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SENATE BILL 85

**50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012**

INTRODUCED BY

Tim Eichenberg

AN ACT

RELATING TO PARKS; AMENDING THE RIO GRANDE VALLEY STATE PARK  
ACT TO PROVIDE FOR EXPANSION OF RIO GRANDE VALLEY STATE PARK.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1.** Section 16-4-9 NMSA 1978 (being Laws 1983,  
Chapter 18, Section 1) is amended to read:

"16-4-9. SHORT TITLE.--~~[This act]~~ Sections 16-4-9 through  
16-4-16 NMSA 1978 may be cited as the "Rio Grande Valley State  
Park Act"."

**SECTION 2.** Section 16-4-10 NMSA 1978 (being Laws 1983,  
Chapter 18, Section 2, as amended) is amended to read:

"16-4-10. DECLARATION OF POLICY AND FUNDING INTENT.--

A. The preservation, protection and maintenance of  
the natural and scenic beauty of a designated portion of the  
Rio Grande and its immediate corridor is in the public

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1 interest. The designation of the Rio Grande Valley state park  
2 will enable people to enjoy the recreational, environmental,  
3 educational and wildlife benefits of the river. Therefore, the  
4 legislature declares it to be in the public interest, in  
5 furtherance of sound environmental policy and for the good of  
6 the people to establish the Rio Grande Valley state park.

7 B. It is the intent of the Rio Grande Valley State  
8 Park Act that the state parks division of the [~~energy, minerals  
9 and natural resources~~] department not bear the operating costs  
10 for the Rio Grande Valley state park except for the area within  
11 the Rio Grande nature center state park. The state may expend  
12 funds within the boundaries of the entire Rio Grande Valley  
13 state park as it deems appropriate.

14 C. The secretary may expend state funds as a  
15 partner with local, state and federal agencies in the  
16 acquisition, development and management of the middle Rio  
17 Grande national wildlife refuge adjacent to the Rio Grande  
18 Valley state park."

19 SECTION 3. Section 16-4-11 NMSA 1978 (being Laws 1983,  
20 Chapter 18, Section 3, as amended) is amended to read:

21 "16-4-11. DEFINITIONS.--As used in the Rio Grande Valley  
22 State Park Act:

23 A. "conservancy district" means the middle Rio  
24 Grande conservancy district;

25 B. "department" means the energy, minerals and

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1 natural resources department;

2           ~~[B-]~~ C. "operating party" means the party  
3 designated by the secretary to manage the state park; and

4           ~~[G-]~~ D. "secretary" means the secretary of energy,  
5 minerals and natural resources."

6           SECTION 4. Section 16-4-13 NMSA 1978 (being Laws 1983,  
7 Chapter 18, Section 5, as amended) is amended to read:

8           "16-4-13. MANAGEMENT.--

9           A. The provisions of the Rio Grande Valley State  
10 Park Act shall not take effect until the secretary has fully  
11 executed a management agreement with an operating party and  
12 shall cease to be in effect if the management agreement is  
13 terminated. The management agreement shall include a map  
14 delineating the boundaries of the park. The park shall be  
15 established when the management agreement is signed by the  
16 secretary and the designated representative of the operating  
17 party. A provision of the management agreement shall require  
18 twelve months' written notice prior to any termination taking  
19 effect.

20           B. The operating party shall administer the Rio  
21 Grande Valley state park. The operating party shall develop,  
22 after public hearings, a management plan, for approval by the  
23 secretary, which is consistent with the provisions of the  
24 feasibility study previously prepared that satisfies the  
25 requirements of Subsection G of Section 16-2-11 NMSA 1978, to

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1 realize the objectives of the Rio Grande Valley State Park Act.  
2 The plan shall be prepared in cooperation with the appropriate  
3 federal, state and local agencies and shall include among other  
4 things:

5 (1) consideration for cooperative management  
6 arrangements between state, federal, conservancy, flood control  
7 and municipal authorities;

8 (2) measures to control recreational use of  
9 the designated river to protect the river's natural values; and

10 (3) measures to minimize any adverse impact to  
11 the park caused by public transportation or other public  
12 improvement projects to be located in close proximity to the  
13 park.

14 C. The operating party may seek the assistance and  
15 aid of the [~~game and fish~~] department of game and fish for  
16 resource and wildlife management within the Rio Grande Valley  
17 state park.

18 D. The secretary may enter into cooperative  
19 agreements with local, state and federal agencies and other  
20 entities for the benefit of the Rio Grande Valley state park  
21 and cooperative agreements that establish the department's role  
22 as a partner in the middle Rio Grande national wildlife refuge  
23 adjacent to the Rio Grande Valley state park."