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SENATE MEMORIAL 70

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

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A MEMORIAL

REQUESTING THAT CONCERNED PARTIES COOPERATE IN ADDRESSING THE
ISSUES AND PROBLEMS AFFECTING THE SANTA FE RIVER BASIN;
REQUESTING THE NEW MEXICO CONGRESSIONAL DELEGATION TO URGE THE
APPROPRIATE FEDERAL AGENCIES TO PARTICIPATE IN MEETINGS ON
WATER ISSUES; REQUESTING THE STATE ENGINEER TO REVIEW RETURN-
FLOW CREDITS; REQUESTING THE INTERSTATE STREAM COMMISSION TO
CONSIDER CONDUCTING WATER RIGHTS NEGOTIATIONS.

WHEREAS, area residents formed the Santa Fe river
traditional communities collaborative in 2011 to study and
solve problems and issues along the forty-six-mile Santa Fe
river basin; and

WHEREAS, the purpose of the Santa Fe river traditional
communities collaborative is to seek active stakeholder
engagement, including governmental agency representation and

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1 participation, in the planning and funding of a watershed plan
2 for addressing the administration and health of riparian areas;
3 and

4 WHEREAS, the impetus for formation of the Santa Fe river
5 traditional communities collaborative came from stakeholders,
6 with support from La Cienega valley association, a neighborhood
7 association and improvement entity composed of the traditional
8 communities of La Cieneguilla, village of La Bajada and La
9 Cienega; and

10 WHEREAS, other traditional community organizations, such
11 as the Agua Fria village association, acequia Agua Fria and the
12 Agua Fria well-owners association joined the Santa Fe river
13 traditional communities collaborative; and

14 WHEREAS, the Santa Fe river traditional communities
15 collaborative membership also includes mutual domestic water
16 associations and acequia associations; and

17 WHEREAS, government organizations that have attended Santa
18 Fe river traditional communities collaborative meetings include
19 representatives from Santa Fe county, the city of Santa Fe, the
20 United States forest service, the United States bureau of land
21 management, the office of United States Senator Tom Udall, the
22 office of United States Representative Ben Ray Lujan, the state
23 land office and the department of game and fish; and

24 WHEREAS, nongovernmental community organizations that have
25 attended Santa Fe river traditional communities collaborative

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1 meetings include representatives of the Santa Fe watershed
2 association, the WildEarth guardians, Santa Fe girls' school
3 and Rivers Run through Us; and

4 WHEREAS, many problems along the Santa Fe river are caused
5 by jurisdictional issues, where several hundred owners control
6 or regulate the land through which the Santa Fe river and
7 tributaries pass; and

8 WHEREAS, federal jurisdictional and regulatory issues
9 arise where the United States army forest service, the United
10 States bureau of land management, the United States army corps
11 of engineers, the United States bureau of reclamation, the
12 United States environmental protection agency and the United
13 States fish and wildlife service may exert authority over the
14 Santa Fe river across their jurisdictions; and

15 WHEREAS, the city of Santa Fe has sought to address these
16 jurisdictional issues and water-flow quality issues by creating
17 a Santa Fe river commission; and

18 WHEREAS, the work of the Santa Fe river traditional
19 communities collaborative is centered on river restoration,
20 erosion stabilization, water quantity, water quality and open-
21 space planning; and

22 WHEREAS, issues pertaining to water quality along the
23 Santa Fe river basin date back to the 1880 damming of the river
24 by the Santa Fe water and improvement company; and

25 WHEREAS, in 1971, fifty residents of Agua Fria village

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1 filed suit against the city of Santa Fe's public utility for
2 cutting off water; and

3 WHEREAS, the farmers in the La Cienega valley and the
4 village of La Bajada who were negatively affected by water
5 quality issues protested to the office of the state engineer
6 and won an annual offsets-release of water from the city of
7 Santa Fe's water treatment facility; and

8 WHEREAS, in 2004, the legislature requested the state
9 engineer to conduct a study and report on the history and
10 status of water rights for lands in the vicinity of Agua Fria;
11 and

12 WHEREAS, as a result of the study, in 2009, the interstate
13 stream commission initiated water rights negotiations to settle
14 the adjudication; and

15 WHEREAS, issues prevalent to water quality along the Santa
16 Fe river basin include the identification and cost of
17 bioremediation systems to neutralize the emerging pollutants
18 and pharmaceuticals from the water that treatment facilities
19 are unable to eliminate; and

20 WHEREAS, river restoration and erosion initiatives require
21 support of both the downstream and upstream owners along the
22 Santa Fe river basin;

23 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
24 OF NEW MEXICO that to conserve, preserve, protect and develop
25 the Santa Fe river's precious water supplies to effectively

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1 plan for the future, all concerned parties be encouraged to
2 come together to solve their mutual issues and problems; and

3 BE IT FURTHER RESOLVED that the New Mexico congressional
4 delegation be urged to encourage the cooperation and
5 participation of federal agencies in meetings with the Santa Fe
6 river traditional communities collaborative; and

7 BE IT FURTHER RESOLVED that the state engineer be
8 requested to convene a meeting with representative stakeholders
9 for the purpose of informing and making recommendations on the
10 flow of water required for the city of Santa Fe to receive
11 return-flow credits to the Rio Grande; and

12 BE IT FURTHER RESOLVED that the interstate stream
13 commission be requested to resume the water rights negotiations
14 initiated in 2009; and

15 BE IT FURTHER RESOLVED that the state engineer be
16 requested to issue a progress report and make recommendations
17 to the appropriate interim legislative committee by August 1,
18 2017; and

19 BE IT FURTHER RESOLVED that copies of this memorial be
20 transmitted to the governor, the state engineer, members of the
21 New Mexico congressional delegation, the chair of the
22 interstate stream commission and the Santa Fe river traditional
23 communities collaborative.