADOPTED THIS 28<sup>th</sup> DAY OF January, 2014.

BOARD OF COUNTY COMMISSIONERS

By Daniel W. Mayfield  
Daniel W. Mayfield, Chair

Attest:

Geraldine Salazar  
Geraldine Salazar, County Clerk

1-28-2014

Approved as to form:

Stephen C. Ross  
Stephen C. Ross, County Attorney





COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

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I Hereby Certify That This Instrument Was Filed for  
Record On The 30TH Day Of January, 2014 at 09:26:31 AM  
And Was Duly Recorded as Instrument # **1728834**  
Of The Records Of Santa Fe County

Deputy Marcella Salazar Witness My Hand And Seal Of Office  
Geraldine Salazar  
County Clerk, Santa Fe, NM

REC CLERK RECORDED 01/30/2014