

RIO GRANDE TRAIL COMMISSION (RGTC) MEETING

October 12, 2016

1:00 PM – 2:00 PM

Wendel Chino Building, EMNRD

1220 S. St. Francis Dr., Santa Fe, NM 87501

Members Present:

Christy Tafoya, Chair	Director, State Parks Division, EMNRD
David Griscom	Designee, Tourism Department
Fernando Martinez	Designee, EMNRD
Benjamin Cloutier	Designee, Economic Development Dept.
Kelly Zunie	Indian Affairs Department
Aaron Detter	Designee, Transportation Department
Pete Mattox	Public Member
Dana Feldman	Public Member

Members Absent:

None

Vacant:

Toby Martinez (resigned)	Public Member
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Legislators (Advisory Members):

Representative Jeff Steinborn

1. Call to Order – The Rio Grande Trail Commission (RGTC) meeting was called to order by the Chair, Christy Tafoya, at 1:03 pm.

2. Roll Call – Chair Tafoya introduced Commission Coordinator, John Busemeyer, who called the roll as reflected above.

Chair Tafoya introduced Commissioner David Griscom, Designee for the Tourism Department, and Benjamin Cloutier, Designee for the Economic Development Department, and thanked them for attending.

3. Approval of Agenda:

Chair Tafoya asked that approval of the meeting minutes from the meeting on September 22nd, 2016 be added to the agenda. Commissioner Zunie moved to approve the addition to the agenda, the motion was seconded by Commissioner Detter. The motion was approved unanimously.

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4. Approval of Minutes:

Chair Tafoya called for comments on the minutes. Seeing none from commissioners, Chair Tafoya called for a motion to approve the minutes from the September 22, 2016 meeting. Commission Detter moved to approve the September minutes and the motion was seconded by Commissioner Zunie. The motion was unanimously approved.

5. Old Business:

City of Las Cruces Resolution to Designate Rio Grande Trail Alignment - Chair Tafoya updated the new commissioners and those in attendance that the Commission was considering adding the La Llorona Trail as a segment of the Rio Grande Trail, which is on property owned by the International Boundary and Water Commission (IBWC) and is managed by the City of Las Cruces. The City of Las Cruces passed a resolution in September to add the 4.5 mile trail segment to the Rio Grande Trail.

Representative Steinborn had sent an email to the Commission, which Chair Tafoya read out loud. The email noted that the trail is 10' wide, and 1.1 miles of the trail, from Picacho Avenue north to the Las Cruces outfall channel, is made of pervious concrete. The 3.4 miles of trail from Picacho Avenue south to Calle del Norte, is made of asphalt. The permitted uses of the trail are for non-motorized vehicles (except wheelchairs with motors) and pedestrians.

- Chair Tafoya described the measures taken to notify the public of this meeting, including running advertisements in Albuquerque Journal and Las Cruces Sun News, posting information on the EMNRD website. She also indicated that Commissioner Zunie had reached out to her contacts, as well.
- Commissioner Zunie then stated that she had sent out notices to those tribes that were federally recognized and she had received no feedback.
- Chair Tafoya asked Commission Coordinator Busemeyer if he had received any comments from the public, which he had not.
- Chair Tafoya then noted that the La Llorona Trail is an existing trail and the Rio Grande Trail Act states that existing trails should be incorporated into the Rio Grande Trail.

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- Chair Tafoya then asked Dr. Certain for an update concerning what he had learned about environmental and cultural clearances that had taken place along the La Llorona Trail.
- Dr. Certain stated that he had looked into what documents had been posted online by the IBWC and City of Las Cruces to see what National Environment Policy Act (NEPA) documentation was available. Dr. Certain obtained a 2003 Environmental Assessment from the City of Las Cruces, which was conducted by Zia Consultants for a 1.1 mile segment of the proposed Rio Grande Alternative Transportation Pathway. There were no significant findings along that segment. The other portion of the trail was not documented. Dr. Certain has asked the IBWC for additional information. The IBWC is currently looking for additional documents concerning the newer stretch of trail. Dr. Certain has not heard back from them yet, but the IBWC was confident that the documents existed.
- Chair Tafoya asked for questions or comments.
- Commissioner Griscom asked who takes care of the maintenance and who would take ownership of the La Llorona Trail if the Commission designated the trail as a portion of the Rio Grande Trail. Commissioner Griscom also asked if the Commission was aware of any significant maintenance needs coming up in the future.
- Chair Tafoya stated that ownership and maintenance would remain the same. The City of Las Cruces would continue to maintain the trail and the IBWC would still own the property. There would not be any ownership transferred in regards to designation. The Commission will help out partners with trail signage and there is a mock-up of a possible trail sign.
- Commissioner Griscom asked if there was easy access to the trail, such as parking at either end.
- Representative Steinborn stated that there is good access to the trail. There are parking areas at the north and south ends. There is a parking area in the southern end above the new trail and there are 1.5 miles of the trail going south from there.
- Commissioner Mattox stated he would like to clarify. There is parking at Calle del Norte, and Calle del Picacho is where the park is. The trail is not 10' wide, that figure probably includes a dirt path that runs tandem to the trail.
- Chair Tafoya asked if there were any other questions or comments.

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- Representative Steinborn stated that he had a question concerning the signage. He wondered if the sign had been coordinated with the City of Las Cruces, and he would like to see it, if possible.
- Chair Tafoya responded that the design is preliminary and the City of Las Cruces had not yet seen it. The sign is similar to the signs along the Rio Grande Trail in the State Parks.
- Representative Steinborn then asked if the signs could incorporate the logo for the Rio Grande Trail, once one was finalized.
- Chair Tafoya responded that there is a placeholder on the sign where a logo can be inserted once finalized.
- Commissioner Zunie asked if the Commission needed more information from the City of Las Cruces to act on today's action item or if the Commission could move forward with a vote prior to receiving additional NEPA documentation.
- Dr. Certain responded that the NEPA documentation for the northern section of trail found that there were no significant impacts to either natural or cultural resources and it is likely that the documentation for the other part of the trail would not have found significant impacts either. Dr. Certain added that he had spoken with Chair Tafoya, and they agreed that the Rio Grande Trail Act does not state that NEPA documentation must be present before a vote can be taken to designate a portion of the trail, but the Commission must have done due diligence to ensure that no cultural or environmental impacts will be made by designating the trail. In this case, the trail already exists so the Commission can move forward.
- Chair Tafoya then referred the Commission to Tab B, Page 4, #7 under Section E, which states that "the Commission shall... ensure that any recommended designation, construction and use of the trail will minimize environmental impacts" and Page 6, #17, which states the Commission shall "to the extent feasible, select existing trails for the route of the Rio Grande Trail." Chair Tafoya then stated that she believes those sections of the Act are applicable to the La Llorona Trail.
- Commissioner Detter concurred that designating the La Llorona Trail falls within the note of the Act and agreed that NEPA clearances would come into play more in instances when new portions of the trail are constructed using federal money. Commissioner Detter stated that he supports designating the La Llorona Trail as part of the Rio Grande trail but wondered if the Commission needed to consult with IBWC before proceeding with designation. Commissioner Detter also asked if Commissioner Mattox or Representative

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Steinborn could speak to the Commission about opportunities to connect the trail through the City of Las Cruces.

- Chair Tafoya stated that Dr. Certain had been in touch with the IBWC but the Commission should look at the agreement that the City of Las Cruces has with them. She asked if Representative Steinborn had knowledge of the agreement.
- Representative Steinborn stated that he did not have specific knowledge of the agreement and added that he had not heard mention of IBWC ownership when the City of Las Cruces passed the resolution to designate the La Llorona Trail. He suggested that the Commission should contact the IBWC if necessary.
- Chair Tafoya asked Commissioner Mattox if he could address Commissioner Detter's other question.
- Commissioner Mattox stated that in the future there are plans for the La Llorona to be connected to the Triviz Bike Path creating 10-12 miles of trail, which would loop around the City of Las Cruces and provide more connectivity. Although the components are in place, the loop doesn't exist yet, Commissioner Mattox added.
- Representative Steinborn added that there is both public and private land north of the City, so it would be necessary to look at the specifics of trail connectivity going forward.
- Commissioner Detter commented that the future planning study undertaken by NMDOT and EMNRD would look at possible alignments and land ownership issues.
- Chair Tafoya reminded commissioners that the 2008 planning study for the Rio Grande Trail specifically mentioned the La Llorona Trail.

Questions/Comments:

Chair Tafoya then asked if there were any questions or comments from attendees.

- Steven Verchinski, who is a part of the alignment subcommittee, wanted it noted that on a long distance trail, it was important to consider how to integrate the trail into communities in order for trail users to get water, use a rest area, and have a place to stay at night. Mr. Verchinski believes that if it is only a nature-driven trail, then it won't be used as often, to the detriment of economic development and tourism. Mr. Verchinski also encouraged incorporating the Zia sun symbol into the Rio Grande Trail logo.
- Jesse Gutierrez, a member of the Tribal Council from Santa Clara Pueblo, stated that he believed the Commission would receive more feedback from the

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Pueblos when trail activity moved up to the northern part of the state. He noted that Santa Clara Pueblo may have some concerns considering that the trail is planned along the Rio Grande, and trail use could conflict with ceremonies and jurisdictional matters. Mr. Gutierrez also noted that it was good that the Commission had already established communication with the tribes and Pueblos, thereby avoiding last-minute notification.

- Commissioner Zunie wished to add, for the record, that utilization of the Zia sun symbol is a sacred symbol that has meaning to pueblo cultures. Commissioner Zunie stated that she believed the commission should stay away from the use of the symbol in the trail logo and suggested that something like the shape of New Mexico with a line through it representing the trail would be simple and clear.

- Chair Tafoya said she would be open to a motion concerning the La Llorana Trail designation and noted that there were concerns regarding environmental and cultural clearances as well as concerns regarding IBWC's knowledge and acceptance of the trail designation. Chair Tafoya noted that the Commission could make a recommendation with any contingencies that the commissioners felt comfortable with and cited the ACT, which states that the Commission would be making "a final recommendation based on all factors, including public comments and environmental impacts. In implementation of the Rio Grande trail the Secretary of Energy Minerals and Natural Resources shall describe and publish any variance from commission recommendations on the commission's website," which Chair Tafoya said was the process the Commission was currently following. Chair Tafoya then called for a motion concerning La Llorana Trail designation.

- Commissioner Detter then made a motion to recommend designation contingent upon confirmation that the IBWC approves of the designation or that their agreement with the City of Las Cruces gives the City the authority to recommend designation.

- Chair Tafoya asked for second on the motion.

- Commissioner Zunie stated that in order for the Commission maintain its integrity, it would be important for the Commission to do due diligence in ascertaining whether the City of Las Cruces had informed IBWC of the potential for designation, and she stated that she would rather wait to get the needed feedback than to proceed at this point.

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- Commissioner Mattox added that he lives in Las Cruces and uses the trail often, but he is unclear on the nature of the relationship between the Elephant Butte Irrigation District (EBID), IBWC, and the City of Las Cruces. Commissioner Mattox stated that he believes it is important for the Commission to determine the nature of these relationships, especially considering that a large portion of the Rio Grande Trail will have similar issues.
- Representative Steinborn added that La Llorona is an existing trail and the City of Las Cruces has asked that the trail be incorporated into the Rio Grande Trail. Representative Steinborn therefore believes that the Commission would not be overstepping its bounds if it passed the motion contingent on IBWC permission, but he added that the commission could also wait to pass the motion until after hearing from the IBWC.
- Commissioner Griscom asked what kind of future plans the City of Las Cruces has in developing more trails and stated that it would be helpful to contact the City's planning department concerning trails.
- Chair Tafoya agreed that this was something the commission should explore further.
- Chair Tafoya then asked the Commission if they thought they should table the motion or pass the motion contingent upon the approval of IBWC.
- Commissioner Feldman seconds the motion stating that she would like to move forward with the contingency that the IBWC approves of the designation.
- Chair Tafoya calls for a vote. Commissioner Mattox opposes the motion and Commissioner Zunie abstains. All others are in favor. The motion carries.

7. Public Comment

Chair Tafoya asked for any further public comments, there were none.

8. Future meeting

Chair Tafoya suggested a meeting date of January 11th. Commissioner Griscom suggested meeting in Albuquerque. Chair Tafoya suggested it could be at the Rio Grande Nature Center State Park. Action taken on this item was deferred until the Commissioners had time to check their schedules.

9. Further Discussion

Chair Tafoya asked if there were any further discussions.

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- Commissioner Mattox reiterated that he believed it was important for the Commission to understand the relationship between, EBID, IBWC and irrigation districts further north because it will be critical to the entire trail planning process.
- Chair Tafoya noted that there were still several steps in the process to assure that designation takes place in a proper manner. Chair Tafoya noted that funding was received from the Department of Transportation to move forward with the planning process, which will be important for gathering more information. Chair Tafoya added that the La Llorona Trail is in the 2008 planning document but agreed it is important to be thoughtful and have designation move forward in a proper way.
- Commissioner Detter suggested that in the future it would be important to have a resolution, letter of support, or some sort of concurrence regarding trail designation so that there are no surprises moving forward.
- Chair Tafoya agreed and suggested the Commission formalize a process in the future so that all necessary information is in place before moving forward on recommending the designation of trails.

10. Adjournment

Chair Tafoya asked for a motion to adjourn. Commissioner Zunie moved to adjourn and Commissioner Martinez seconded the motion. The meeting was adjourned 1:57 pm.