



NEW MEXICO
OUTDOOR RECREATION DIVISION



Energy, Minerals and Natural Resources Department

Rio Grande Trail (RGT) Progress Update and Liability Legislative Proposal

Water and Natural Resources Committee
September 11, 2025



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Energy, Minerals and Natural Resources Department

Meet the Presenters



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Rio Grande Trail Goals



- Connect communities across New Mexico
- Celebrate cultural heritage and natural beauty
- Promote outdoor recreation, health, and tourism
- Increase Rural Economic Development
- Build a legacy trail for future generations





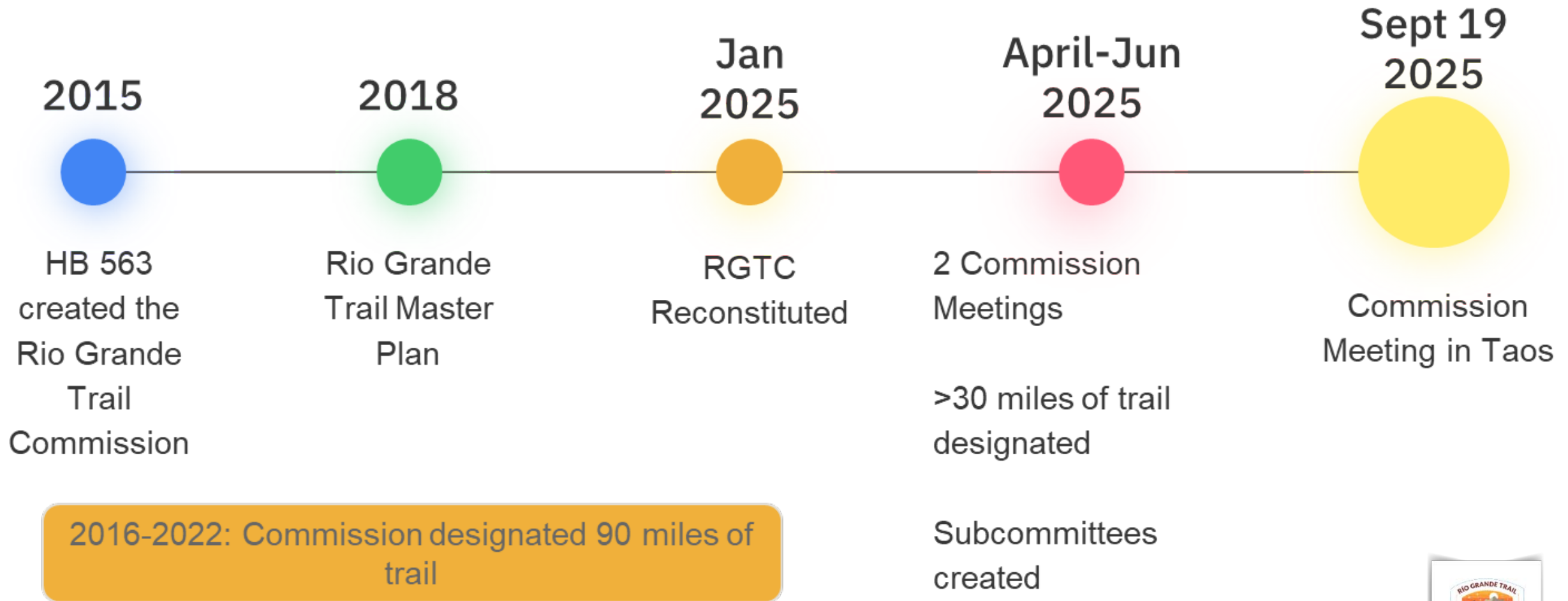
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Project Snapshot





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Subcommittees

Alignment

Identifies and reviews proposed alignments

Tribal

Engages with Tribal leadership. 2025 engagement includes: San Felipe; San Ildefonso; Sandia; Santa Ana

Non-Profit (NPO)

Develops NPO governance structure

Legislative

Proposes and runs critical legislation





Call to Action

- **Current Designation Rate:** Averaging 12 miles per year of trail designation.
- **Projected Timeline:** At this pace, it will take 32 years to complete the full trail alignment.
- **Commission Needs Support:** The Rio Grande Trail Commission requires legislative and financial backing to fulfill its mandate.





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Opportunities: Special Districts



- **300+ Miles Blocked:** More than 300 miles of potential trail corridor remain undesignated due to liability concerns from Special Districts.
- **Constituent Risk:** Residents already recreate on levee roads—despite recreation being prohibited—and Special Districts are being sued when injuries occur.
- **Financial Exposure:** These lawsuits pose a bankruptcy risk to districts.
- **Statutory Conflict:** Recreation is not an authorized purpose under most Special District statutes in Chapter 73 NMSA 1978, creating a legal gray area for trail easements.





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Existing Outdoor Rec Partnerships with Special Districts

- MRGCD Letter of Support for designating *Socorro Valley Bosque Trail SC-07* as part of the RGT.
- City of Las Cruces collaborated with Elephant Butte Irrigation District through a Trails+ grant.

RIO GRANDE TRAIL
PROJECT UPDATE FY25

9/11/2025

WNRC - RGT Project Update



A CENTURY of SERVICE

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Rio Grande Trail Commission
New Mexico Energy, Minerals, and Natural Resources Department
1220 S. St. Francis Drive
Santa Fe, NM 87505

6/9/2025

To Whom It May Concern,

I am writing to express support for the continued development and implementation of the Rio Grande Trail and specifically for the advancement and designation of the following segment: **Socorro Valley Bosque Trail SC-07**.

The Rio Grande Trail represents an opportunity to create responsible recreation, regional connectivity, and economic development across New Mexico. It serves not only as a recreational corridor for hiking, biking, and equestrian use but also as an emerging cultural asset that connects communities along the Rio Grande. Including the **Socorro Valley Bosque Trail SC-07** in the RGT network will provide residents with expanded access to safe, accessible outdoor spaces and create new opportunities for tourism, education, and small business growth in the San Acacia reach of the middle Rio Grande Valley.

Local and statewide stakeholders have demonstrated interest in trail development, and investing in this infrastructure aligns with broader goals around public health, and community development.

We will continue to evaluate each section of proposed RGT within the middle valley on a case-by-case basis. In this instance, we support the development of the **Socorro Valley Bosque Trail SC-07**, consistent with the terms of our existing license agreement with the City of Socorro to **“Install and Maintain Five (5) Riverine Parks and A (1) Trail Within the Rio Grande Bosque Right-of-Way”** owned by MRGCD, and urge all relevant agencies, partners, and funders to prioritize its advancement as part of the Rio Grande Trail.

Sincerely,

Jason M. Casuga, P.E.
CEO / Chief Engineer
Middle Rio Grande Conservancy District





Enabling Legislation

Section 9-5C NMSA 1978: Rio Grande Trail Commission

- Establish the Rio Grande trail to run the length of the state from Colorado to Texas.
- Define and recommend viable routes.
- Mitigate challenges related to its establishment.
- Minimize environmental impacts and preserve sensitive habitat.
- **Make recommendations to the legislature.**
- **Report annually to the governor and the appropriate interim committees.**

Section 16-3-1 NMSA 1978: State Trails System Act

The Secretary of EMNRD shall:

- Plan, establish, acquire, purchase, develop, construct, enlarge, improve, maintain, equip, operate, protect and police the state trails system; and
- **Acquire by lease, deed or contract rights-of-way or easements for trails across private, municipal, county, state or federal lands; and**
- Prepare and publish a comprehensive intermediate and long-range state trails plan on a continuing basis in accordance with the state comprehensive outdoor recreation plan.



Proposed Amendment to State Trail Systems Act

"16-3-9. LIMITATION OF LIABILITY OF OWNERS OF LAND USED FOR RECREATIONAL PURPOSES.--No [~~person or corporation~~] landowner or leaseholder, including a special district organized pursuant to Chapter 73 NMSA 1978, or their successors in interest, [who] that has granted a right of way or easement across [~~his~~] the grantor's land to the energy, minerals and natural resources department for use in the state trails system shall be liable to any user of the trail for injuries suffered on the right of way or easement unless the injuries are caused by the willful or wanton misconduct of the grantor."



Impact of Proposed Amendment

- Unlocks access to hundreds of miles of trail currently blocked by liability concerns
- Protects Special Districts from recreational liability unless injuries result from willful or wanton misconduct
- Preserves the right to sue: Injured parties retain the ability to bring claims against Special Districts for egregious conduct
- EMNRD remains liable under the Tort Claims Act for negligence in trail operation and maintenance, ensuring continued public accountability
- Enables safe and legal easement agreements between Special Districts and EMNRD, with clear liability boundaries





Tribal Sovereignty & Trail Alignment

Challenges

- **Historical Oversight:** The Rio Grande Trail Commission Act was enacted without meaningful tribal consultation, leaving sovereign nations excluded from the planning process.
- **Current Sentiment:** As a result, many Pueblos oppose the trail's presence on present sovereign land boundaries and historic tribal lands, citing concerns over sovereignty, cultural preservation, and procedural integrity.
- **Alignment Implications:** Between Albuquerque and Taos, the trail will need to deviate significantly from the Rio Grande corridor to avoid sovereign lands. This affects the continuity of the trail.

Opportunities

- **Protection Beyond Boundaries:** Many culturally significant sites lie outside tribal jurisdiction but remain deeply important to Indigenous communities. These areas must be protected through rigorous NEPA compliance, archaeological surveys, and cultural resource management protocols.