

**STATE OF NEW MEXICO
NEW MEXICO WATER QUALITY CONTROL COMMISSION**

**IN THE MATTER OF PETITION TO NOMINATE
SEGMENTS OF RIO GRANDE, RIO HONDO, LAKE
FORK, EAST FORK JEMEZ RIVER, SAN ANTONIO
CREEK, AND REDONDO CREEK AS OUTSTANDING
NATIONAL RESOURCE WATERS,**

WQCC No. 21-62 (R)

**OUTDOOR RECREATION DIVISION, NEW MEXICO
DEPARTMENT OF ECONOMIC DEVELOPMENT,**

Petitioner.



**PETITION TO NOMINATE SEGMENTS OF RIO GRANDE, RIO HONDO,
LAKE FORK, EAST FORK JEMEZ RIVER, SAN ANTONIO CREEK, AND REDONDO
CREEK AS OUTSTANDING NATIONAL RESOURCE WATERS**

Pursuant to 20.6.4.9.A and –B NMAC, the Outdoor Recreation Division of the New Mexico Department of Economic Development hereby petitions the New Mexico Water Quality Control Commission (Commission) to hold a hearing on the nomination of segments of the Rio Grande, Rio Hondo, Lake Fork, East Fork Jemez River, San Antonio Creek, and Redondo Creek

as Outstanding National Resource Waters (ONRWs). In support of this Petition, Petitioner Outdoor Recreation Division states:

1. The Commission has authority to consider this Petition pursuant to 20.6.4.9.A and -B NMAC;

2. This Petition meets all procedural requirements of 20.6.4.9.A NMAC and all nominated waterbodies meet various substantive criteria for designation as ONRWs set forth in 20.6.4.9.B NMAC;

3. Petitioner Outdoor Recreation Division details how this Petition meets all procedural and substantive requirements in Petitioner's Demonstration that Petition Satisfies 20.6.4.9.A and -B NMAC, attached as Exhibit 1, and in its additional exhibits;

4. Based on this Petition, Petitioner Outdoor Recreation Division respectfully requests the Commission to:

a. Grant Petitioner's request for a hearing on the ONRW nominations in this Petition;

b. Set the hearing for its June 14, 2022 meeting or at a date convenient to the Commission, which Petitioner anticipates will take up to two days; and

c. Appoint a hearing officer to establish a procedural schedule for the hearing, issue necessary orders, preside over the hearing, and take any other actions consistent with 20.6.1 NMAC and in accordance with the direction of the Commission.

A form of order granting a hearing on the Petition and appointing a hearing officer is attached.

Respectfully submitted,

/s/ Tannis Fox

Tannis Fox
Western Environmental Law Center
409 East Palace Avenue, Suite 2
Santa Fe, New Mexico 87501
505.629.0732
fox@westernlaw.org

*Attorneys for Outdoor Recreation Division,
New Mexico Department of Economic
Development*

Certificate of Service

I certify that a copy of the foregoing pleading was served by email to the following on December 3, 2021:

Pamela Jones
Hearing Administrator
New Mexico Water Quality Control Commission
1190 Saint Francis Drive, Suite S2102
Santa Fe, New Mexico 87505
Pamela.Jones@state.nm.us

Robert Sanchez
Assistant Attorney General
Office of the Attorney General
P.O. Box 1508
Santa Fe, New Mexico 87504-1508
rfsanchez@nmag.gov

John Verheul
Assistant General Counsel
Office of General Counsel
New Mexico Environment Department
121 Tijeras, NE, Suite 1000
Albuquerque, New Mexico 87102
John.Verheul@state.nm.us

/s/ Tannis Fox
Tannis Fox

**STATE OF NEW MEXICO
NEW MEXICO WATER QUALITY CONTROL COMMISSION**

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CREEK, AND REDONDO CREEK AS OUTSTANDING
NATIONAL RESOURCE WATERS,**

WQCC No. 21-62 (R)

**OUTDOOR RECREATION DIVISION, NEW MEXICO
DEPARTMENT OF ECONOMIC DEVELOPMENT,**

Petitioner.

**[PROPOSED] ORDER GRANTING REQUEST FOR HEARING AND APPOINTING
HEARING OFFICER**

Pursuant to 20.1.6.200 NMAC, the New Mexico Water Quality Control Commission (Commission) hereby grants the request of Petitioner Outdoor Recreation Division to set the Petition to Nominate Segments of Rio Grande, Rio Hondo, Lake Fork, East Fork Jemez River, San Antonio Creek, and Redondo Creek as Outstanding National Resource Waters for hearing, and ORDERS as follows:

1. The public hearing in this matter shall commence on June 14, 2022, and shall continue day-to-day until completed.
2. The Commission appoints _____ to serve as hearing officer in this matter, who shall establish a procedural schedule for the hearing, issue necessary orders, preside over the hearing, and take any other actions consistent with 20.6.1 NMAC and in accordance with the direction of the Commission.

Stephanie Stringer
Chair
New Mexico Water Quality Control
Commission

EXHIBIT 1

PETITIONER’S DEMONSTRATION THAT PETITION SATISFIES 20.6.4.9.A AND -B
NMAC

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**PETITIONER’S DEMONSTRATION THAT PETITION SATISFIES 20.6.4.9.A AND -B
NMAC**

Preliminary Statement

The Outdoor Recreation Division (ORD) of the New Mexico Department of Economic Development petitions the New Mexico Water Quality Control Commission (Commission) to designate 125.9 miles of segments of six streams – the Rio Grande, Rio Hondo, Lake Fork, East Fork Jemez River, San Antonio Creek, and Redondo Creek -- as Outstanding National Resource Waters (ONRW) pursuant to 20.6.4.9 NMAC. ONWR designation provides the highest level of water quality protection to surface waters in the state, prohibiting any degradation of water quality, with limited exceptions. 20.6.4.8.A(3) NMAC. The waters nominated in this Petition represent some of the most beloved waters in the state. All have exceptional recreational and ecological significance, among other outstanding attributes, and all deserve protection from pollution now and for the future.



Figure 1: Rio Grande Gorge

These special waters are visited by locals who know the waters like the back of their hand, by New Mexicans from every part of the state, and by recreationists traveling from around the world. Visitors come from far and wide to these northern New Mexico streams to experience their singular beauty, and to hike, camp, fish, hunt, wade, raft, kayak, and bird and wildlife watch. They travel to the Rio Grande Gorge and marvel at its 800-foot canyon walls, cut over millions of years.

They hike along the Rio Hondo as they make their way to the state's highest point, Wheeler Peak. And they cast their lines for brown trout in the East Fork of the Jemez, surrounded by the grandeur of the Valles Caldera. While these waters now attract recreationists of all types, these same waters have sustained the communities that surround them -- human, animal, and plant -- for thousands of years. And to this day, New Mexicans rely on these waters for drinking, irrigation, farming, ranching, and other traditional uses. The Mayordomo of the Acequia de San Antonio, Elias Espinoza, writes that, "Our parciantes cherish our local rivers." Not only do the acequia association members irrigate with water from the Rio Hondo, "[w]e also know that our fellow parciantes on other acequias . . . depend on the Rio Hondo to irrigate food crops, pastures and livestock. We all depend on clean unpolluted waters from our local river for our quality of life." Mr. Espinoza's reverence for the Rio Hondo is echoed by communities who live along that stream, the Lake Fork, and the upper Rio Grande.



Figure 2: Rio Hondo and Lake Fork

While ONRW designation prevents waters from being degraded, the Commission’s rules allow existing traditional uses, such as acequia operations and grazing, to continue in recognition of their value to the state. 20.6.4.8(3)(d), (e) NMAC. As President of the Lower Des Montes Neighborhood Association, Floyd Archuleta, put it: “We also understand that Outstanding National Resource Waters Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.” *See Ex. 10.*

Roughly 100 miles to the southwest of the Rio Hondo, the waters in and around the Valles Caldera National Preserve (VCNP) hold the same significance for the Jemez Pueblo, Santa Clara Pueblo, the Village of Jemez Springs, and surrounding communities and acequia associations. In his statement of support, Jemez Pueblo member and cultural leader Joseph “Brophy” Toledo writes, “Today, the descendants of Jemez Pueblo continue to regularly visit the

Jemez headwaters including the sacred shrines of the Valles Caldera and perform ceremonies using the sacred waters of the Jemez as well as the many tributaries that feed into the mainstem. The headwaters are a critical place for prayer and they are the source and root of all life in the watershed.” See Ex. 10. In support of protecting the East Fork Jemez River and San Antonio Creek, Santa Clara Pueblo states “these streams have long been considered part of our aboriginal territory and we remain in support of their ecological and cultural protection.” *Id.*

High visitor numbers demonstrate these areas are world-class outdoor recreation destinations. *Outside* magazine has ranked the Taos Box, in the upper Rio Grande, as a top river run in North America. Year round, tens of thousands of visitors flock to the iconic Valles Caldera where San Antonio Creek and the East Fork Jemez River rank among the top fly-fishing destinations in the state. New Mexico Department of Game and Fish (NMDGF) Angler Data [Ex. 6].

Protecting these surface waters translates into tangible economic gains for the surrounding communities and New Mexico as a whole. Numerous studies document the strong link between public lands and a host of economic and other benefits -- from increased job creation to higher incomes to improved public health outcomes.¹ New Mexico’s outdoor recreation industry is a powerhouse in the state’s economy. In 2019, the outdoor economy added \$2.4 billion to the state’s gross domestic product and directly employed over 35,000 people.² Last year, this sector grew 5.9 percent³ -- much faster than New Mexico’s economy as a whole.⁴

¹ See, e.g., <https://headwaterseconomics.org/public-lands/public-lands-research/>.

² <https://apps.bea.gov/data/special-topics/orsa/summary-sheets/ORSA%20-%20New%20Mexico.pdf>.

³ *Id.*

⁴ <https://www.deptofnumbers.com/gdp/new-mexico/>.

New Mexico ranked second among all states in employment growth in this sector.⁵ This economic growth is fueled in large part by the popularity of boating, fishing, hunting, hiking, and camping -- activities that take place in record numbers in and around the six exceptional waterbodies nominated in this Petition.

Rivers and the riparian habitat they support contribute out of proportion to their size to species diversity. This is particularly true in the arid southwest where water is scarce. Between these six waterbodies, their clean waters provide habitat for many rare, range-restricted, and special status species, including four species listed as endangered or threatened by the federal government, including the endangered southwestern willow flycatcher, Jemez Mountains salamander, and New Mexican meadow jumping mouse, and 13 species listed as endangered or threatened by the State of New Mexico, including the bald eagle, peregrine falcon and spotted bat (*Euderma maculatum*).

While these areas are cherished for their wild beauty, climate change, drought, and increased human activity threaten these ecosystems and increase the potential for degradation to these waters in the short and long term. To protect these waters' recreational, ecological, cultural, and economic significance, it is imperative that the state invest now to prevent injury and to preserve and promote their benefits by designating them as ONRWs.

Local support for ONRW designation abounds. Approximately 30 Pueblos, local governments, acequia associations, land grants, schools, neighborhood associations, businesses, and nongovernmental associations support nominations in this Petition. *See* Resolutions and Letters of Support [Ex. 10]. Taos Pueblo, Santa Clara Pueblo, Village of Jemez Springs, Village

⁵ <https://apps.bea.gov/data/special-topics/orsa/summary-sheets/ORSA%20-%20New%20Mexico.pdf>.

of Questa, Taos County, Town of Red River, Village of Taos Ski Valley, and the Valles Caldera National Preserve all support ONRW status for waters that impact them. These communities understand that by preserving water quality in these streams, they protect their exceptional ecological, recreational, and cultural values, and enhance their economic value for now and the future. These designations fit squarely within and further Governor Michelle Lujan Grisham’s efforts to diversify the state’s economy, build climate-change resiliency, and protect 30 percent of the state’s lands and waters by 2030, as set forth in Executive Order 2021-052.⁶

At its heart, the commitment to protect these waters represents a commitment to New Mexico’s future, a commitment to a new generation of New Mexicans who will recreate along these waters and who may even build their careers around protecting this precious resource. Take Estrella, a junior at Mesa Vista High School in Ojo Caliente, who joined the Outdoor Recreation Division at the 2020 virtual Outdoor Economics Fall Forum. During the conference, Estrella described how she monitored water quality in the upper Rio Grande with River Source, a group that engages youth in watershed science and earned a 2020 Outdoor Equity Fund grant from the Division. Estrella’s time on the river opened her eyes to the importance of this resource and to the possibility of a profession protecting the state’s waters. Now, she aspires to be a hydrologist. Protecting New Mexico’s scarce water resources is a state-level commitment to preserving our natural heritage and the shared future of all New Mexicans.

I. PETITIONER NOMINATES WATER BODIES, CONSISTING OF 125.9 MILES OF SURFACE WATERS, FOR ONRW DESIGNATION

Petitioner requests the New Mexico Water Quality Control Commission (Commission) to designate six waterbodies as ONRWs by amending 20.6.4.9.D NMAC as follows:

⁶ <https://www.governor.state.nm.us/wp-content/uploads/2021/08/Executive-Order-2021-052.pdf>.

D. Waters classified as ONRWs: The following waters are classified as ONRWs:

- ...
- (4) the Rio Grande from directly above the Rio Pueblo de Taos to the New Mexico-Colorado border.
 - (5) the Rio Hondo from the Carson National Forest boundary to its headwaters and Lake Fork creek from the Rio Hondo to its headwaters.
 - (6) the East Fork Jemez river from San Antonio creek to its headwaters; San Antonio creek from the East Fork Jemez river to its headwaters; and Redondo creek from Sulphur creek to its headwaters.

As required by 20.1.6.200.B NMAC, a copy of Petitioner's proposed amendments to 20.6.4.9.D NMAC is attached as Petitioner's Exhibit 2.

II. PETITIONER HAS SATISFIED ALL PROCEDURES FOR THIS NOMINATION

A. Required Procedures

Section 20.6.4.9.A NMAC sets forth the procedures for nominating ONRWs, which requires:

- (1) a map of the surface water of the state, including the location and proposed upstream and downstream boundaries;
- (2) a written statement and evidence based on scientific principles in support of the nomination, including specific reference to one or more of the applicable ONRW criteria listed in Subsection B of this section;
- (3) water quality data including chemical, physical or biological parameters, if available, to establish a baseline condition for the proposed ONRW;
- (4) a discussion of activities that might contribute to the reduction of water quality in the proposed ONRW;
- (5) any additional evidence to substantiate such a designation, including a discussion of the economic impact of the designation on the local and regional economy within the state of New Mexico and the benefit to the state; and
- (6) affidavit of publication of notice of the petition in a newspaper of general circulation in the affected counties and in a newspaper of general statewide circulation.

Petitioner has satisfied all procedures for this nomination, as set forth below.

B. Maps of Surface Waters Nominated

Section 20.6.4.9.A(1) NMAC requires a map of the surface waters nominated, including the location and proposed upstream and downstream boundaries. Petitioner nominates six waterbodies in north-central New Mexico. A description of all waterbodies nominated, including the location and proposed upstream and downstream boundaries and mileage of each segment, and maps of the nominated waterbodies follow.

Table 1: Nominated Waterbodies

Waterbody	Segment Description	Length (miles)
Rio Grande	New Mexico-Colorado border to directly above confluence with Rio Pueblo de Taos	52.2
Rio Hondo	Headwaters to Carson National Forest boundary	10
Lake Fork	Headwaters to confluence with Rio Hondo	3.3
East Fork Jemez River	Headwaters to confluence with San Antonio Creek	22.1
San Antonio Creek	Headwaters to confluence with East Fork Jemez River	32.1
Redondo Creek	Headwaters to confluence with Sulphur Creek	6.2
Total		125.9

Figure 3: Map of Rio Grande Nomination

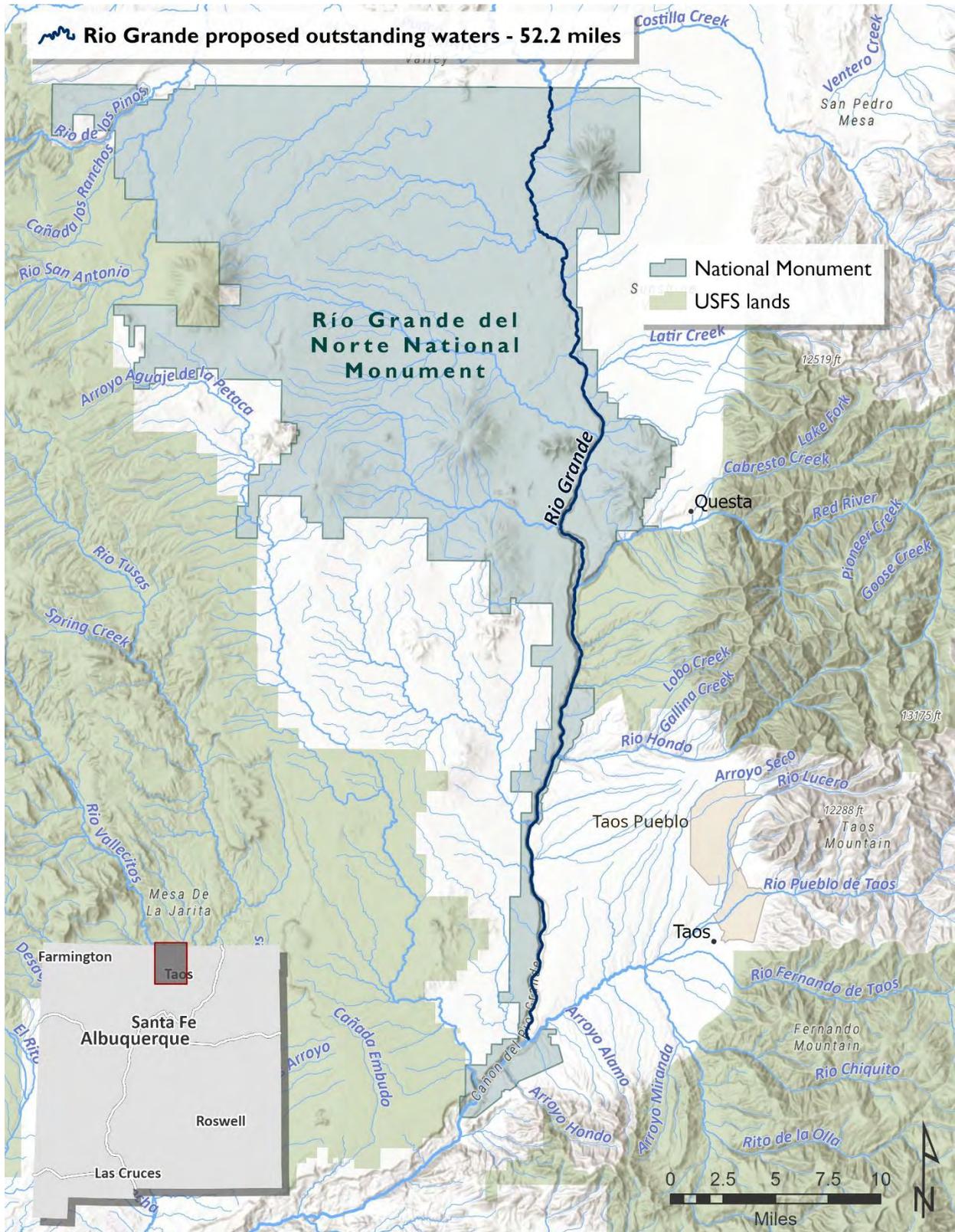
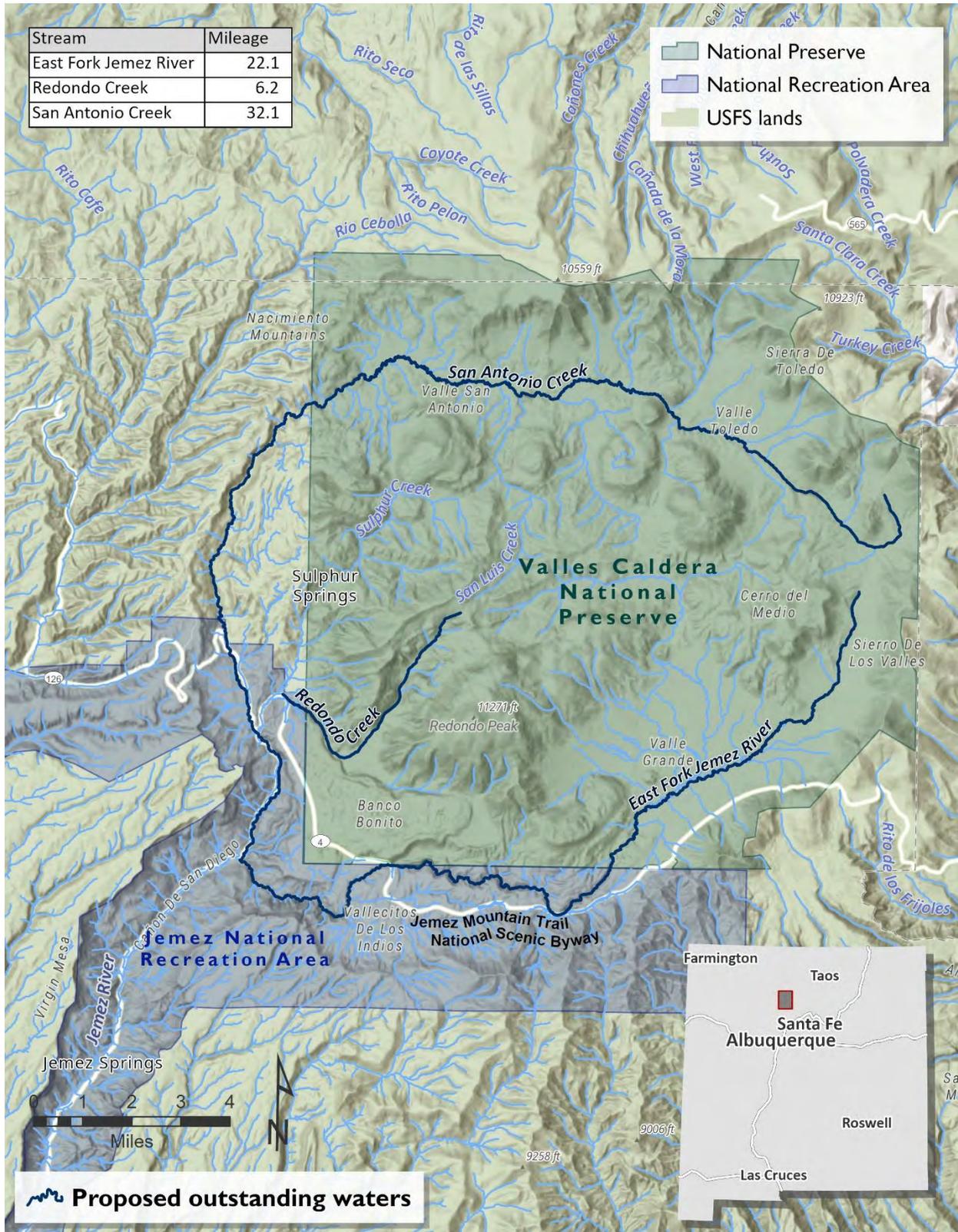


Figure 5: Map of East Fork Jemez River, San Antonio Creek, and Redondo Creek Nomination



C. Statement and Evidence Based on Scientific Principles in Support of Nomination

A petition must include a written statement and evidence based on scientific principles in support of the nomination, including specific reference to one or more of the applicable ONRW criteria listed in 20.6.4.9.B NMAC. 20.6.4.9.A(2) NMAC. This Petition sets forth scientific evidence supporting all nominations in this Petition, including the nominations of:

- All waters as having exceptional recreational significance, 20.6.4.9.B(2) NMAC, as set forth in Section III.B below;
- All waters as having exceptional ecological significance, 20.6.4.9.B(2) NMAC, as set forth in Section III.C;
- Certain waters as being a significant attribute of a state special trout water or national monument, or part of a federal wild and scenic river, 20.6.4.9.B(1) NMAC, as set forth in Section III.D, -E, and -F, respectively; and
- Certain waters as meeting the water quality standards required by 20.6.4.9.B(3) NMAC, as set forth in Section III.G.

Attached for the convenience of the Commission is Petitioner's Exhibit 3, which is a chart setting forth each stream nominated and the criterion or criteria in 20.6.4.9.B NMAC that the stream, or a portion of the stream, meets.

D. Water Quality Data to Establish Baseline

A petition must set forth water quality data, including chemical, physical or biological parameters, if available, to establish a baseline condition for the proposed ONRW. 20.6.4.9.A(3) NMAC.⁷ The NMED Surface Water Quality Bureau (SWQB) is responsible for monitoring and protecting state water quality. The water quality standards that are applicable to the nominated waterbodies are included below:

⁷ This same data is used to satisfy the water quality criteria in 20.6.4.9.B(3) NMAC to establish an additional category of ONRW eligibility for the Rio Hondo and Lake Fork in Section III.G below.

Table 2: Water Quality Standards for Nominated Waterbodies

Waterbody	Segment Description (NMAC)	Water Quality Standard (NMAC)
Rio Grande	(from the Rio Pueblo de Taos to the Colorado border)	20.6.4.122
Rio Hondo	(from the Carson National Forest boundary to headwaters)	20.6.4.129
Lake Fork Creek	(from the Rio Hondo to headwaters)	20.6.4.123
East Fork Jemez	(from San Antonio Creek to headwaters)	20.6.4.108
San Antonio Creek	(from Jemez River to headwaters)	20.6.4.108
Redondo Creek	(from Sulphur Creek to headwaters)	20.6.4.108

Available water quality data is set forth in Exhibits 4-A to 4-E, to establish baseline water quality. Water quality data include a variety of chemical, physical, and biological parameters, including:

- Basic field measurements, including dissolved oxygen, temperature, pH, Turbidity, salinity, and conductivity;
- Nutrients, including ammonia, nitrate+ nitrite, total kjeldahl nitrogen, total organic carbon, and total phosphorus;
- Ions, including hardness, total dissolved solids (TDS), and total suspended solids (TSS);
- Total coliform and E. Coli;
- Dissolved metals, including aluminum, zinc, and lead;
- Total metals, including mercury and selenium;
- Habitat data, including channel dimensions and substrate characterizations; and
- Benthic macroinvertebrate populations and fish ecology.

All available water quality data for the nominated river segments was requested from NMED in the fall of 2020. In response, NMED emailed a data package to Petitioner on December 14, 2020. This package included water quality data for all nominated segments. All data provided by NMED is included in Exhibits 4-A to 4-E. Specifically:

- Exhibit 4-A includes field data (dissolved oxygen, pH, temperature, specific conductance, salinity, flow condition, turbidity, and discharge) for all nominated segments.
- Exhibit 4-B includes chemical water quality data (dissolved metals, E.coli, total mercury, total aluminum, TDS, TSS, and total nutrients) for all nominated segments.
- Exhibit 4-C details the exact monitoring locations for all nominated segments.

- Exhibit 43-D is the Assessment Rationale for the 2020-2022 State of New Mexico Section 303(d)/305b Integrated List for all nominated segments.
- Exhibit 4-E is the relevant pages of the 2020-2022 State of New Mexico Section 303(d)/3059b Integrated List that relate to all nominated segments.

These exhibits include baseline water quality data for all nominated segments. A summary of that data by watershed is included below.

1. Rio Grande

The SWQB last monitored water quality in the upper Rio Grande as part of the Upper Rio Grande watershed survey of 2017-2018. All available water quality data, including chemical and physical water quality data, monitoring locations, and the assessment rationale history, for the upper Rio Grande is set forth in Exhibits 4-A to 4-E.

Based on the available and defensible water quality data, water quality is equal to or better than the numeric water quality criteria according to 20.6.4.122 NMAC, except for temperature for the segment of the Rio Grande from Rio Pueblo de Taos to the Colorado border and pH for the segment of the Rio Grande between Red River and Rio Pueblo de Taos.

2. Rio Hondo and Lake Fork

The SWQB last monitored water quality in the Rio Hondo and Lake Fork as part of the Upper Rio Grande watershed survey of 2017-2018. All available water quality data, including chemical and physical water quality data, monitoring locations, and the assessment rationale history, for the Rio Hondo and Lake Fork is set forth in Exhibits 4-A to 4-E.

Based on available and defensible water quality data, water quality is equal to or better than the numeric water quality criteria according to 20.6.4.129 NMAC for all of the nominated segment of the Rio Hondo and Lake Fork.

3. East Fork Jemez River, San Antonio Creek, and Redondo Creek

The SWQB monitored water quality in the East Fork Jemez River, San Antonio Creek, and Redondo Creek as part of the Jemez watershed survey of 2013. Additional temperature monitoring was conducted in San Antonio Creek and Redondo Creek in 2016 and 2017. All available water quality data, including chemical and physical water quality data, monitoring locations, and the assessment rationale history, for the East Fork Jemez River, Redondo Creek, and San Antonio Creek is set forth in Exhibit 4-A to 4-E.

Based on the available and defensible water quality data, water quality is equal to or better than the numeric water quality criteria according to 20.6.4.108 NMAC for the nominated segments except for the following:

- East Fork Jemez River (VCNP to headwaters): turbidity, nutrients, aluminum
- East Fork Jemez River (San Antonio Creek to VCNP): temperature, aluminum
- San Antonio Creek (East Fork Jemez River to VCNP): temperature, turbidity, aluminum
- San Antonio Creek (VCNP to headwaters): temperature, turbidity, nutrients, aluminum
- Redondo Creek (Sulphur Creek to headwaters): temperature, nutrients

E. Activities that Might Reduce Water Quality

A petition must set forth activities that might contribute to the reduction of water quality in the proposed ONRW. 20.6.4.9.A(4) NMAC. A number of existing and potential activities that can generally effect waters in New Mexico could reduce water quality in the nominated waters, as discussed below.

1. Climate change and watershed health and function

As the climate warms, so do rivers and streams. High stream temperature is the most common water impairment in New Mexico, and is especially dangerous to aquatic life. Hotter water holds less oxygen, thus reducing the amount of dissolved oxygen available for fish. In addition, hotter climates can result in lower flows, which can result in a concentration of

pollutants in rivers and streams. Climate change also affects the global hydrologic cycle, and therefore the quality, quantity, and timing of stream flows. Erosion is expected to increase as a result of higher peak flows as well as from increased intensity and frequency of wildfires. In turn, sediment loads are expected to increase, affecting municipal water supplies and aquatic habitats.

Healthy watersheds buffer the impacts of disturbances such as fire, floods, drought, and other natural disruptions, and, in doing so, yield water of high quality farther downstream in the watershed. This resilience is especially noticeable when it's gone, as in the aftermath of catastrophic fire or extensive defoliation and soil erosion. The vicious cycle of climate change and drought damage watershed health in many ways. Higher temperatures can both increase and impair plant transpiration. Reduced precipitation exacerbates this effect and, over time, such landscapes become denuded, either suddenly through fire or gradually through grazing and plant death. Bare soil is more vulnerable to erosion, which drops local water tables below plant root zones and causes further de-vegetation. Widespread bare soil is a major detriment to healthy watersheds, because it is vulnerable to erosion and consequent silting of streams, and, most importantly, because it has lost its ability to hold water and process its contaminants. From a water quality perspective, bare soil is a condition to be prevented or reversed in a watershed.

Healthy watersheds, by contrast, perform “ecosystem services” that boost resilience and adaptive capacity in the face of climate change. ONRW designation can help protect not only the waters of the nominated waterbodies but also the surrounding ecosystems and communities that rely on these waters.

2. Wildfires

Two devastating wildfires burned through the Jemez Mountains in 2000 and 2011, spanning over 200,000 acres in total and forcing evacuations in the area. High-intensity wildfires can lead to increases in soil erosion when they burn through forests. Debris flow and soil erosion following wildfire can reduce water quality by increasing sediment load, resulting in increased turbidity, increased specific conductance, and changes in dissolved oxygen.⁸ Ash and debris flow following wildfires can also have detrimental impacts on native fish populations.⁹ Species resilience following these disturbance events may depend on maintaining habitat connectivity that provide refuge and critical dispersal corridors for aquatic species.¹⁰ And, as discussed above, climate change exacerbates the threat of wildfires, and is expected to continue to do so throughout the Southwest, in particular.

3. Development and transportation

Increased sediment loading from roads and development can impair water quality. The relationship between road building in formerly undisturbed areas and increased sediment yield in streams is well established. When impervious surfaces cover greater areas in a watershed, runoff quantity and velocity increases, which results in increased erosion and loading of sediment and other contaminants, such as metals and PCBs, attached to sediment. Any increase in sediment in

⁸ Reale, J.K., D.J. Van Horn, K.E. Condon, and C.N. Dahm 2015. The effects of catastrophic wildfire on water quality along a river continuum. *Freshwater Science*, 34:1426-1442.

⁹ Whitney, J.E., K.B. Gido, T.J. Pilger, D.L. Propst, and T.F. Turner. 2015. Consecutive wildfires affect stream biota in cold- and warmwater dryland river networks. *Freshwater Science*, 34:1510-1526; Whitney, J.E., K.B. Gido, T.J. Pilger, D.L. Propst, and T.F. Turner. 2016. Metapopulation analysis indicates native and nonnative fishes respond differently to wildfire in a desert stream. *Ecology of Freshwater Fishes*. 25:376–392.

¹⁰ Gido, K.B., D.L. Propst, J.E. Whitney, S.C. Hedden, T.F. Turner, and T.J. Pilger. 2018. Pockets of resistance: Response of arid-land fish communities to climate, hydrology, and wildlife. *Freshwater Biology* 65:761-777; Whitney et al. 2015, 2016.

streams affects inflow of oxygen, increases water temperature, and negatively impacts food availability. Not only do these factors decrease fish populations and increase fish stress, but they also degrade the fishing experience, reducing water clarity. In addition, increased sediment loading in a stream can contribute to increased conductivity. A rapid or larger than normal increase in conductivity, in turn, can adversely affect aquatic organisms if they do not have the time or capacity to adapt.

4. Increased recreational use without proper management

Recreation is an essential part of what makes these rivers deserving candidates for ONRW designation. However, in order to ensure this exceptional recreational significance for future generations, recreation in the six waterbodies must be properly managed and accompanied by robust water quality protections. Poorly managed recreational use of a watershed can lead to increased erosion and other water quality issues, such as E. coli loading.

5. Waste disposal

Illegal dumping of trash and construction waste is a threat to water quality across much of New Mexico, including the nominated waters.

F. Additional Evidence to Substantiate Designation

A petition may set forth additional evidence to substantiate such a designation, including a discussion of the economic impact of the designation on the local and regional economy within the State of New Mexico and the benefit to the state. 20.6.4.9.A(5) NMAC.

The visitor economy is an engine for economic growth in our state. Between 2015 and 2019, visitor spending grew over 18 percent and generated \$7.4 billion in 2019. Tourism-related employment totaled over 96,000 jobs in 2019, accounting for 8.6 percent of all jobs in our state while tourism generated \$737 million in tax revenues for the state and local

governments.¹¹ There is no doubt that the nominated waters contribute to local and regional economic growth, and the water quality protections that come with ONRW designation will only enhance that economic growth, especially as it pertains to water-based activities. In 2020, boating and fishing were the second largest drivers of the New Mexico outdoor economy, generating \$100.96 million for state gross domestic product, according to the U.S. Bureau of Economic Analysis. These activities, which rely on clean, healthy rivers, continue to rise in popularity. The economic impact of boating and fishing in New Mexico grew by almost 27 percent between 2019 and 2020.¹² Tourism- and other outdoor-related jobs make up significant portions of the jobs in both Sandoval and Taos counties. In 2019, this sector constituted 29.6 percent of jobs in Taos County and 10.1 percent of jobs in Sandoval County. According to the New Mexico Tourism Department, between 20 to 30 percent of visits to these regions include hiking, backpacking, and general nature enjoyment. That speaks to the desire of visitors to these two counties to enjoy the stunning natural surroundings. In Sandoval County, recreation is the single biggest spending category, with visitors spending \$77.9 million in 2019. For Taos County, 2019 visitor spending on recreation reached almost \$30 million, having increased steadily at a clip of about \$2 million per year going back to 2014.¹³

Although less visible, jobs in small-scale agriculture have grown dramatically in both counties, pointing to additional economic potential, as well as the need to preserve clean water for these local farms that sustain a healthy food supply and strong economic revenues. According

¹¹https://assets.simpleviewinc.com/simpleview/image/upload/v1/clients/newmexico/New_Mexico_Tourism_Economic_Impact_2019_Sharable_1ba22373-3304-4a56-89ab-102e365c4eae.pdf.

¹² <https://apps.bea.gov/data/special-topics/orsa/summary-sheets/ORSA%20-%20New%20Mexico.pdf>.

¹³ <https://public.tableau.com/profile/kaitlin.dipaola#!/vizhome/NewMexico-2019/Story1?publish=yes>.

to a 2018 Headwaters Economics report, in Taos County, about 22 percent of land, or 1.4 million acres, is set aside for agriculture. Nearly half of these farms are under livestock production and the remainder in crop production. Between 2001 and 2015, the farming sector added 358 jobs, an increase of more than 500 percent. “In an era of increasingly automated agricultural production, this substantial employment growth is highly unusual.” Indeed, “[f]or Taos Pueblo residents and others with long agricultural practices in the area, a revitalization of agriculture is an economic opportunity but also an opportunity to remain connected with these cultural traditions,” Headwaters Economics reports.¹⁴

In addition, this Petition also sets forth evidence of the cultural significance of the waters nominated in Section III.H.1, and designation affirms and recognizes the cultural significance of these waters. Section III.B demonstrates that designation will benefit recreation in the ONRW areas and Section III.C demonstrates designation will benefit the ecological systems in these areas. Finally, this Petition has broad-based support within the affected communities, as demonstrated in Section IV.

G. Publication in a Newspaper

A petition must include an affidavit of publication of notice of the petition in a newspaper of general circulation in the affected counties and in a newspaper of general statewide circulation. 20.6.4.9.A(6) NMAC. The Rio Grande, Rio Hondo, and Lake Fork are located within Taos County, and the East Fork Jemez River, San Antonio Creek, and Redondo Creek are located within Sandoval County. Attached as Exhibit 5 are affidavits of publication of this petition in the *Albuquerque Journal*, *Taos News*, and *Rio Rancho Observer*.

¹⁴ Headwaters Economics, “Economic Challenges and Opportunities in Taos County, New Mexico,” (Jan. 2018), https://headwaterseconomics.org/wp-content/uploads/Taos_County_Economy.pdf.

III. PETITIONER HAS SATISFIED THE CRITERIA FOR DESIGNATION

A. Criteria for Designation

Section 20.6.4.9.B NMAC sets forth the criteria for designating ONRWs:

B. Criteria for ONRWs: A surface water of the state, or a portion of a surface water of the state, may be designated as an ONRW where the commission determines that the designation is beneficial to the state of New Mexico, and:

(1) the water is a significant attribute of a state special trout water, national or state park, national or state monument, national or state wildlife refuge or designated wilderness area, or is part of a designated wild river under the federal Wild and Scenic Rivers Act; or

(2) the water has exceptional recreational or ecological significance; or

(3) the existing water quality is equal to or better than the numeric criteria for protection of aquatic life and contact uses and the human health-organism only criteria, and the water has not been significantly modified by human activities in a manner that substantially detracts from its value as a natural resource.

In this Petition, all waters nominated have exceptional recreational significance, and the Commission may designate them as ONRWs based on that criterion alone. Each stream segment, as well, has exceptional ecological significance and may be designated based on that criterion alone. Many of the waters nominated also meet other criteria, and may be designated based on those other criteria.

B. Exceptional Recreational Significance

Streams are eligible for ONRW designation if they have exceptional recreational significance. 20.6.4.9.B(2) NMAC. Each stream nominated in this Petition offers outstanding access to outdoor activities -- from fishing to rafting to hiking to hunting to cross-country skiing -- and each represents a top outdoor recreation destination in our state. The whole of each stream segment nominated qualifies for this criterion.

1. Rio Grande

The upper Rio Grande, from the New Mexico-Colorado border in the north to the confluence with the Rio Pueblo de Taos, is one of the country's top outdoor destinations. The 52.2-mile stretch nominated in this Petition, depicted in Figure 3, encompasses some of the best fishing, whitewater rafting, and hiking on the planet, attracting visitors from near and far year round. This segment of our state's iconic Rio Grande runs through the heart of Rio Grande del Norte National Monument, established by President Obama in 2013 to protect the awe-inspiring scenic, cultural, and ecological values that attract sightseers, anglers, and river-runners.

This nominated segment has exceptional recreational value based on its extraordinary fishing, rafting and kayaking, and visitor numbers, and the "Species of Economic and Recreational Importance" found in and around this segment, as identified by NMDGF. *See* NMDGF Angler Data [Ex. 6]; Special Status Animal and Plant Lists [Ex. 7].¹⁵

During the 2019-20 NMDGF license year, over 10,700 anglers fished this nominated stretch of river, accounting for over 69,000 visitor days. NMDGF Angler Data [Ex. 6].¹⁶ The number of anglers and visitor days represents a direct gauge of recreational activity in an area. For 2019-20, this stretch of the Rio Grande ranked 5th in the state for the number of anglers

¹⁵ Exhibit 7, the Special Status Animal and Plant Lists, identifies species found within one mile of the banks of the nominated waters.

¹⁶ The methodology for collection of NMDGF's angler data is set forth in its New Mexico Angler Satisfaction Report 2019-2020 License Year. *See* NMDGF Fisheries Management Division, New Mexico Angler Satisfaction Report 2019-2020 License Year, at 2, 4, <https://www.wildlife.state.nm.us/download/fishing/survey/Angler-Satisfaction-Survey-2020.pdf>.

In general, NMDGF solicits anglers annually to fill out a survey to gauge angler use and satisfaction and the survey data are summarized in a report. Based on the survey responses, NMDGF extrapolates the information to the greater population of anglers. The number of visitor days is the estimated total number of whole or partial days in which a water was fished. If, for example, an angler fished in East Fork Jemez River ten times and another fished once, the total fishing days would be 11.

fishing in a stream and 4th for the number of visitors days to a stream, making the Rio Grande one of the most popular fishing streams in the state. According to NMDGF, the three most popular species of coldwater fish for anglers in the 2019-20 license year were, in descending order, rainbow, brown, and cutthroat trout, all of which inhabit this stretch of the upper Rio Grande.¹⁷

Fishing activity on this stretch [Ex. 6] generated significant economic activity, translating into tax revenues for local government and essential revenue for Taos County's small businesses. In 2020, Taos Fly Shop owner Nick Streit sold 1,979 fishing licenses, generating \$61,662 in income for his shop. Nick's father, Taylor Streit, in his book *Fly Fish Taos – Santa Fe New Mexico*, writes that, "Nick and I have been fortunate to travel to some of the world's best fly-fishing destinations, guiding from Alaska to Argentina, so people often ask us where our top place to fish is. The answer usually surprises them, because although other rivers and lakes in far-off lands have produced more and bigger trout, the Rio Grande -- when it is fishing well -- is still number one."¹⁸

These Rio Grande waters are also renowned for their whitewater rafting and kayaking. The Taos Box, a 17-mile segment of rowdy rapids coursing below the 800-foot black cliffs of the Rio Grande Gorge, was named one of the top 32 waterways in North America by *Outside* magazine.¹⁹ "Since 1978, I've been privileged to guide thousands of visitors on southwestern rivers," says Steve Harris, founder of Far Flung Adventures, a rafting outfitter based in Taos County. "Everyone (including me) agrees that the Taos Box is one of the most fascinating and

¹⁷ *Id.* at 12.

¹⁸ Taylor Streit, *Fly Fishing - Taos Santa Fe New Mexico* (Wink Books 2020).

¹⁹ <https://www.outsideonline.com/1849491/flow-zone>.

thrilling canyons on this planet.” Outfitting businesses like Harris’s rely for their livelihood on tourism, one of the best performing sectors in the New Mexico economy.



Figure 6: Rafting on the upper Rio Grande

Hikers, campers, bird watchers, and other nature lovers flock to this one-of-a kind region, where the rolling waters of the Rio Grande are a main attraction. One of the most visited recreation areas in the state, the Rio Grande Gorge area saw over 179,000 visits to trailheads, campgrounds, and picnic sites between October 2019 and September 2020, according to BLM.²⁰

²⁰ BLM Taos Field Office, BLM Recreation Management Info. System (Sept. 16, 2020).

“A truly wild world lies between [the Rio Grande’s] ever-watching canyon walls; you are surrounded by nature in its rawest form, from quiet to chaotic,” writes Taylor Streit.²¹

NMDGF designates aquatic and terrestrial species in New Mexico for their outstanding economic and recreational value. These “Species of Economic and Recreational Importance” or “SERI” are identified for each nominated waterbody in Exhibit 7. The upper Rio Grande is home to three fish SERI – our state fish, the Rio Grande cutthroat trout, and cutthroat trout and brown trout. Special Status Animal and Plant Lists [Ex. 7]. Six mammals designated as SERI are found within one mile of this stretch of the river’s banks: bighorn sheep, black bear, cougar, elk, mule deer, and pronghorn. *Id.*

2. Rio Hondo and Lake Fork

Beginning as high elevation tributaries in the Sangre de Cristo Mountains above Taos Ski Valley, the Rio Hondo and its tributary, the Lake Fork, wind their way through one of New Mexico’s most popular outdoor recreation destinations. Each year, thousands of hikers walk along these waters on their way to the state’s highest point, the 13,159-foot summit of Wheeler Peak, and popular destinations like Gold Hill and Williams Lake. The Williams Lake Trail is one of the most popular hikes in the state. The trailhead begins near Lake Fork and parallels the stream.²²

The Rio Hondo has exceptional recreational value based on its extraordinary fishing and the SERI found in and around the nominated segment, and Lake Fork has exceptional

²¹ Streit 2020.

²² <https://rootsrated.com/stories/10-of-the-best-hiking-trails-in-new-mexico;>
[https://www.newmexicomagazine.org/blog/post/10-ultimate-nm-hikes-96035/;](https://www.newmexicomagazine.org/blog/post/10-ultimate-nm-hikes-96035/)
[https://www.theoutbound.com/new-mexico/hiking/hike-to-williams-lake-and-wheeler-peak.](https://www.theoutbound.com/new-mexico/hiking/hike-to-williams-lake-and-wheeler-peak)

recreational value based on the SERI in and around that waterbody. *See* NMDGF Angler Data [Ex. 6]; Special Status Animal and Plant Lists [Ex. 7].

Trout fishing is popular in these streams. During 201920, the Rio Hondo saw over 700 anglers and over 3,300 visitor days. NMDGF Angler Data [Ex. 6]. *Id.* These anglers are also attracted to other recreational activities in the area, including hiking and birdwatching, all of which provide a diverse array of recreation opportunities in a small geographical area, adding to the area’s recreational appeal. The cold, high-elevation waters of the Rio Hondo and Lake Fork are important to protecting populations of Rio Grande cutthroat trout, an important cultural icon. Both the Rio Grande cutthroat trout and the cutthroat trout inhabit the waters of the Rio Hondo and Lake Fork, and both are SERI. Special Status Animal and Plant Lists [Ex. 7].²³ Within one mile of the banks of the Rio Hondo and Lake Fork are five terrestrial SERI: bighorn sheep, black bear, cougar, elk, and mule deer. *Id.*

²³ Four tributary streams to the nominated stretch of the Rio Hondo are designated as Special Trout Waters by the NMDGF for their significance to native trout conservation. Yerba Creek, Italianos Creek, Gavilan Creek, and South Fork Rio Hondo are all designated as “Red Chile Waters” upstream from their confluences with the Rio Hondo. <https://www.wildlife.state.nm.us/download/fishing/maps/Special-Trout-Waters.pdf>. Those four outstanding trout waters contribute to the region’s overall recreational significance and ecological health. (These waters are not nominated in this Petition.)



Figure 7: Fishing from the Rio Hondo



Figure 8: Hiking Lake Fork Trail

3. East Fork Jemez River, San Antonio Creek, and Redondo Creek

The East Fork Jemez River, San Antonio Creek, and Redondo Creek nominations are shown on Figure 5 and total 60.4 miles. The East Fork Jemez River and San Antonio Creek are tributaries to the Jemez River and Redondo Creek is a tributary to Sulphur Creek, which flows into San Antonio Creek. These streams occur within the Valles Caldera National Preserve, the Jemez National Recreation Area (JNRA), or the Santa Fe National Forest, extremely popular recreation areas in our state.

Valles Caldera was formed about 1.25 million years ago from an enormous volcanic eruption that created the iconic 13-mile-wide circular depression so familiar to us. The 89,000-acre national preserve boasts wide mountain meadows, abundant wildlife, and meandering streams, and preserves the homeland of ancestral native peoples and a rich ranching history. The

sweeping and singular beauty of the caldera attracted approximately 50,000 visitors in 2019 -- visitors who came to hike, camp, fish, hunt, horseback ride, cross-country ski, mountain bike, observe wildlife, and view the night skies.²⁴ According to Robert R. Parmenter, Ph.D., Division Chief for Science and Resource Stewardship at VCNP, San Antonio Creek is the most visited stream in the caldera; the East Fork Jemez River is the second; and Redondo Creek is the fifth (after Jaramillo Creek and Rito de los Indios).²⁵



Figure 9: Snowshoeing by the East Fork Jemez River

The JNRA borders the Valles Caldera National Preserve at its southwest corner. The 57,650-acre JNRA, established in 1993, is one of only 40 Congressionally-established national

²⁴ https://www.santafenewmexican.com/news/adventure/valles-caldera-celebrates-20th-anniversary-as-national-preserve/article_a8d5f70e-d8b6-11ea-9441-93c7e5a56543.html.

²⁵ Nov. 9, 2021 Zoom meeting between Tannis Fox, WELC, and Robert Parmenter, VCNP.

recreation areas in the nation. It is the only such area in New Mexico. Located in the Santa Fe National Forest, the boundaries of the JNRA incorporate nominated segments of the East Fork Jemez River and San Antonio Creek, and these waters and adjacent lands are the main attraction for recreationists. The JNRA features:

Dramatic landscapes created by eons of gradual and cataclysmic geologic events provide breathtaking views. Sheer cliff faces, pock-marked tuff exposures, flat topped mesas, lush canyon bottoms, the Valle Grande and the domed peak of Redondo provide for a varied and vibrantly colored visual experience. . . . From a natural resource standpoint, the JNRA contains habitat for many wildlife and plant species, including some listed as threatened, endangered, or sensitive.²⁶

The JNRA's outstanding scenic and ecological attributes attract nearly 1.6 million people each year to hike, picnic, view wildlife and scenery, fish, hunt, camp, rock climb, soak in hot and warm springs, horseback ride, cross-country ski, and drive for pleasure.²⁷ The U.S. Forest Service consults with Jemez Pueblo concerning cultural and religious sites. Camping, wildlife and scenery viewing, fishing, hunting, hiking, swimming, soaking in hot and warm springs, picnicking, rock climbing, horseback riding, cross-country skiing, and driving for pleasure – especially along state and national scenic byway State Road 4 -- are some of the more popular activities.

a. East Fork Jemez River

The East Fork Jemez River begins in the scenic Valle Grande of the Valles Caldera National Preserve. Flowing west through the preserve and lands managed by Santa Fe National Forest, the stream passes through a narrow canyon lined with volcanic cliffs and spruce-fir forests. In 1990, an 11-mile stretch of the East Fork Jemez River was designated as Wild and

²⁶ U.S. Department of Agriculture Forest Service, Santa Fe National Forest, Jemez National Recreation Area Management Plan at 2,

https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5384293.pdf.

²⁷ *Id.*

Scenic in recognition of its free-flowing character and recreational and ecological attributes. *See* Map of nomination in Valles Caldera region depicting Wild and Scenic, Special Trout Waters, National Preserve, and National Recreation Area segments [Ex. 9]. There are numerous access sites along State Road 4, all of them popular destinations for hikers, picnickers, and those making day trips to the region from nearby urban centers like Albuquerque. Other access sites along State Road 4 are popular rock-climbing destinations.

The East Fork Jemez River has exceptional recreational value based on its outstanding fishing and the SERI found in and around the waterbody. *See* NMDGF Angler Data [Ex. 6]; Special Status Animal and Plant Lists [Ex. 7]. This stream is a wildly popular fishing destination, attracting over 11,000 anglers in 2019-20, fishing over 60,000 visitor days during 2019-20. The East Fork Jemez River ranks 4th in the state for the number of anglers fishing in streams and 5th in visitor days. NMDGF Angler Data [Ex. 6]. And the East Fork Jemez is home to four SERI; elk, black bear, cougar, and mule deer. Special Status Animal and Plant Lists [Ex. 7].

“The [Wild and Scenic corridor of the East Fork Jemez River] has long been a recreation destination for visitors from the region, as well as from around the country,” writes the U.S. Forest Service in its East Fork Jemez Wild and Scenic River Management Plan.²⁸

Local users center their recreation activities around multi-generational family gatherings where there is water. For some, a hike along the Trail 137 is not complete without a relaxing dip in the natural pools at McCauley Warm Spring. Throughout the [Wild and Scenic river] corridor, day use is high in the summer months, and overnight use, both in developed sites and dispersed sites, occurs spring through autumn. Commonly observed activities include hiking, fishing, camping, photography and sightseeing. After snowfall, day use is again high when cross-country skiing, snowmobiling, tubing and snowshoeing are popular.²⁹

²⁸ U.S. Department of Agriculture Forest Service, Santa Fe National Forest, Jemez Ranger District, East Fork Jemez Wild and Scenic River Management Plan at 7 (May 2002), <https://www.rivers.gov/documents/plans/jemez-plan.pdf>.

²⁹ *Id.*

According to the JNRA Management Plan, the trail along the “Wild section” of the East Fork Jemez River “is the District's most widely used trail.”³⁰

Hunts in the region are highly sought after, according to NMDGF big game managers. The Valles Caldera, where San Antonio Creek, East Fork Jemez River, and Redondo Creek originate, is home to a healthy and productive elk population. Elk are a SERI. Satisfaction ratings for these Game Management Unit 6B hunts are some of the highest in the state, according to NMDGF. The department also designates mature bull hunts on the Valles Caldera as “quality,” meaning this is a better hunting area for elk than others. The Valles Caldera is an important movement corridor for elk in the Jemez population. It’s a similar story with deer. Deer tags for the Jemez herd are highly sought after by hunters, according to NMDGF. In 2019, the Jemez region drew 2,219 hunters.³¹

b. San Antonio Creek

San Antonio Creek begins in the Valles Caldera National Preserve, flowing in a westerly direction through large valleys before entering the Santa Fe National Forest and making a big turn to the south where it eventually joins the East Fork Jemez River to become the Jemez River near Battleship Rock.

Santa Antonio Creek has exceptional recreational value based on its outstanding fishing and the SERI found in and around the waterbody. *See* NMDGF Angler Data [Ex. 6]; Special Status Animal and Plant Lists [Ex. 7]. The creek is prized by anglers for its small, trout-filled waters and the chance to fish within the natural beauty of the preserve. During the 2019-20

³⁰ U.S. Department of Agriculture Forest Service, Santa Fe National Forest, Jemez National Recreation Area Management Plan at 13,

https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5384293.pdf.

³¹ https://www.wildlife.state.nm.us/download/hunting/harvest/2019_2020-Elk-Harvest-Report.pdf.

license year, over 7,800 anglers fished the stream over the course of more than 51,000 visitor days. The number of anglers fishing on the San Antonio ranked 9th for all streams in the state, and the number of visitor days ranked 7th overall, making it a top fishing destination in New Mexico. NMDGF Angler Data [Ex. 6].



Figure 10: Fishing on San Antonio Creek

Abundant wildlife inhabit the area close to San Antonio Creek, attracting visitors. Within one mile of the banks of the river, four SERI – black bear, cougar, elk, and mule deer – are found. Special Status Animal and Plant Lists [Ex. 7].

San Antonio Campground is adjacent to the San Antonio River, and is open from May through October. It was completely rebuilt and reopened in August 2010. A paved walking trail along the river provides access for fishing, and the campground offers easy driving access to recreational sites nearby, including the popular La Cueva Picnic Site, Spence Hot Spring Trailhead, Battleship Rock Trailhead and other fishing sites along the San Antonio River. The

San Antonio area is popular for a variety of outdoor recreation activities, including hiking, camping, wildlife and bird watching, and soaking in the natural hot springs that attest to the region's volcanic history.

c. Redondo Creek

Redondo Creek has exceptional recreational value based on SERI found close by, including black bear, cougar, elk, and mule deer. Special Status Animal and Plant Lists [Ex. 7].

Redondo Creek is one of the most popular hiking areas in the Valles Caldera National Preserve. The creek is a beautiful stream, with easy hiking for families and accessible from State Road 4 or VCO2. VCO2 runs along the creek, and is popular with hikers, cyclists, and runners. From VCO2, the trail heads gently up a pretty valley as it follows Redondo Creek. It then skirts the edge of Redondo Meadows and passes through old geothermal drilling areas. The trail climbs quickly but briefly before turning south to contour along Redondo Peak, a resurgent lava dome and the highest point in the Valles Caldera at 11,258 feet. The trail ends at the very tranquil Mirror Pond.



Figure 11: Redondo Creek

Redondo Campground is accessed from the Jemez Mountain Trail that runs along Redondo Creek, and located between Redondo Creek and San Antonio Creek. The campground has over 60 camp sites, and is situated in a stand of Ponderosa pine interspersed with grass and wildflower meadows within the Jemez National Recreation Area.

Redondo Peak is sacred to various Pueblo peoples of New Mexico and therefore the area should be approached respectfully.

C. Exceptional Ecological Significance

Streams are eligible for ONRW designation if they have exceptional ecological significance. 20.6.4.9.B(2) NMAC. All streams nominated in this Petition offer outstanding ecological value to our state. Wetland and riparian habitats comprise less than one percent of New Mexico's land area.³² Yet more than 80 percent of all sensitive and specially classified vertebrate species in New Mexico require riparian habitat for some part of their life cycle.³³ Because of their high species diversity and vulnerability to multiple stressors, riparian and aquatic habitats represent exceptional ecosystems in our state and are vital areas to focus conservation efforts. Protecting and conserving wetland and riparian habitat and water quality in New Mexico is critical to maintain healthy, functioning ecosystems. The whole of each stream segment nominated qualifies for this criterion.

1. Rio Grande

By any measure, the upper Rio Grande segment nominated in this Petition possesses outstanding ecological values, beginning with the habitat it provides for birds. The Upper Rio Grande Gorge, from the New Mexico-Colorado border downstream 25 miles, is designated by the National Audubon Society³⁴ as one of New Mexico's Important Bird Areas (IBAs). Designating IBAs is a global initiative to identify and conserve the most important places for bird populations. IBAs are distinct areas that provide essential habitat for one or more species in breeding, wintering, or migration.³⁵ The Upper Rio Grande Gorge is an IBA because it supports a great diversity of passerine birds, including the federal and state endangered southwestern

³² Dahl, T.E. 1990. Wetlands losses in the United States, 1780s to 1980s. US Fish and Wildlife Service, Washington, D.C. 21 pp.

³³ NMDGF 2016.

³⁴ <https://www.audubon.org/important-bird-areas/upper-rio-grande-gorge>.

³⁵ https://wa.audubon.org/sites/default/files/ibas_policyuse.pdf.

willow flycatcher (*Empidonax trailii extimus*), and its canyon walls provide habitat for hawks and eagles.³⁶



Figure 12: Southwestern willow flycatcher

The mixed habitat supports high species diversity. Three bird species in the area are listed as state threatened under 19.33.6.8.B NMAC, and 25 bird, mammal, and fish species have been identified by NMDGF as Species of Greatest Conservation Need (SGCN) -- species in decline, vulnerable, endemic to New Mexico, disjunct (species with populations geographically isolated from other populations of the same species and are disproportionately susceptible to local decline or extirpation), or “keystone” (species that are crucial to the integrity and the functioning of their ecosystems). Birds in the area that are state threatened and SGCN are the bald eagle (*Haliaeetus leucocephalus*), peregrine falcon (*Falco peregrinus*), and boreal owl (*Aegolius funereus*). Special

³⁶ <https://www.audubon.org/important-bird-areas/upper-rio-grande-gorge>.

Status Animal and Plant Lists [Ex. 7].³⁷ Other SGCN that inhabit the area include black swift (*Cypseloides niger*), and olive-sided flycatcher (*Contopus cooperi*), pinyon jay (*Gymnorhinus cyanocephalus*). The American dipper (*Cinclus mexicanus*) is found in this area, and is the only passerine in North America that forages under rushing streams, and therefore is sensitive to water pollution.

Continuous riparian corridors like the Rio Grande not only over-contribute to diversity of breeding species, they provide critical stopover habitat for birds migrating across the arid southwestern region.³⁸ These areas provide access to water, food resources, and vegetative cover from predators that are otherwise rare on the landscape. Proactive conservation of riparian corridors is vital to ensure habitat requirements for western neotropical migrant birds.

Recently reintroduced North American river otters (*Lontra canadensis*) have successfully established and reproduced within the upper Rio Grande, although the population remains small and genetically degraded.³⁹ Continued population growth and long-term success of this

³⁷ See NMDGF, State Wildlife Action Plan for New Mexico (Nov. 22, 2016) for a list of Species of Greatest Conservation Need, <https://www.wildlife.state.nm.us/download/conservation/swap/New-Mexico-State-Wildlife-Action-Plan-SWAP-Final-2019.pdf>.

³⁸ Skagen, S.K.; Kelly, J.F.; van Riper, C.; Hutto, R.L.; Finch, D.M.; Krueper, D.J.; Melcher, C.P. Geography of spring landbird migration through riparian habitats in Southwestern North America. *Condor* 2005, 107, 212; Carlisle, J.D., Skagen, S.K., Kus, B.E. vanRiper, C. III, Paxton, K.E., and Kelly, Jeff E. 2009. Landbird Migration in the American West: Recent Progress and Future Research Directions. *The Condor* 111:211-225.

³⁹ Cox, J.J., and S.M. Murphy. 2019. Demographic and genetic status of a reintroduced river otter population in North-central New Mexico. Final report prepared for the Share with Wildlife Program, New Mexico Department of Game and Fish, Santa Fe, NM, Agreement #171012; Long, B. 2010. River otter monitoring in the upper Rio Grande watershed in northern New Mexico, October 14, 2008 through January 21, 2010. Report submitted to New Mexico Department of Game and Fish for Professional Service Contract 09 516 0000 00042; Savage, M., and J. Klingel. 2015. Citizen monitoring after an otter restoration (*Lontra canadensis*) in New Mexico, USA. *IUCN Otter Specialist Group Bulletin* 32:21–24. Savage, M., and J. Klingel. 2015. Citizen monitoring after an otter restoration (*Lontra canadensis*) in New Mexico, USA. *IUCN Otter Specialist Group Bulletin* 32:21–24.

population depends on adequate availability of prey and water quality.⁴⁰ Water quality may affect otters directly, through heavy metal accumulation in fish tissue, and indirectly through effects of turbidity on their ability to capture prey, and factors affecting prey abundance and health of fish and other aquatic animal populations.

The upper Rio Grande corridor provides important habitat for special status small mammal species, such as Gunnison's prairie dog (*Cynomys gunnisoni*) and spotted bat, listed as threatened in New Mexico. Special Status Animal and Plant Species Lists [Ex. 7]. The area also hosts large populations of elk (*Cervus canadensis nelsoni*) and pronghorn (*Antilocapra americana americana*), as well as several other large mammal species, including bighorn sheep (*Ovis canadensis canadensis*), mule deer (*Odocoileus hemionus*), black bear (*Ursus americanus*), and cougar (*Puma concolor*), all of which are designated by NMDGF as SERI to the state. *Id.*

The upper Rio Grande provides habitat for native fish. Rio Grande chub (*Gila pandora*), designated as a SGCN, is found in this reach of the Rio Grande.⁴¹ As with mammals, this section of the Rio Grande is important to conservation of Rio Grande chub because it is one of only a handful of unfragmented reaches across their current distribution. Connectivity across long reaches of habitat offers resiliency for species by allowing for natural recolonization when local extirpation events occur. Other native fish species that occupy these waters include longnose dace (*Rhinichthys cataractae*), brown trout (*Salmo trutta*), and Rio Grande cutthroat trout (*Oncorhynchus clarkii virginalis*). The latter two are SERI. Our state fish, Rio Grande cutthroat

⁴⁰ New Mexico Department of Game and Fish. 2006. Feasibility study: Potential for restoration of river otters in New Mexico. New Mexico Department of Game and Fish, Santa Fe, NM.

⁴¹ Rio Grande Chub and Rio Grande Sucker Conservation Team. 2020. Rio Grande Chub and Rio Grande Sucker Database. Data acquired August 2020.

trout, is currently found in less than 10 percent of its native range and is listed as a species of concern by the U.S. Fish and Wildlife Service and a Sensitive Species by Region 3 of the U.S. Forest Service.⁴²



Figure 13: Rio Grande cutthroat trout

The upper Rio Grande corridor is home to array of diverse plant communities that include Arid West Interior Freshwater Emergent Marsh, Montane-Subalpine Wet Shrubland and Wet Meadow, Rocky Mountain Montane Riparian Forest, Rocky Mountain Subalpine-High Montane Meadow, Southwest Riparian Forest, Warm Desert Lowland Riparian Shrubland, and Warm-Desert Arroyo Riparian Scrub.⁴³

⁴² https://westernnativetrout.org/wp-content/uploads/2018/03/RGCT_WesternNativeTroutStatusReport_UpdatedMay2016.pdf.

⁴³ Muldavin, E., E. Milford, J. Leonard, J. Triepke, L. Elliot, P. Hanberry, D. Diamond, J. Smith, C. Reasner, Y. Chauvin, and A. Urbanovsky. 2020. New Mexico Riparian Habitat map NMRipMap. New Mexico Natural Heritage at the University of New Mexico, US Forest Service Region 3, Missouri Resource Assessment Partnership (MoRAP) at the University of Missouri, and Geospatial Technology and Applications Center (GTAC) of the US Forest Service, Salt Lake City, UT, accessible at nhnm.unm.edu/riparian/nmripmap; New Mexico Department of Game

The New Mexico Rare Plant Conservation Strategy has designated a portion of the upper Rio Grande as one of the highest ranking of the state's 133 Important Plant Areas (IPAs). IPAs are locations that support a high diversity of sensitive plant species, or the last remaining locations of the state's most endangered plants, and represent high priority areas for management.⁴⁴ The upper Rio Grande contains habitat for several special status plant species, including Taos Springsparsley (*Cymopterus spellenbergii*), Ripley Milkvetch (*Astragalus ripleyi*), and Clipped Wild Buckwheat (*Eriogonum lachnogynum* var. *colobum*). Special Status Animal and Plant Species Lists [Ex. 7].

2. Rio Hondo and Lake Fork

Like the upper Rio Grande, the Rio Hondo and Lake Fork provide important habitat for avian, terrestrial, and aquatic wildlife. Nineteen SGCN bird species inhabit the area, including the state endangered white-tailed ptarmigan (*Lagopus leucurus*), the state threatened peregrine falcon and boreal owl, black swift, olive-sided flycatcher, and Lewis's woodpecker (*Melanerpes lewis*). Special Status Animal and Plant Lists [Ex. 7].

and Fish. 2016. State wildlife action plan for New Mexico. New Mexico Department of Game and Fish, Santa Fe, NM.

⁴⁴ New Mexico Energy, Minerals and Natural Resources Department. 2017. New Mexico Rare Plant Conservation Strategy 2017.



Figure 14: White-tailed ptarmigan

The area also supports populations of Pacific marten (*Martes caurina*), listed as threatened in New Mexico, Gunnison’s prairie dog, and state threatened spotted bat, as well as several large mammal species such as elk, bighorn sheep, mule deer, black bear, and cougar. *Id.*

The upper reaches of the Rio Hondo drainage support Rio Grande cutthroat trout as well as a thriving brown trout fishery. Instream habitat restoration in the Rio Hondo has resulted in increased trout productivity and use in this reach.⁴⁵

Plant communities along the Rio Hondo and Lake Fork include Montane-Subalpine Wet Shrubland and Wet Meadow, Rocky Mountain Montane Riparian Forest, and Rocky Mountain Montane Shrubland.⁴⁶ The upper reaches of the Rio Hondo are also designated as one of the

⁴⁵ E. Frey, NMDGF Sportfish Program Manager, pers comm.

⁴⁶ Muldavin et al. 2020; NMDGF 2016.

highest ranking of New Mexico's 133 Important Plant Areas.⁴⁷ This area provides habitat for special status plant species of Brandegee Alpine Clover (*Trifolium brandegeei*) and Alpine Larkspur (*Delphinium alpestre*). Special Status Animal and Plant Lists [Ex. 7].

3. East Fork Jemez River, San Antonio Creek, and Redondo Creek

The waters in and around the Valles Caldera National Preserve constitute a major perennial watercourse in the southwest Jemez Mountains and provide much of the significant riparian habitat in the area. As such, they are conservation priorities. The NMDGF has designated the southern portion of the Jemez Mountains as one of 16 Conservation Opportunity Areas (COAs) in the State Wildlife Action Plan.⁴⁸ COAs identify areas within the state that contain high biodiversity and superior potential for conserving Species of Greatest Conservation Need. These priority habitats are considered vital for conservation of wildlife in New Mexico and are home to 35 SGCN, two federally and state endangered species, one state endangered species, one federally threatened species, and four state threatened species.

In addition, the Jemez Mountain/Valles Caldera IBA intersects portions of San Antonio and Redondo Creeks, and the East Fork Jemez River.⁴⁹ This area provides habitat for numerous rare and special status species, including the federally threatened Mexican spotted owl (*Strix occidentalis lucida*); the state threatened peregrine falcon, boreal owl, gray vireo (*Vireo vicinior*), and spotted bat; and American peregrine falcon (*Falco peregrinus anatum*). The many additional rare and SGCN species include northern goshawk (*Accipiter gentilis*), blue grouse (*Dendragapus obscurus*), eared grebe (*Podiceps nigricollis*), flammulated owl (*Otus flammeolus*), red-headed woodpecker (*Melanerpes erythrocephalus*), black swift, olive-sided

⁴⁷ EMNRD Forestry Division 2017.

⁴⁸ NMDGF 2016.

⁴⁹ <https://www.audubon.org/important-bird-areas/valles-calderajemez-mountains>.

flycatcher, American dipper, Lewis's woodpecker, and pinyon jay. Special Status Animal and Plant Species List [Ex. 7].

Other rare species live within this area. San Antonio and Redondo Creeks provide designated critical habitat for the federal and state endangered New Mexico meadow jumping mouse (*Zapus hudsonius luteus*). *Id.* This species is an extreme habitat specialist that requires dense herbaceous vegetation adjacent to perennial streams. Of the 77 known populations of this species, 22 are scattered across New Mexico. Ten of the 22 known populations of this species within New Mexico occur within the Jemez Mountains Geographical Area, including recently discovered sites along San Antonio Creek and Redondo Creek.⁵⁰

This area is designated critical habitat for the federal and state endangered Jemez Mountains salamander (*Plethodon neomexicanus*). Special Status Animal and Plant Lists [Ex. 7]. This species is native and inhabits a restricted range within the high elevations of the Jemez Mountains. While the salamander does not require standing water, it does rely on cool moist soil and its distribution is likely constrained by soil moisture and pH. Water quality is important for survival of all amphibians and will also provide essential protections for this rare species.

⁵⁰ U.S. Fish and Wildlife Service. 2020. Species status assessment report for the New Mexico meadow jumping mouse (*Zapus hudsonius luteus*), 1st Revision. January 2020. Albuquerque, NM. 160 pp.



Figure 15: Jemez Mountains salamander

The nominated waters provide important habitat for bats that depend on streams with high water quality, including the state threatened spotted bat [Ex. 7], long-eared myotis (*Myotis evotis*), and long-legged myotis (*Myotis volans*). These host healthy and productive populations of elk and mule deer, and recent data indicate that the Valles Caldera is an important movement corridor for the Jemez populations of these species.⁵¹

⁵¹ USGS, unpublished data.



Figure 16: Elk in Valles Caldera

The nominated waterbodies provide important habitat for aquatic wildlife, including native fish and invertebrates. Notably, the East Fork Jemez River and San Antonio Creek contain populations of Rio Grande chub and Rio Grande sucker (*Catostomus plebeius*). Special Status Animal and Plant Species List [Ex. 7].⁵² These species are designated both as SGCN and Sensitive Species by Region 3 of the U.S. Forest Service. Both Rio Grande chub and Rio Grande sucker have experienced range contractions in New Mexico and these waters support four of the 30 known populations of Rio Grande sucker.⁵³ Longnose dace are also present in these waters. The wrinkled marshsnail (*Stagnicola caperata*), found within the East Fork Jemez River area, is another range-restricted species within New Mexico and listed as endangered by the

⁵² Rio Grande Chub and Rio Grande Sucker Conservation Team 2020.

⁵³ *Id.*

state. This species occupies wet meadows and occurs in small isolated populations within New Mexico including Cerro La Jara in the Jemez Mountains.⁵⁴ This species is vulnerable to wetland habitat loss and water contamination.⁵⁵

Plant communities within this area are a diverse assemblage of vegetation typical of the southern Rocky Mountain ecoregion. The area surrounding the nominated waters consists of Arid West Interior Freshwater Emergent Marsh, Montane-Subalpine Wet Shrubland and Wet Meadow, Rocky Mountain Montane Riparian Forest, Rocky Mountain Montane Shrubland, Rocky Mountain Subalpine-High Montane Meadow, Warm-Desert Arroyo Riparian Scrub, Warm and Cool Desert Alkali-Saline Wetland, and Southwest Riparian Forest.⁵⁶ The area is also designated as an IPA⁵⁷, and hosts a number of special status plant species, including Sapello Canyon Larkspur (*Delphinium sapellonis*), Giant Helleborine Orchid (*Epipactis gigantea*), and Hooded Ladies'-Tresses (*Spiranthes romanzoffiana*). Special Status Animal and Plant Lists [Ex. 7].

⁵⁴ New Mexico Department of Game and Fish. 2018. Threatened and Endangered species of New Mexico, 2018 biennial review. NMDGF, Santa Fe, New Mexico, USA.

⁵⁵ Taylor, D. W. 1983. Endangered species: status investigation of mollusks of New Mexico. Professional Service Contract Nos. 519-69-01 and 519-69-01-A; NMDGF 2018.

⁵⁶ Muldavin et al. 2020; NMDGF 2016.

⁵⁷http://www.emnrd.state.nm.us/SFD/documents/NM%20Rare%20Plant%20Conservation%20Strategy_03202019.pdf.

D. State Special Trout Waters



Figure 17: Special Trout Water Signage

A stream is eligible for ONRW designation if it is a significant attribute of a state Special Trout Water. 20.6.4.9.B(1) NMAC. The NMDGF manages a number of stream segments nominated in this Petition as Special Trout Waters. These waters are generally among the best trout fishing waters in the state or are important to native trout conservation. The NMDGF manages waters to produce trophy-size trout, to improve conservation of native trout, and to enhance the overall trout population structure and density. Regulations are tailored to each water. The NMDGF has established three designations for Special Trout Waters: (1) Red Chile Water, with catch-and-release and tackle restrictions, and there is a Red Chile Water designation established specifically to protect native Gila trout (*Oncorhynchus gilae*) and Rio Grande cutthroat trout; (2) Green Chile Water, with a two trout daily bag limit and tackle restrictions; and (3) Xmas Chile Water, with a two trout daily bag limit with any legal tackle.⁵⁸

⁵⁸ <https://www.wildlife.state.nm.us/download/fishing/maps/Special-Trout-Waters.pdf>.

The Special Trout Waters nominated in this Petition are listed below, along with maps that show their location within the nominated waters:

- Rio Grande: New Mexico-Colorado border to directly above confluence with Rio Pueblo de Taos (Xmas Chile) (52.2 miles) [Ex. 8];
- San Antonio Creek: Headwaters to VCNP boundary downstream 2.0 miles to the San Antonio Hot Springs pedestrian bridge (Green Chile) (22.2 miles) [Ex. 8];
- East Fork Jemez River: Headwaters to VCNP boundary (Green Chile) (10.4 miles) [Ex. 9]; and
- Redondo Creek: Headwaters to VCNP boundary (Green Chile) (5.5 miles) [Ex. 9].

See 19.31.4.11.A(4)(a)(ii) NMAC. Each of these Special Trout Waters qualifies on its own for ONRW designation because this criterion is met and because each satisfies the requirements in 20.6.4.9.A NMAC, as discussed above.

E. National Monument

A stream is eligible for ONRW designation if it is a significant attribute of a national monument. 20.6.4.9.B(1) NMAC. The 52.2-mile segment of the upper Rio Grande nominated in this Petition lies entirely within Rio Grande del Norte National Monument. See Ex. 8 [Map of Rio Grande nomination depicting Wild and Scenic, Special Trout Waters, and National Monument segments]. There is no doubt that the Rio Grande, which has cut the 800-foot gorge that visitors from around the world come to see, is one of the most significant attributes of this national monument. Indeed, President Obama's 2013 proclamation establishing Rio Grande del Norte as a national monument begins with an image of the Rio Grande: "In far northern New Mexico, the Río Grande Wild and Scenic River flows through a deep gorge at the edge of the

stark and sweeping expanse of the Taos Plateau.”⁵⁹ The stunning array of ecological diversity found in the upper Rio Grande is integral to the national monument designation. This nominated segment of the Rio Grande qualifies on its own for ONRW designation because this criterion is met and because it satisfies the requirements in 20.6.4.9.A NMAC, as discussed above.

F. Wild and Scenic Rivers

A stream is eligible for ONRW designation if it is part of a Wild and Scenic river under the federal Wild and Scenic Rivers Act (Act). 20.6.4.9.B(1) NMAC. In this Petition, the entire 52.2-mile stretch of the Rio Grande and 11 miles of the East Fork Jemez River are designated as Wild and Scenic under the Act.

⁵⁹ Presidential Proclamation -- Rio Grande del Norte National Monument (Mar. 25, 2013), <https://obamawhitehouse.archives.gov/the-press-office/2013/03/25/presidential-proclamation-r-o-grande-del-norte-national-monument>. The Proclamation reads:

Deep within the gorge, . . . stands of willow and cottonwood thrive in riparian and canyon ecosystems that have been present since the river first appeared in the Río Grande Rift Valley. The river provides habitat for fish such as the Río Grande cutthroat trout as well as the recently reintroduced North American river otter. The Río Grande del Norte is part of the Central Migratory Flyway, a vital migration corridor for birds such as Canada geese, herons, sandhill cranes, hummingbirds, and American avocets. Several species of bats make their home in the gorge, which also provides important nesting habitat for golden eagles and numerous other raptor species, as well as habitat for the endangered southwestern willow flycatcher.

Bald eagles roost above the river in winter and fly out over the Taos Plateau's sagebrush shrub habitat and native grasslands, which stretch for thousands of acres to the west. The vast plateau harbors a significant diversity of mammals and birds, from the eagles, hawks, falcons, and owls soaring above the plateau to the small mammals on which they prey. Many other bird species, including Merriam's turkey, scaled quail, mourning dove, mountain plover, and loggerhead shrike, can be seen or heard on the plateau. Large mammals, including the Rocky Mountain elk, mule deer, pronghorn, and Rocky Mountain bighorn sheep, find their winter homes on the plateau alongside a population of rare Gunnison's prairie dogs. The Río Grande del Norte also provides habitat for many species of predators, including the ringtail, black bear, coyote, red fox, cougar, and bobcat.

To be designated, rivers must “possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values.”⁶⁰ The requirements for Wild and Scenic designation resemble and reinforce the ONRW criteria for designation requiring “exceptional recreational or ecological significance.” While the two designations share similar, mutually reinforcing criteria, ONRW designation complements and strengthens, and does not duplicate, water quality protections for the Wild and Scenic portions of the nominated waters. The Act does not impose any water quality-based protections, such as designated uses, water quality criteria, or antidegradation requirements. Surface waters designated as ONRWs, on the other hand, are afforded the highest level of water quality protection under the state’s Antidegradation Policy and Implementation Plan in 20.6.4.8 NMAC, and as Tier III waters in NMED’s Statewide Water Quality Management Plan and Continuing Planning Policy.⁶¹ Unlike Wild and Scenic designation, ONRW designation safeguards the nominated waters against new or increased pollution and degradation, and boosts adaptive capacity and watershed resilience in the face of ever-increasing threats from climate change.

The Rio Grande was one of the first eight rivers designated by Congress as Wild and Scenic when it passed the Act in 1968. At that time, Congress designated 55.7 miles, beginning

⁶⁰ Waters are selected as “wild,” “scenic,” or “recreational.” “Wild River Areas” are those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America. “Scenic River Areas” are those rivers or sections of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads. “Recreational River Areas” are those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past. 16 U.S.C. § 1273(b).

⁶¹ See https://www.env.nm.gov/surface-water-quality/wp-content/uploads/sites/25/2018/08/WQMP-CPP-20201023b-EPA-APPROVED-with-Appendices_Dec2020update.pdf.

at the New Mexico-Colorado border and extending downstream; 54.9 miles were designated as “wild,” and 0.8 miles as “recreational.” 16 USC § 1274(a)(4).⁶² The whole of the segment of the Rio Grande nominated in this Petition is designated as Wild and Scenic. *See* Ex. 8 [Map of Rio Grande nomination depicting Wild and Scenic, Special Trout Waters, and National Monument segments].

In 1990, Congress designated the East Fork Jemez River, from the Santa Fe National Forest Boundary to its confluence with San Antonio Creek, as Wild and Scenic. 16 USC § 1274(a)(155). This 11-mile segment is depicted on a map attached as Exhibit 9. Within that designation, the upper 2.0 miles are designated as “recreational,” the middle 4.0 miles are “wild,” and the lower 5.0 miles are “scenic.”⁶³



Figure 18: East Fork Jemez River

⁶² In 1994, Congress designated an additional 12.5 miles of the Rio Grande as Wild and Scenic because of its “scenic” values. 16 USC § 1274(a)(155); *see also* <https://www.rivers.gov/rivers/rio-grande-nm.php>.

⁶³ <https://www.rivers.gov/rivers/jemez.php>.

These two segments qualify for ONRW designation because this criterion is met and because they satisfy the requirements in 20.6.4.9.A NMAC, as discussed above.

G. Existing Water Quality

A stream is eligible for ONRW designation if the existing water quality is equal to or better than the numeric criteria for protection of aquatic life and contact uses and the human health-organism only criteria, and the water has not been significantly modified by human activities in a manner that substantially detracts from its value as a natural resource.

20.6.4.9.B(3) NMAC. The nominated segment of the Rio Hondo and Lake Fork fully meet these criteria.

There is one National Pollutant Discharge Elimination System permit that discharges into one of the nominated segments, which is the Village of Taos Ski Valley's wastewater permit #NM0022101. The Village of Taos Ski Valley has been apprised of the nomination and the implications for its wastewater discharges and has passed a resolution in support of the nomination. *See* Resolutions and Letters of Support [Ex. 10].

The nominated segment of the Rio Hondo and Lake Fork meet the required numeric water quality standards and are listed as fully meeting the high quality coldwater aquatic life and primary contact designated uses. The water quality data for these two waterbodies is summarized in Exhibits 4-A to 4-E. Similarly, those waterbodies have not been modified by human activities that substantially detracts from their value as a natural resource as demonstrated by the continued use by the public for fishing, recreating, and scenic viewing and by the lack of major diversions or impoundments. While recreational activities take place on those waterbodies, as outlined above, those activities have not substantially degraded or harmed those waterbodies. The Rio

Hondo and Lake Fork qualify for ONRW designation because this criterion is met and because they satisfy the requirements in 20.6.4.9.A NMAC, as discussed above.

H. Beneficial to State

To designate a surface water as an ONRW, the Commission must find that the designation is “beneficial” to the state. 20.6.4.9.B NMAC. The waters nominated herein are beneficial to the state for the reasons set forth above in Sections II.F and III.A through III.G and for the following additional reasons.

1. Outstanding cultural significance

a. Acequia life

The waters of the upper Rio Grande and Rio Hondo feed local acequias. Local acequias strongly support ONRW designation of the upper Rio Grande and Rio Hondo to protect their centuries-old way of life and the waters that sustain their lands, families, and communities. *See* Resolutions and Letters of Support [Ex. 10]. The Rio Hondo, for example, feeds eight major acequias, including the San Antonio, Des Montes, and Rebalse. Combined, Rio Hondo acequias irrigate over 1,677 acres of land, making its waters vital to local food systems, economies, and communities.⁶⁴

Formalized with the Spanish and Mexican land grants, the acequias are a vital part of the land-based culture of Taos County. Intricate customs and traditions unique to each acequia continue in villages along the nominated waterbodies. These traditions include the communal work of keeping the ditches clean and flowing with clean water and the immense challenge of working together to share water in times of scarcity. Their collective approach to water management and their unique role in water governance make acequias a vital cultural asset to the

⁶⁴ <https://www.taosacequias.org/rio-hondo>.

region and inextricably tied to the waters in this watershed. “Acequias are living monuments to the collective struggle to survive through reciprocity, cooperation and mutual aid in an arid and changing environment,” Sylvia Rodríguez, a Taoseña, anthropologist, acequia commissioner and author of *Acequia: Water Sharing, Sanctity and Place*, wrote in the *Taos News*. “They enabled us to survive in the past, sustain us today, and if we maintain, fight for and honor them, they can prove even more important in the coming dark decades.”⁶⁵

The acequia associations that rely upon the upper Rio Grande, Rio Hondo, and Lake Fork strongly support this designation, and their letters of support are found in Exhibit 10.⁶⁶

b. Pueblo traditions

The headwaters of the Jemez River have been home to Pueblo Peoples since time immemorial. “The Rio Jemez and its headwaters are the lifeblood of our people and the ecosystems that are connected to this very special place in our ancestral homelands since time immemorial. The Rio Jemez is the lifeblood to the winged, four-legged and finned first,” says Jemez Pueblo cultural leader Toledo. *See* Resolutions and Letters of Support [Ex. 10]. The waters that flow from the headwaters are considered culturally sacred and ceremonially precious. Clean water in the headwaters is essential for the cultural ceremonies that are performed both in the headwaters themselves and in the downstream Pueblo communities. The water from the headwaters feeds farms of the Jemez, Zia, and Santa Ana Pueblos with a vital water source. For Santa Clara Pueblo:

Restoration of headwater stream, especially those within the range of native Rio Grande Cutthroat trout is an important goal for both Santa Clara Pueblo and the

⁶⁵ *Taos News* (Oct. 23, 2020).

⁶⁶ Letters of support are included from Acequia de la Plaza, Acequia de San Antonio, Acequia Madre del Rio Chiquito, Acequia Madre del Rio Lucero y Arroyo Seco, Atalaya Acequia, Des Montes Ditch Association, Embudo Valley Regional Acequia Association (representing ten acequias), and Rebalse Ditch Association. *See* Ex. 9.

Valles Caldera National Preserve. As a direct neighbor to the East Fork Jemez, Sand Antonio Creek, and Rio de los Indios watersheds, and their direct connect with our ancestral lands, we strongly support the goal of conserving these watersheds.

See Ex. 10. Today, Pueblo Peoples continue to regularly visit the sacred shrines of the Jemez headwaters and perform ceremonies using the sacred waters of the nominated waters. For Pueblo Peoples, water is an equalizer that bonds and connects all beings. “We as Native Peoples see the sacredness of the water ecosystem that sustain life to all the birds and animals, plants and the aquatic life that humans greatly benefit from,” says Mr. Toledo. *Id.*

Similarly, the waters of the Rio Grande, Rio Hondo, and Lake Fork have nourished Taos Pueblo since time immemorial. “For millennia, the Rio Grande has flowed through our area providing life giving water to many species including us humans and . . . has flowed with pristine and unpolluted sacred head waters,” according to Taos Pueblo Warchief Fred Romero. “Our ancestors as well as our present-day people have benefited from the clean water with many blessings provide by the Rio Grande.” *Id.* As to the Rio Hondo and Lake Fork, according to Warchief Romero, “This watershed was part of our Taos Pueblo ancestral homeland, and borders Taos Pueblo’s Blue Lake Watershed. . . . The Rio Hondo and Lake Fork watershed area provide critical water for wildlife and for the communities below for agriculture through acequia irrigation.” *Id.*

ONRW protection will ensure that the Pueblos’ irrigation and cultural practices can continue, without additional requirements being placed on them, while prohibiting new pollution sources and increased pollution from existing sources. Letters of support from Santa Clara Pueblo, Mr. Toledo, and Taos Pueblo are attached in Exhibit 10.

IV. THIS PETITION HAS BROAD-BASED COMMUNITY SUPPORT

Over the last year, ORD has worked closely with governmental and nongovernmental partners, including NMDGF, Amigos Bravos, Trout Unlimited, New Mexico Wild, and The Pew Charitable Trusts, to develop this Petition and to conduct outreach to the local communities that would be most impacted by the designations. In addition to reaching out to the 30 or so Pueblos, local governments, acequia associations, land grants, schools, neighborhood associations, and local businesses that have provided resolutions and letters of support, ORD and its partners have consulted with or given presentations to the New Mexico Acequia Commission, New Mexico Acequia Association, Jemez Pueblo, Flower Hill Institute, Santa Ana Pueblo, Zia Pueblo, landowners in each watershed, U.S. Forest Service Jemez District Ranger, U.S. Forest Service Carson National Forest staff, and U.S. Bureau of Land Management. In addition, ORD and its partners have held community outreach meetings to provide information and answer questions on all nominations, including presenting to Jemez Walatowa farmers' group.

Local communities throughout the region in which the nominated waters are located, and which would be most impacted by the ONRW designations, strongly support this Petition. These supporters understand that “agua es vida,” and that preserving our scarce water resources from pollution and degradation for now and the future best serves their communities. As discussed, the nominations in this Petition have the support of many Pueblos, local governments, acequia associations, land grants, schools, neighborhood associations, local businesses, and local nonprofits. *See Ex. 10.* As the Village of Jemez Springs recognized, “The local economy is dependent upon clean water to support agriculture and recreation-based economic activities.” *Id.* Similarly Taos County, the Town of Red River, and the Village of Questa all recognize the importance of hiking, birding, boating, fishing, and camping in and around the upper Rio

Grande, Rio Hondo, and Lake Fork to its local economy. *Id.* The local communities most impacted request the Commission affirm the nominations in this Petition to protect these outstanding waters upon which they depend. *See id.*

Conclusion

The waters nominated in this Petition represent some of the most beloved and most popular recreational waters in our state. Protecting these waters from degradation enhances their value as outdoor recreation destinations and their economic value to the local communities. Furthermore, these waters' riparian areas represent some of the most ecologically valuable areas in the state, and are home to many endangered, threatened, and at risk animal and plants species that need clean water to survive and thrive. Each waterbody nominated deserves to be protected from pollution for present and future generations.

EXHIBIT 2

PETITIONER'S PROPOSED AMENDMENTS TO 20.6.4.9.D NMAC

20.6.4.9 OUTSTANDING NATIONAL RESOURCE WATERS:

...

D. Waters classified as ONRWs: The following waters are classified as ONRWs:

...

(4) the Rio Grande from directly above the Rio Pueblo de Taos to the New Mexico-Colorado border.

(5) the Rio Hondo from the Carson National Forest boundary to its headwaters and Lake Fork creek from the Rio Hondo to its headwaters.

(6) the East Fork Jemez river from San Antonio creek to its headwaters; San Antonio creek from the East Fork Jemez river to its headwaters; and Redondo creek from Sulphur creek to its headwaters.

EXHIBIT 3

ONRW NOMINATED WATERS

Green = criteria met. Note: only NM Benefit plus one other criterion (column) is required to satisfy 20.6.4.9.8 NMAC.

CRITERIA							
Nominated Waterbody	NM Benefit	State Special Trout Waters	Wild and Scenic River	National Monument	Exceptional recreational significance	Exceptional ecological significance	Water quality = or > than numeric criteria
Rio Grande	Recreational benefit; ecological benefit; mitigate and adapt to climate change; historical and cultural significance; economic benefit (outdoor recreation/tourism, irrigation)	YES	YES	YES (Rio Grande del Norte National Monument)	Fishing; rafting and kayaking; and visitor numbers (for hiking, bird and wildlife watching, backpacking, camping, photography); and 9 SERI 69,667 visitor (fishing) days (2019-20) 179,939 visits (10/19-9/20)	25 SGCN, 1 federal/state endangered, 4 state threatened, 2 special status plants	
Rio Hondo	Recreational benefit; ecological benefit; mitigate and adapt to climate change; historical and cultural significance; economic benefit (outdoor recreation/tourism, irrigation)				Fishing and 7 SERI (also has camping, hiking, horsebackriding, hunting, birdwatching, photography, backpacking, mountain biking) 3,357 visitor (fishing) days (2019-2020)	24 SGCN*, 1 state endangered, 4 state threatened, 2 special status plants	YES (all water quality standards are being met including aquatic life and human contact uses)
Lake Fork	Recreational benefit; ecological benefit; mitigate and adapt to climate change; historical and cultural significance; economic benefit (outdoor recreation/tourism, irrigation)				7 SERI (also has fishing, camping, hiking, horsebackriding, hunting, birdwatching, photography, backpacking, mountain biking)	24 SGCN*, 1 state endangered, 4 state threatened, 2 special status plant species	YES (all water quality standards are being met including aquatic life and human contact uses)
San Antonio Creek	Recreational benefit; ecological benefit; mitigate and adapt to climate change; historical and cultural significance; economic benefit (outdoor recreation/tourism, irrigation)	YES (from San Antonio Hotsprings pedestrian bridge upstream to headwaters)			Fishing and 5 SERI (also has camping, hiking, horsebackriding, hunting, birdwatching, photography, backpacking, mountain biking) 51,392 visitor (fishing) days (2019-20)	31 SGCN, 2 federally/state endangered, 1 federally threatened, 4 state threatened, 2 special status plants	
East Fork Jemez River	Recreational benefit; ecological benefit; mitigate and adapt to climate change; historical and cultural significance; economic benefit (outdoor recreation/tourism, irrigation)	YES (within Valles Caldera National Preserve)	YES (Santa Fe National Forest Boundary downstream to the confluence with San Antonio Creek)		Fishing and 5 SERI (also has camping, hiking, horsebackriding, hunting, birdwatching, photography, backpacking, mountain biking) 60,084 visitor (fishing) days (2019-20)	31 SGCN, 1 federally/state endangered, 1 state endangered, 1 federally threatened, 4 state threatened, 3 special status plants	
Redondo Creek	Mitigate and adapt to climate change; historical and cultural significance; economic benefit (drinking water, outdoor recreation/tourism)	YES (within Valles Caldera National Preserve)			5 SERI (also has camping, hiking, horsebackriding, hunting, fishing, bird watching, photography, backpacking, mountain biking)	27 SGCN, 2 federally/state endangered, 1 state endangered, 1 federally threatened, 3 state threatened	

*The special status species lists for the Rio Hondo and Lake Fork were

EXHIBITS 4-A, 4-B, and
4-C are Excel
spreadsheets filed
separately

EXHIBIT 4-D

HUC: 13020101 - Upper Rio Grande

Acid Canyon (Pueblo Canyon to headwaters)

AU:NM-97.A_002 WQS: 20.6.4.98

2010 Action: SWQB conducted a special survey from 2006-2007 on the Pajarito Plateau. These data were combined with available LANL and NMED DOE Oversight Bureau data collected from 2004 - 2008. Aluminum, copper, mercury, zinc, PCBs (for both human health and wildlife habitat), and adjusted gross alpha were determined to be causes of non support. The assessed data can be accessed at <http://www.nmenv.state.nm.us/swqb/303d-305b/2010-2012/index.html>. See also the Preface at the beginning of the 2010 - 2012 ROD for additional information on the Pajarito Plateau survey and data assessments.

2014 Action: All available 2004 to 2013 surface water quality data from priority watershed stations on the Pajarito Plateau were downloaded from Intellus and collated with SWQBs 2006-2007 Pajarito survey data. Final metal, PCB, and radionuclide assessment datasets were prepared, with preference given to more recent data following the steps noted in the Preface to the 2014 Integrated List. Concurrent hardness was calculated and used to determine the appropriate hardness-dependent metals criteria by sampling event. Copper (7/13 acute, 2/4 chronic [IR Cat 5C -- the two exceedences may have been mis-characterized as non-storm flow in the Intellus database]), PCBs (human health and wildlife habitat), and adjusted gross alpha were determined to be causes of non-support in this AU. The associated impairment listings were revised according to this re-assessment. All previous aluminum listings were carried over (IR Cat 5C) due to inadequate data to assess against newer hardness-dependent total recoverable aluminum criteria. Additional information on these assessment is available at: <http://www.nmenv.state.nm.us/swqb/303d-305b/2014-2016/index.html>.

2016 Action: As suspected and noted in 2014 ROD, two dissolved copper data points were originally mis-characterized as non-storm flow in the Intellus database. These two Water Type assignments in Intellus were corrected to indicate these were collected during storm events. Therefore, they were not assessed against chronic copper WQC, leading to 0/2 exceedences and the removal of the chronic copper impairment.

2018 Action: All available 2012-2017 surface water quality data from priority watershed stations on the Pajarito Plateau were downloaded from LANL's EIM database. Regarding stormwater sampling, the largest measured concentration for a specific parameter during any monitored storm event was included in the assessment dataset. There were 4/4 total rec. Al ALU exceedences, 16/16 dissolved copper ALU exceedences, 8/9 adjusted gross alpha LW exceedences, and 15/15 PCB WH exceedences at the station above Acid Canyon. Therefore, PCBs, gross alpha, copper, and aluminum (changed to total recoverable) remain. Specific impairments are noted as IR Cat 5B to acknowledge LANL's on-going discussions and research regarding applicable water quality standards on the Pajarito Plateau for these parameters.

Alamitos Creek (Rio Pueblo to headwaters)

AU:NM-2120.A_411 WQS: 20.6.4.123

2014 Action: USFS_NMSU data thermograph data from 2010-2011 continue to indicate full support for temperature (max temp 18.6 degrees C).

2010 Action: There were 0 of 4 exceedences of the interim turbidity numeric translator of 25 NTU. Therefore, this AU is noted as Full Support for turbidity.

2012 Action: A TMDL for temperature was prepared (2011).

2020 Action: Sampled as part of the URG 2017-2018 survey. Exceedences included 2/9 E. coli and 2/4 TR aluminum for both acute and chronic ALU. Level one and two sedimentation thresholds were exceeded. Thermograph data document continued temperature impairment. Therefore, temperature remains; and E. coli, sedimentation, and aluminum were added.

Lake Fork (Cabresto Creek to Cabresto Lake)

AU:NM-2120.A_707 WQS: 20.6.4.123

2020 Action: Sampled (limited, n=4, no metals data collected) as part of the URG 2017-2018 survey. No impairments were documented.

Lake Fork (Cabresto Lake to headwaters)

AU:NM-2120.A_708 WQS: 20.6.4.123

2020 Action: Sampled (limited, n=4, no metals data collected) as part of the URG 2017-2018 survey. No impairments were documented. A 2019 sedimentation survey and thermograph data do not indicate impairment.

Lake Fork Creek (Rio Hondo to headwaters)

AU:NM-2120.A_606 WQS: 20.6.4.123

2020 Action: Sampled as part of the URG 2017-2018 survey. No impairments were documented.

Latir Creek (Costilla Creek to headwaters)

AU:NM-2120.A_824 WQS: 20.6.4.123

2012 Action: This AU was surveyed during the 2009 Upper Rio Grande study. No impairments were found. There were 2 of 4 exceedences of the 2007 NMAC dissolved aluminum chronic criterion (87 ug/L), and no total aluminum data are available to determine exceedences of the applicable hardness-based 2011 NMAC chronic criteria. An AU Comment was added.

2020 Action: Sampled (limited, n=2) as part of the URG 2017-2018 survey. There were 1/2 chronic TR AI exceedences (need n>= 4 to list). No impairments were documented.

Little Costilla Creek (Comanche Creek to headwaters)

AU:NM-2120.A_840 WQS: 20.6.4.123

2014 Action: During the 2012 listing cycle, the conclusion that the benthic macroinvertebrate community was impaired due to data collected downstream of Embudo Creek was re-evaluated. This station is not representative of the AU because it is at the very upstream end. In addition, the cause of potential impairment to the benthic macroinvertebrate community (i.e., the response) has been identified as turbidity.

2020 Action: Sampled as part of the 2017-2018 Upper Rio Grande survey. This dual ALU stream reach remains listed for turbidity due to the absence of an applicable de-listing methodology, exceedences of the three through six day SEV turbidity thresholds, and 4/10 grab turbidity measurements > 50 NTU. There is no longer PCB fish consumption advisory that covers this AU. There are DDT and mercury consumption advisories.

Rio Grande (Red River to CO border)

AU:NM-2119_05 WQS: 20.6.4.122

1996 Action: Previously listed under "Rio Grande from Rio Pueblo de Taos to the NM-CO border" and listed for turbidity, stream bottom deposits and temperature. Only 1/37 (3%) samples collected from four stations in this reach exceeded the temperature criteria. Turbidity was 1/8(13%) at each of the four stations on this reach.

1998 Action: Temperature will be upgraded to Full Support. Turbidity will be listed on the 305(b) report as Full Support, Impacts Observed. The reach will continue to be listed on the 303(d) list as Partial Support for Stream Bottom Deposits.

2002 Action: This reach was sampled during the 2000 Upper Rio Grande 1 intensive survey. The dissolved oxygen standard (≥ 6.0 mg/L) was exceeded on 16 May at Station 7 (5.5 mg/L). Seven samples were taken during the 2000 study. The proportion of exceedences was such that this reach is Full Support Impacts Observed for dissolved oxygen. Seven of eight samples (maximum = 9.36) were outside the allowable pH range (6.6-8.8) at Station 7. Thus, this reach is listed as Non Support for pH. Seven of eight samples (maximum = 9.36) were outside the allowable pH range (6.6-8.8) at Station 7. Thus, this reach is listed as Non Support for pH. Benthic macroinvertebrates and pebble count data were collected to assess attainment of the narrative stream bottom deposit standard. Rio Grande at the CO border (Lobotos) was considered to be reference station. Therefore, stream bottom deposits will be removed as a cause of Non Support.

2004 Action: Elevated pH levels are often indicative of nutrient enrichment. The Nutrient Assessment Protocol was not completed in this area, so SWQB does not have adequate data to determine whether nutrient enrichment is occurring. SWQB is in the process of refining our Nutrient Assessment Protocol and determining nutrient criteria. This AU will be studied as part of that effort to determine whether nutrient enrichment is contributing to elevated pH levels in this AU. Therefore, this AU will be listed under Category 5C as needing additional information. TMDL was drafted for temperature (April 2004).

2006 Action: A TMDL was prepared for temperature.

2012 Action: This AU was surveyed during the 2009 Upper Rio Grande study. The maximum thermograph temperature at the station above the confluence with Red River was 22.7 degrees C, but the criterion (20 degrees C) was exceeded for > 6 hours for >3 consecutive days. pH sonde data exceeded the upper criteria limit (8.8) in 33.5% of measurements (maximum value 8.99). Therefore, temperature and pH remain listed as causes of non support.

2020 Action: Sampled as part of the URG 2017-2018 survey. There were 0/9 pH exceedences. Thermograph data document continued temperature impairment. There were 1/3 acute TR aluminum exceedences at the station above the Rio Grande (0/4 at the station at Chiflo). Therefore, temperature remains, and pH was removed. Aluminum was added as a parameter of concern.

Rio Grande (Rio Pueblo de Taos to Red River)

AU:NM-2119_00 WQS: 20.6.4.122

1996 Action: Previously listed under "Rio Grande from Rio Pueblo de Taos to the NM-CO border" and listed for turbidity, stream bottom deposits and temperature. Only 1/37 (3%) samples collected from four stations in this reach exceeded the temperature criteria. Turbidity was 1/8(13%) at each of the four stations on this reach.

1998 Action: Temperature will be upgraded to Full Support. Turbidity will be listed on the 305(b) report as Full Support, Impacts Observed. The reach will continue to be listed on the 303(d) list as Partial Support for Stream Bottom Deposits.

2012 Action: This AU was surveyed during the 2009 Upper Rio Grande study. No impairments were determined.

2020 Action: Sampled as part of the URG 2017-2018 survey. There were 2/5 pH exceedences. Thermograph data document temperature impairment. Therefore, temperature and pH (5C) were listed.

Rio Grande (Santa Clara Pueblo bnd to Ohkay Owingeh bnd)

AU:NM-2111_11 WQS: 20.6.4.114

1996 Action: This AU was previously lumped into "Rio Grande (non-pueblo Santa Clara to Embudo Creek) " prior to the 2010 list. See the 2012 version of the ROD for historical record.

2010 Action: This AU is a result of a split of "Rio Grande (non-pueblo Santa Clara to Embudo Creek)." This newly defined AU remains listed for turbidity, and PCBs in fish tissue because the current advisory extends from Cochiti Reservoir to Embudo Creek.

2012 Action: This AU was surveyed during the 2009 Upper Rio Grande study. No impairments were found. There were no sonde data available to re-assess for turbidity; therefore, the listing remains.

2020 Action: Sampled as part of the 2017-2018 Upper Rio Grande survey. Thermograph data document temperature impairment. This dual ALU stream reach remains listed for turbidity due to the absence of an applicable de-listing methodology, exceedences of the three through six day SEV turbidity thresholds, and 2/4 grab turbidity measurements > 50 NTU. Therefore, turbidity remains and temperature was added. There is no longer PCB fish consumption advisory that covers this AU. There is a fish consumption advisory for mercury.

Rio Grande del Rancho (R Pueblo de Taos to Rito de la Olla)

AU:NM-2120.A_501 WQS: 20.6.4.123

Rio Hondo (Lake Fork Creek to headwaters)

AU:NM-2120.A_607 WQS: 20.6.4.129

2020 Action: Sampled as part of the URG 2017-2018 survey. No impairments were documented.

Rio Hondo (Rio Grande to USFS bnd)

AU:NM-2120.A_600 WQS: 20.6.4.129

1996 Action: Previously listed for temperature, pH, total ammonia, and stream bottom deposits. The cumulative ratio of temperature over the last ten years is 0/74. The cumulative ratio of pH measurements over the last ten years is 0/73. The cumulative ratio of measurements for total ammonia over the past ten years is 0/78. The stream bottom deposits listing was for runoff from the ski area parking lot. BMPs have been put into place and the biological score for the station located immediately below the parking lot in a 1992 survey was 83% of the reference score. Stream bottom deposits should be removed as a cause of non-support. The nutrient listing is limited to one station, HON8, which is immediately below the WWTP. The biological assessment shows a high nutrient index at this station.

1998 Action: All previously listed parameters have been removed as causes of non-support. This reach has been removed from the 1998 303(d) list.

2002 Action: One value for pH (8.92) on 19 October at Station 28 was outside the allowable range (6.6-8.8). However, the proportion of exceedences was such that this reach is listed as Full Support Impacts Observed for pH. The temperature criterion (20°C) was exceeded twice at Station 28 (21.7°C on 31 July; 21.9°C on 01 August). Thus, this water body is in Partial Support of the temperature standard. A thermograph will need to be deployed to verify this listing and to generate data for temperature TMDLs if needed.

2006 Action: A TMDL was developed for temperature. WQS was changed to 20.6.4.129.

2010 Action: Amigos Bravos submitted data for assessment. The only E. coli data that met SWQB QA/QC requirements for assessment according to a review by the SWQB QA Officer were from 12/3/07 and 3/10/08 because these data met the required holding time according to the submitted sampling plan. There were 0 of 10 exceedences of the 235 cfu/100mL criterion for E. coli for data that met the required holding time. Therefore, E. coli is noted as Full Support.

2012 Action: This AU was surveyed during the 2009 Upper Rio Grande study. The maximum thermograph temperature at the station above the confluence with Rio Grande was 23.2 degrees C, and the criterion (20 degrees C) was exceeded for > 4 hours for >3 consecutive days. Amigos Bravos and SWQB e. coli data were combined and assessed. There were 3 of 59 exceedences of the 235 cfu/100 mL criterion. Therefore, e. coli remains full support, and temperature remains listed. HQCWAL may not be attainable in this reach given the elevation and topography.

2014 Action: 2011 grab data submitted by Amigos Bravos for DO, e. coli, SC, pH, and temperature from three sampling events do not document any exceedences of applicable WQC.

2020 Action: Sampled as part of the URG 2017-2018 survey. Thermograph data document continued temperature impairment.

Rio Hondo (South Fork Rio Hondo to Lake Fork Creek)

AU:NM-2120.A_602 WQS: 20.6.4.129

2006 Action: The WQS was changed from 20.6.4.123 to 20.6.4.129. A waste load allocation for nutrients was previously completed for the Rio Hondo in 1981. Recent stream surveys (2000-2004) have found that the Rio Hondo near the Village of Taos Ski Valley fully supports its designated uses. The Village of Taos Ski Valley has plans to increase their capacity and effluent discharge into the river so the SWQ developed a revised nutrient TMDL for this reach that defines a waste load allocation for the Village of Taos Ski Valley such that increased discharge from the waste water treatment plant will not cause violations of the water quality standards protecting the Rio Hondo.

2010 Action: Amigos Bravos submitted data for assessment. The only E. coli data that met SWQB QA/QC requirements for assessment according to a review by the SWQB QA Officer were from 12/3/07 and 3/10/08 because these data met the required holding time according to the submitted sampling plan. There were 0 of 2 exceedences of the 235 cfu/100mL criterion for E. coli at two stations for data that met the required holding time. Therefore, E. coli is noted as Not Assessed.

2012 Action: This AU was surveyed during the 2009 Upper Rio Grande study. No impairments were found.

2020 Action: Sampled as part of the URG 2017-2018 survey. No impairments were documented.

Rio Hondo (USFS bnd to South Fork Rio Hondo)

AU:NM-2120.A_601 WQS: 20.6.4.129

2014 Action: 2011 grab data submitted by Amigos Bravos for ammonia, DO, e. coli, SC, pH, and temperature from three sampling events do not document any exceedences of applicable WQC.

2020 Action: Sampled as part of the URG 2017-2018 survey. No impairments were documented.

Rio Medio (Rio Frijoles to headwaters)

AU:NM-2118.A_53 WQS: 20.6.4.121

2012 Action: This AU was surveyed during the 2009 Upper Rio Grande study. No impairments were found. There were 2 of 4 exceedences of the 2007 NMAC dissolved aluminum chronic criterion (87 ug/L), and no total aluminum data are available to determine exceedences of the applicable hardness-based 2011 NMAC total aluminum chronic criteria. An AU comment was added.

2020 Action: Sampled as part of the URG 2017-2018 survey. Thermograph data documented temperature impairment. Sonde data exceeded turbidity thresholds. There were 2/4 chronic ALU TR aluminum and 1/2 chronic dissolved lead exceedences. Therefore, temperature, turbidity, and aluminum were listed. Lead was noted as a parameter of concern.

AU:NM-2106.A_54 WQS: 20.6.4.108

2000 Action: TOC samples exceeded criteria 11/11 times. Turbidity samples exceeded criteria 3/7 times. TOC and turbidity will be listed as causes of non-support.

2002 Action: TMDLs for turbidity and TOC were developed. In 2002, The WQCC deleted the total organic carbon criterion (20.6.4.900C of NMAC) for the high quality coldwater fishery designated use. The TOC criterion was adopted in 1973. Before then, the water quality standards contained an ambient narrative criterion for combined COD/BOD. This criterion, adopted originally in 1967, stated that "materials in solution and in suspension which exert an oxygen demand, shall not be present in concentrations sufficient to reduce the dissolved oxygen in the stream to 50 percent of the saturation concentration or to 6.0 mg/l" for trout-producing and warm-water fish producing waters. In 1973, the Commission replaced this narrative criterion with the current numeric criterion for TOC, applicable to the high quality coldwater fishery designated use. Since then, this criterion has been rendered unnecessary. Over the years, the Commission has adopted use-specific and segment-specific dissolved oxygen criteria that offer a higher degree of protection than the TOC criterion. EPA considers the TOC criterion to be an artifact from an earlier time. Indeed, only one other state-Louisiana-still maintains a TOC criterion, and that number is used only as a discharge limitation for effluents and storm water discharges. TOC was removed as a cause of Non Support.

2008 Action: This AU was intensively surveyed during the Jemez (2005) watershed survey. The AU was determined to be non support for unidentified biological impairment according to the 2008 Assessment Protocols because the M-SCI score was 56 but the measured percent fines was only 17. All numeric segment-specific turbidity criteria were removed during the 2005 triennial review, and replaced with General Criteria 20.6.4.13.J. New assessment methods to determine turbidity impairment based on this new language are not yet available. SWQB will retain historic turbidity listings in the interim. Therefore, turbidity remains, and Benthic-Macroinvertebrate Bioassessments (Streams) was added as a cause of non support.

2010 Action: There were 1 of 7 exceedences of the interim turbidity numeric translator of 25 NTU. Therefore, this AU is noted as Full Support for turbidity.

2016 Action: This AU was sampled during the Jemez (2013) survey. There were 2/6 E. coli exceedences. The max thermograph temperature was 23.16 degrees C. Both nutrient causal and response indicators were present. Therefore, the observed effect of changes to the benthic macroinvertebrate community was replaced with temperature and nutrients as causes of impairment. E. coli was also added.

Clear Creek (San Gregorio Lake to headwaters)

AU:NM-2106.A_55 WQS: 20.6.4.108

2016 Action: This AU was sampled during the Jemez (2013) survey. Both nutrient causal and response indicators were present. There were 4/4 total recoverable aluminum chronic WQC exceedences. Therefore, nutrients and aluminum were added as cause of impairment.

East Fork Jemez (San Antonio Creek to VCNP bnd)

Assessment Rationale for the 2020 - 2022 State of New Mexico §303(d)/ §305(b) Integrated List

AU:NM-2106.A_13 WQS: 20.6.4.108

1996 Action: Previously named "Jemez River (East Fork)," this AU was split after the 2001 Valle Caldera survey. The entire AU was originally listed for nutrients, chlorine, and stream bottom deposits. There are two stations on this reach that were last sampled in 1987. For nutrients, no exceedences were found, thus indicating full support. For chlorine, station MRG106.011001 had an exceedence ratio of 1/1, full support, impacts observed.

1998 Action: Nutrients will be dropped from the list while chlorine will be added to the 305(b) report as full support, impacts observed. Stream bottom deposits were retained as causes of non-support.

2000 Action: The station evaluated for stream bottom deposits had less than 2% fines <2mm. Turbidity samples exceeded criterion 2/7 times. TOC exceeded its criterion 1/3 times. A new listing will be added for turbidity, and TOC will be added to the 305(b) report as FSIO.

2006 Action: Name change to VCNP boundary. All numeric segment-specific turbidity criteria were removed during the 2005 triennial review, and replaced with General Criteria 20.6.4.13.J. New assessment methods to determine turbidity impairment based on this new language are not yet available. SWQB will retain historic turbidity listings in the interim.

2008 Action: This AU was intensively surveyed during the Jemez (2005) watershed survey. The aluminum acute criterion was exceeded 3 of 9 times, and the chronic criterion was exceeded 9 of 9 times. The arsenic criterion was exceeded 6 of 9 times. The temperature criterion was exceeded for >4 consecutive hours for >3 consecutive days. All numeric segment-specific turbidity criteria were removed during the 2005 triennial review, and replaced with General Criteria 20.6.4.13.J. New assessment methods to determine turbidity impairment based on this new language are not yet available. SWQB will retain historic turbidity listings in the interim. Therefore, turbidity remains, and aluminum, arsenic, and temperature were added as causes of non support.

2010 Action: There were 1 of 17 exceedences of the interim turbidity numeric translator of 25 NTU. Therefore, this AU is noted as Full Support for turbidity. TMDLs were prepared for temperature and arsenic (2009). Natural conditions contribute to high aluminum concentrations throughout the Jemez and impacts to aquatic life are unclear; WQS criteria are under review to identify appropriate/attainable levels.

2016 Action: This AU was sampled during the Jemez (2013) survey. The max thermograph temperature was 23.14 degrees C. There were 3/4 total recoverable aluminum chronic WQC exceedences. There were 0/4 arsenic exceedences. Therefore, temperature and aluminum remain, and arsenic was removed as a cause of impairment.

East Fork Jemez (VCNP to headwaters)

AU:NM-2106.A_10 WQS: 20.6.4.108

1996 Action: Previously named "Jemez River (East Fork)," this AU was split after the 2001 Valle Caldera survey.

2004 Action: This reach was intensively surveyed during the Valle Caldera 2001-2002 special study. Sonde and grab data indicate pH impairment, including 7/23 grab values, 61/297 September 2001 sonde values, and 92/193 July 2001 sonde values greater than 8.8. There were 0 of 17 exceedences of the dissolved oxygen criterion of 6.0 mg/L using grab

data. Percentages applied to sonde data indicate impairment, while the draft large DO dataset protocol indicates no impairment. Thermograph data from the USGS indicated 10 exceedences of the 23 degrees C. SWQB thermograph data indicated a max temperature of 28.3 degrees C. Sonde data indicated 15% exceedence rate of turbidity. There were 17 of 19 exceedences of the chronic aluminum criterion of 0.087 mg/L. Therefore, turbidity will remain and temperature, dissolved oxygen, pH, and aluminum will be added as causes of non support. This reach will be listed as Category 5B because aluminum is naturally high in this watershed, and the sonde and grab DO data gave conflicting results. Also, these may indicate nutrient impairment. A TMDL was prepared for turbidity as part of the 2003 Jemez bundle TMDLs.

2006 Action: A TMDL was prepared for temperature. All numeric segment-specific turbidity criteria were removed during the 2005 triennial review, and replaced with General Criteria 20.6.4.13.J. New assessment methods to determine turbidity impairment based on this new language are not yet available. SWQB will retain historic turbidity listings in the interim.

2014 Action: Aluminum listing based on previous dissolved aluminum WQC. Additional data are needed to determine if this water is impaired for total recoverable aluminum prior to TMDL scheduling for this parameter.

2016 Action: This AU was sampled during the Jemez (2013) survey. Sonde data were provided by VCNP staff. Turbidity exceeded 23 NTUs for > 72 hours. The max thermograph temperature was 22.9 degrees C (4T3 19.97 C). Both nutrient causal and response variables were present. There were 2/4 and 3/4 total recoverable aluminum acute and chronic, respectively, WQC exceedences. Therefore, temperature was removed, DO and pH were replaced with nutrients, and aluminum and turbidity remains as causes of impairment. This AU was impacted by the 2011 Las Conchas fire.

Fenton Lake

AU:NM-2106.B_00 WQS: 20.6.4.108

2000 Action: Fenton Lake was characterized (in a report titled, New Mexico Clean Lakes Program, Classification Phase I, Final Report, September 1982) as having dissolved phosphorous and kjeldahl-N concentrations that were high during the summer relative to other lakes. Moderate temperature and dissolved oxygen stratification was observed. The algal population was dominated by blue-green algae. Chlorophyll concentrations declined dramatically by the time of fall sampling, as turnover was nearly complete. Phosphorus was the sole limiting nutrient for phytoplankton during all seasons. Although the data for this reservoir is dated, it is still listed in the State's 305(b) Report as impaired for total phosphorus, nuisance algae and siltation and therefore will be listed on the 303(d) List until new data are collected to either verify or refute the listing.

2002 Action: There is no longer a standard for total phosphorus for high quality coldwater fishery. Nuisance algae was replaced with Plant nutrients and Siltation was replaced with Bottom deposits to be consistent with the language in our narrative standards.

2006 Action: This reservoir was sampled in one time during summer 2005. Although there were no exceedences of any numeric criteria, one data point is not enough to determine designated use attainment. Therefore, this assessment unit is labeled "not assessed." Nutrient and sediment assessment protocols for lakes and reservoirs to determine impairment of NMs narrative water quality standards for these two parameters are under development. Therefore, there were no changes may to the listings as a result of the survey.

2002 Action: Revised name to remove portion under tribal jurisdiction.

2008 Action: This AU was intensively surveyed during the Jemez (2005) watershed survey. The aluminum chronic criterion was exceeded 5 of 22 times. The arsenic criterion for human health (9.0 ug/L) was exceeded 21 of 23 times. The boron criterion for irrigation (750 ug/L) was exceeded 6 of 24 times. A Level 2 nutrient assessment indicated nutrient impairment due to total nitrogen, and total phosphorus values above applicable numeric thresholds, as well as low dissolved oxygen. The AU was determined to be non support for unidentified biological impairment according to the 2008 Assessment Protocols because the M-SCI score was 43 but the measured percent fines was only 13. Therefore, aluminum, arsenic, boron, nutrients, and Benthic-Macroinvertebrate Bioassessments (Streams) were added as causes of non support. Arsenic occurs naturally in ground water in the Jemez watershed. A sonde should be deployed to confirm nutrient impairment (DO data was compromised during survey).

2010 Action: A sonde was re-deployed in 2008. The minimum DO measured was 5.35 mg/L with a saturation of 73.3%, leading to a conclusion of Non Support for dissolved oxygen. Even though the DO threshold was exceeded, multi-day sonde data from 2008 do not show large diurnal fluctuations typically associated with nutrient enrichment. The exceedences occurred on a single day (8/30/2008). The remainder of deployment, DO was between 6.05 - 8.12 mg/L and 78.5 - 107.3% saturation. Also, this reach of the Jemez River should be reclassified as coolwater (once that aquatic life designation is established in 20.6.4 NMAC) with a 5.0 mg/L DO criterion. Under such a designation, the long-term dataset would be in support of DO. Based on this evidence, the coolwater designation recommendation, and the fact that the chlorophyll a concentration was below the ecoregional threshold value, this reach was determined to be Fully Supporting for nutrients. This reach of the Jemez River should be reclassified as coolwater (once that aquatic life use is established in 20.6.4 NMAC) with a 5.0 mg/L criterion. Under such a designation, it would be in support of DO. Therefore, nutrients was removed and dissolved oxygen was added as a cause of non support. There were 10 of 24 exceedences of the interim turbidity numeric translator of 25 NTU with an M-SCI score of 42.68 (threshold of 56.70). Therefore, this AU is noted as Non Support for turbidity and Benthic-Macroinvertebrate Bioassessments (Streams) was removed. This AU will be listed under Category 5B to indicate the need for a WQ standard review. TMDLs were prepared for arsenic and boron (2009).

2016 Action: This AU was sampled during the Jemez (2013) survey. Turbidity thresholds were not exceeded. The max thermograph temperature was 29.6 degrees C. Both nutrient causal and response variables were present. There were 4/4 arsenic HH, and 1/4 total recoverable aluminum ALU exceedences. There were 2/5 exceedences of the boron irrigation WQC. There were 2/8 E. coli exceedences. Therefore, aluminum and turbidity were removed; DO was replaced with nutrients; temperature and E. coli were added; and boron and arsenic (HH) remain causes of impairment.

2020 Action: Re-assessed 2016 IR nutrient listing using current nutrient listing methodology. The measured TN median (2.19 mg/L) exceeded the applicable 0.42 mg/L threshold. The measured delta DO (5.43 mg/L) exceeded the applicable 5.02 threshold. Nutrients remains listed. Coolwater may be the attainable ALU - WQS review needed.

Jemez River (Rio Guadalupe to Soda Dam nr Jemez Springs)

AU:NM-2105.5_10 WQS: 20.6.4.107

1996 Action: Previously listed under "Jemez River from Rio Guadalupe to the confluence of the East Fork of the Jemez River and San Antonio Creek" and listed for turbidity, conductivity, plant nutrients, stream bottom deposits and chlorine. Data from four stations were used in the turbidity assessment. Station MRG105.009035 (3/6) was determined to be partially supported. All other stations were full support with 0/12 exceedences. Data for conductivity were available from only two stations. Station MRG106.009505 was partially supported with a 2/5 ratio. Station MRG106.009510 was 0/11 or full support for conductivity. Per the assessment protocol, two stations, MRG105.009035 and MRG105.009510, were 1/1 or Full Support, Impacts Observed for chlorine.

1998 Action: Chlorine was removed a cause of non-support. Turbidity, conductivity, plant nutrients and stream bottom deposits were retained as causes of non-support.

2000 Action: Turbidity exceeded its criterion 14/28 times; one station was used to evaluate stream bottom deposits, where 26 %fines <2mm were observed. WQS are currently being met for plant nutrients. The conductivity criterion was exceeded 0/28 times. Aluminum exceeded the acute criterion 2/4 times. TMDLs were prepared for turbidity and stream bottom deposits. A new listing will be added for metals (Al acute).

2002 Action: A TMDL was prepared for acute aluminum. The original assessment unit "Jemez River from Rio Guadalupe to the confluence of the East Fork of the Jemez River and San Antonio Creek" was split into two because they fall under two different water quality standard segments.

2006 Action: Name was changed during 2005 Jemez survey due to change in WQS 20.6.4.107.

2008 Action: This AU was intensively surveyed during the Jemez (2005) watershed survey. The aluminum chronic criterion was exceeded 5 of 9 times. The arsenic criterion for human health (9.0 ug/L) was exceeded 8 of 9 times, and the criterion for irrigation (100 ug/L) was exceeded 2 of 9 times. The boron criterion for irrigation (750 ug/L) was exceeded 4 of 9 times. A Level 2 nutrient assessment indicated nutrient impairment due to total nitrogen, total phosphorus, and chlorophyll a values above applicable numeric thresholds, as well as low dissolved oxygen. The AU was determined to be full support for sedimentation/siltation and non support for unidentified biological impairment according to the 2008 Assessment Protocols because the M-SCI score was 37 but the measured percent fines was only 17. The temperature criterion was exceeded for >6 consecutive hours for >3 consecutive days, with a maximum recorded temperature of 29.1 degrees C. All numeric segment-specific turbidity criteria were removed during the 2005 triennial review, and replaced with General Criteria 20.6.4.13.J. New assessment methods to determine turbidity impairment based on this new language are not yet available. SWQB will retain historic turbidity listings in the interim. Therefore, turbidity and aluminum remain, sedimentation/siltation was removed, and arsenic, boron, nutrients, temperature, and Benthic-Macroinvertebrate Bioassessments (Streams) were added as causes of non support. Arsenic occurs naturally in ground water in the Jemez watershed.

2010 Action: There were 12 of 40 exceedences of the interim turbidity numeric translator of 25 NTU with an M-SCI score of 36.90 (threshold of 56.70). Therefore, this AU is noted as Non Support for turbidity and Benthic-Macroinvertebrate Bioassessments (Streams) was removed. TMDLs were completed for arsenic, boron, plant nutrients, and temperature (2009). Natural conditions contribute to high aluminum concentrations throughout the Jemez and impacts to aquatic life are unclear; WQS criteria are under review to identify appropriate/attainable levels.

2016 Action: This AU was sampled during the Jemez (2013) survey. Turbidity exceeded 23 NTU for > 72 hours. The max thermograph temperature was 29.0 degrees C. Both nutrient causal and response variables were present. There were 4/4 and 2/4 arsenic human health ALU and irrigation, respectively, exceedences. There were 2/4 total recoverable aluminum ALU exceedences. There were 4/4 exceedences of the boron irrigation WQC. There were 2/8 E. coli exceedences. Therefore, all previous listings remain, and arsenic for irrigation uses and E. coli were added as causes of impairment.

2018 Action: Dissolved aluminum impairment changed to total recoverable aluminum per 2016 IR Assessment Rationale (formerly referred to as the "ROD").

2020 Action: Available TN, TP, and delta DO data were assessed for potential nutrient impairment. Although the delta DO LTD data (1.97 mg/L) did not exceed the applicable threshold of 5.02 mg/L, the applicable upper TN threshold was exceeded and the daily delta DO in the AU immediately downstream exceeded the threshold. Therefore, this AU remains listed for nutrients.

Jemez River (Soda Dam nr Jemez Springs to East Fork)

AU:NM-2106.A_00 WQS: 20.6.4.108

1996 Action: Previously listed under "Jemez River from Rio Guadalupe to the confluence of the East Fork of the Jemez River and San Antonio Creek" and listed for turbidity, conductivity, plant nutrients, stream bottom deposits and chlorine. Data from four stations were used in the turbidity assessment. Station MRG105.009035 (3/6) was determined to be partially supported. All other stations were full support with 0/12 exceedences. Data for conductivity were available from only two stations. Station MRG106.009505 was partially supported with a 2/5 ratio. Station MRG106.009510 was 0/11 or full support for conductivity. Per the assessment protocol, two stations, MRG105.009035 and MRG105.009510, were 1/1 or Full Support, Impacts Observed for chlorine.

1998 Action: Chlorine was removed a cause of non-support. Turbidity, conductivity, plant nutrients and stream bottom deposits were retained as causes of non-support.

2000 Action: Turbidity criterion was exceeded 14/28 times. Plant nutrient impairment was assessed using the draft Nutrient Assessment Protocol and draft Source Documentation Protocol; no impairments or exceedences of nutrient-related criteria were found. The HBI showed a calculated value of 4.84, which suggests good water quality with some organic pollution present. One station was used to assess stream bottom deposits, which was observed to have 26% fines <2mm; the aluminum criterion was exceeded with a 4-day average of 947 ug/L. Conductivity measurements did not exceed the criterion over 28 samples. A TMDL was developed to address turbidity and stream bottom deposits; a new listing will be added for metals (AI acute).

2002 Action: A TMDL was prepared for acute aluminum. The original assessment unit "Jemez River from Rio Guadalupe to the confluence of the East Fork of the Jemez River and San Antonio Creek" was split into two because they fall under two different water quality standard segments.

2006 Action: Name was changed during 2005 Jemez survey due to change in WQS 20.6.4.108.

2008 Action: This AU was intensively surveyed during the Jemez (2005) watershed survey. The aluminum chronic criterion was exceeded 4 of 8 times. The arsenic criterion for human health (9.0 ug/L) was exceeded 3 of 8 times, and the criterion for domestic water supply (2.3 ug/L) was exceeded 7 of 8 times. The AU was determined to be full support for sedimentation/siltation and non support for unidentified biological impairment according to the 2008 Assessment Protocols because the M-SCI score was 55 but the measured percent fines was only 19. The temperature criterion was exceeded for >4 consecutive hours for >3 consecutive days, with a maximum recorded temperature of 27.0 degrees C. Values of pH below the criterion range of 6.6-8.8 were measured via sonde 98.6 percent of the time, with a minimum pH of 6.32. All numeric segment-specific turbidity criteria were removed during the 2005 triennial review, and replaced with General Criteria 20.6.4.13.J. New assessment methods to determine turbidity impairment based on this new language are not yet available. SWQB will retain historic turbidity listings in the interim. Therefore, turbidity and aluminum remain, sedimentation/siltation was removed, and arsenic, temperature, pH, and Benthic-Macroinvertebrate Bioassessments (Streams) were added as causes of non support. Arsenic occurs naturally in ground water in the Jemez watershed. Based on data from stations above and below and other field observations, low pH appears to be the result of geothermal groundwater inputs. Only 1 of 22 grab sample pH values were below the 6.6 - 8.8 range.

2010 Action: There were 4 of 21 exceedences of the interim turbidity numeric translator of 25 NTU with an M-SCI score of 54.95 (threshold of 56.70). Therefore, this AU is noted as Non Support for turbidity and Benthic-Macroinvertebrate Bioassessments (Streams) was removed. A TMDL was prepared for arsenic (2009). Natural conditions contribute to high aluminum concentrations throughout the Jemez and impacts to aquatic life are unclear; WQS criteria are under review to identify appropriate/attainable levels.

2016 Action: This AU was sampled during the Jemez (2013) survey. There are no turbidity or pH (1/13 [min 6.56] grab exceedences) LTD to re-assess. The max thermograph temperature was 25.5 degrees C. There were 3/4 arsenic HH and DWS exceedences. There were 2/4 and 3/4 total recoverable aluminum acute and chronic, respectively, ALU exceedences. There were 2/7 E. coli exceedences. Therefore, arsenic, aluminum, pH, and turbidity remain; and E. coli was added as a cause of impairment.

2018 Action: Dissolved aluminum impairment changed to total recoverable aluminum per 2016 IR Assessment Rationale (formerly referred to as the "ROD").

2020 Action: Available TN, TP, and delta DO data were assessed for potential nutrient impairment. The delta DO LTD data (2.04 mg/L did not exceed the applicable threshold of 5.02 mg/L. This AU is full support for nutrients.

Jemez River (Zia Pueblo bnd to Jemez Pueblo bnd)

AU:NM-2105_75 WQS: 20.6.4.106

2008 Action: This AU was seasonally surveyed (n=3) during the Jemez (2005) watershed survey. The arsenic criterion for human health (9.0 ug/L) was exceeded 3 of 3 times. The boron criterion for irrigation (750 ug/L) was exceeded 2 of 3 times. Therefore, arsenic and boron were added as causes of non support. Arsenic occurs naturally in ground water in the Jemez watershed.

2010 Action: TMDLs were prepared for arsenic and boron (2009).

2016 Action: This AU was sampled during the Jemez (2013) survey. Arsenic (4/4 H and DWS) and Boron (3/4 DWS) data still indicate impairment. The max thermograph temperature was 36.25 degrees C. There were 2/7 E. coli exceedences. Level 2 sediment survey documented 95.2 percent sand and fines, and an LRBS of -2.12. Therefore, arsenic and boron remain; and temperature, sedimentation, and E. coli were added as causes of impairment.

2020 Action: The 2016 sedimentation listing is incorrect. The LRBS_NOR threshold for Xeric is -2.5. Therefore, the sedimentation listing was removed.

La Jara Creek (East Fork Jemez to headwaters)

AU:NM-2106.A_11 WQS: 20.6.4.108

2004 Action: This reach was intensively surveyed during the Valle Caldera 2001-2002 special study. There were 3 of 3 exceedences of the chronic aluminum criterion. Therefore, aluminum will be added as a cause of non support. This reach will be listed as Category 5B because aluminum is naturally high in this watershed.

2016 Action: This AU was sampled during the Jemez (2013) survey. There were 3/5 exceedences of the total rec. aluminum chronic ALU criterion. Therefore, aluminum remains a cause of impairment.

Redondo Creek (Sulphur Creek to headwaters)

AU:NM-2106.A_21 WQS: 20.6.4.108

1996 Action: Previously named "Redondo Creek (Sulphur Creek to headwaters)," this AU was split after the 2001 Valle Caldera survey. The entire AU was originally listed for partially supported for total phosphorus and fecal coliform. Data on this segment are very limited. Ten-year data are limited to one station (USGS 355223106371710)with two sampling events in 1996 and 1997. For total phosphorus, this station shows 0/2 samples greater than the criterion that indicates full support. For fecal coliform, there have been only two samples collected. The exceedences ratio of 1/2 will result in a listing of Full Support, Impacts Observed for fecal coliform.

1998 Action: Phosphorus was removed as a cause of non-support. As per the assessment protocol, the reach was upgraded to Full Support, Impacts Observed for fecal coliform and will be placed on the 305(b) list.

2000 Action: Total phosphorus criterion was exceeded 7/10 times; turbidity criterion was exceeded 2/7 times; the criterion for HQCWF 82/1,796 times with a maximum temperature of 24C. A TMDL was developed to address total phosphorus; fecal coliform was added to the 305(b) report as FSIO; New listings will be added for turbidity and temperature.

2002 Action: The Nutrient Assessment protocol was performed June 2000. This reach was determined not be nutrient enriched following the level one nutrient assessment analysis. A summary of the nutrient assessment is in the administrative record.

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number is used only as a discharge limitation for effluents and storm water discharges. TOC was removed as a cause of Non Support.

2006 Action: Name was changed during 2005 Jemez survey.

2008 Action: This AU was intensively surveyed during the Jemez (2005) watershed survey. A Level 2 nutrient assessment indicated nutrient impairment due to total nitrogen, total phosphorus, and chlorophyll a values above applicable numeric thresholds. The existing temperature impairment was confirmed (maximum temperature 27.2 degrees C). Therefore, temperature remains, and nutrients was added as a cause of non support.

2010 Action: There were 1 of 10 exceedences of the interim turbidity numeric translator of 25 NTU. Therefore, this AU is noted as Full Support for turbidity A TMDL was prepared for plant nutrients (2009).

2016 Action: This AU was sampled during the Jemez (2013) survey. The max thermograph temperature in the WPS Effectiveness Monitoring dataset was 25.2 degrees C. Both causal and response nutrient thresholds indicate continued nutrient impairment. Therefore, temperature and nutrients remain causes of impairment.

2018 Action: Long-term temperature data collected by the SWQB WPS Effectiveness Monitoring Program in 2017 at the station 3.4 km above Rio Cebolla confirm the temperature listing (max temp 25.8 C).

Rio Guadalupe (Jemez River to confl with Rio Cebolla)

AU:NM-2106.A_30 WQS: 20.6.4.108

1996 Action: Previously listed for conductivity, turbidity, stream bottom deposits and fecal coliform. Two stations from a 1987 survey were used in the assessment for conductivity. Station 08323000 was 1/1 for conductivity exceedences making it Full Support, Impacts Observed. Station MRG106.007501 was 2/11 or partially supported for conductivity. Turbidity measurements are available from one station. Station MRG106.007501 is Full Support, Impacts Observed (1/6) for turbidity. Fecal coliform data are also available from one station. Station MRG106.007501 has a 1/2 ratio of exceedences. Per the assessment protocol, this reach is Full Support, Impacts Observed for fecal coliform and turbidity.

1998 Action: Turbidity and fecal coliform were removed as causes of non-support. Conductivity and stream bottom deposits were retained as causes of non-support.

2000 Action: Conductivity criterion was exceeded 1/7 times; the turbidity criterion of 14NTU 2/7 times; stream bottom deposits were evaluated at 2 stations, the lower of which had a %fines value of 28%; fecal coliform was removed from the 1998-2000 303(d) list but remained listed in the 1998 305(b) report as FSIO; total phosphorus was exceeded 2/6 times; the 4-day average concentration of aluminum at the site was 262 ug/L, although there were no exceedances of the acute criterion. Aluminum (chronic) will be added as a cause of non-support; fecal coliform will remain in the 305(b) report as FSIO, and TMDLs were developed to address turbidity and stream bottom deposits.

2002 Action: A TMDL was prepared for chronic aluminum.

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2008 Action: This AU was intensively surveyed during the Jemez (2005) watershed survey. The aluminum listing was confirmed (5 of 9 exceedences). A thermograph at the station above the Jemez River recorded a maximum temperature of 25.7 degrees C, while a thermograph at Porter Landing exceeded the criterion >4 consecutive hours for >3 consecutive days. The AU was determined to be full support for sedimentation/siltation impairment according to the 2008 Assessment Protocols because there was only 15% fines and the M-SCI score was 64. All numeric segment-specific turbidity criteria were removed during the 2005 triennial review, and replaced with General Criteria 20.6.4.13.J. New assessment methods to determine turbidity impairment based on this new language are not yet available. SWQB will retain historic turbidity listings in the interim. Therefore, aluminum and turbidity remain, temperature was added, and sedimentation/siltation was removed as a cause of non support.

2010 Action: There were 10 of 27 exceedences of the interim turbidity numeric translator of 25 NTU but an M-SCI score of 63.96 (threshold of 56.70). Therefore, this AU is noted as Full Support for turbidity A TMDL was prepared for temperature (2009). Natural conditions contribute to high aluminum concentrations throughout the Jemez and impacts to aquatic life are unclear; WQS criteria are under review to identify appropriate/attainable levels.

2016 Action: This AU was sampled during the Jemez (2013) survey. The max thermograph temperature was 24.8 degrees C. Turbidity LTD data were > 23 NTU for > 72 hours. There were > 15% SC exceedences in LTD data. Both causal and response nutrient thresholds were exceeded. There were 0/4 total rec. aluminum exceedences. Therefore, aluminum was removed; temperature remains; and turbidity, specific conductance, and nutrients were added.

2020 Action: Inadequate data to re-assess nutrient listing using current nutrient listing methodology (no LTD DO data available).

Rito de las Palomas (Rio de las Vacas to headwaters)

AU:NM-2106.A_43 WQS: 20.6.4.108

2008 Action: This AU was intensively surveyed during the Jemez (2005) watershed survey. The AU was determined to be impaired for temperature (maximum recorded temperature at NM 126 was 27.4 degrees C). The AU was determined to be impaired for sedimentation/siltation impairment according to the 2008 Assessment Protocols because the M-SCI score was 52 and there > 28% increase over reference in percent fines. Therefore, temperature and sedimentation/siltation were added as causes of non support.

2010 Action: There were 2 of 12 exceedences of the interim turbidity numeric translator of 25 NTU with an M-SCI score of 51.64 (threshold of 56.70). Therefore, this AU is noted as Non Support for turbidity. TMDLs were prepared for temperature and sedimentation/siltation (2009).

2016 Action: This AU was sampled during the Jemez (2013) survey. Sedimentation survey and sonde deployment (needed to assess turbidity and nutrients) did not occur during the 2013 survey due to intermittent flow. The max recorded temp was 21.6 degrees C. Therefore, temperature was removed as a cause of impairment, and sedimentation and turbidity remain. AU may not be perennial -- HP and WQS review needed.

Rito de los Indios (San Antonio Creek to headwaters)

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50 percent of the saturation concentration or to 6.0 mg/l" for trout-producing and warm-water fish producing waters. In 1973, the Commission replaced this narrative criterion with the current numeric criterion for TOC, applicable to the high quality coldwater fishery designated use. Since then, this criterion has been rendered unnecessary. Over the years, the Commission has adopted use-specific and segment-specific dissolved oxygen criteria that offer a higher degree of protection than the TOC criterion. EPA considers the TOC criterion to be an artifact from an earlier time. Indeed, only one other state-Louisiana-still maintains a TOC criterion, and that number is used only as a discharge limitation for effluents and storm water discharges. TOC was removed as a cause of Non Support.

2008 Action: This AU was intensively surveyed during the Jemez (2005) watershed survey. The temperature impairment was confirmed (maximum recorded temperature at NM 126 was 25.6 degrees C). There are no new data regarding the sedimentation/siltation listing. A Level 2 nutrient assessment indicated nutrient impairment due to total nitrogen, total phosphorus, and chlorophyll a values above applicable numeric thresholds, as well as low dissolved oxygen (grab data). Therefore, temperature and sedimentation/siltation remain, and nutrients was added as a cause of non support.

2010 Action: There were 4 of 11 exceedences of the interim turbidity numeric translator of 25 NTU with no recent benthic macroinvertebrate data available. Therefore, this AU is noted as Non Support for turbidity (5C). A TMDL was prepared for plant nutrients (2009).

2016 Action: This AU was sampled during the Jemez (2013) survey. Sedimentation survey and sonde deployment (needed to assess turbidity and nutrients) did not occur during the 2013 survey due to intermittent flow. The max recorded temp was 23.14 degrees C. Therefore, temperature, sedimentation and turbidity remain causes of impairment. AU may not be perennial -- HP and WQS review needed.

2018 Action: Long-term temperature data collected by the SWQB WPS Effectiveness Monitoring Program in 2016 and 2017 at the station above Rio de las Vacas confirm the temperature listing (max temp 26.0 C).

San Antonio Creek (East Fork Jemez to VCNP bnd)

AU:NM-2106.A_20 WQS: 20.6.4.108

1996 Action: Previously named "San Antonio Creek (East Fork Jemez to headwaters)," this AU was split based on the 2001 Valle Caldera study and originally listed for total phosphorus, temperature, turbidity, chlorine, stream bottom deposits and fecal coliform. There are two stations on this reach that were last sampled in 1987. For turbidity, the ratio of exceedences at the two stations was 0/11 or full support. The total phosphorus ratio at station MRG106.010010 is 2/12 (17%) or partially supported and 1/6 or Full Support, Impacts Observed at station MRG106.100001. The exceedence ratio for temperature at station MRG106.010010 was 3/12 or partially supported and 0/6 or full support at station MRG106.100001. Fecal coliform data are available at station MRG106.010010 only. Two samples were collected in 1987 both of which were well under the criteria. Fecal coliform is full support for this reach. 1/1 sample for chlorine at station MRG106.010010 was above the criteria. As per the assessment, the reach is Full Support, Impacts Observed for chlorine.

1998 Action: Turbidity, chlorine and fecal coliform were removed from the list as causes of non-support. Phosphorus, temperature and stream bottom deposits were retained as causes of non-support.

2000 Action: Thermograph data from two locations had exceedances 201/3,592 times with a maximum temperature of 24.5C; the total phosphorus criterion was exceeded 0/15 times; stream bottom deposits were evaluated at 2 stations, with a maximum measured 12% fines <2mm and mean embeddedness 44%; TOC criterion was exceeded 1/3 times; turbidity criterion was exceeded 6/14 times over 2 stations. Temperature will be retained as a cause of non-support; a new listing will be added for turbidity; TOC will be added to the 305(b) report as FSIO.

2004 Action: Turbidity, chlorine and fecal coliform were removed from the list as causes of non-support. Phosphorus, temperature and stream bottom deposits were retained as causes of non-support.

2006 Action: Name change at VCNP boundary.

2008 Action: This AU was intensively surveyed during the Jemez (2005) watershed survey. The aluminum chronic criterion was exceeded 5 of 9 times. The arsenic criterion for domestic water supply (2.3 ug/L) was exceeded 5 of 9 times. The AU was determined to be non support for unidentified biological impairment according to the 2008 Assessment Protocols because the M-SCI score was 54 but the measured percent fines was only 16. The temperature criterion was exceeded for >4 consecutive hours for >3 consecutive days, with a maximum recorded temperature of 23.5 degrees C. All numeric segment-specific turbidity criteria were removed during the 2005 triennial review, and replaced with General Criteria 20.6.4.13.J. New assessment methods to determine turbidity impairment based on this new language are not yet available. SWQB will retain historic turbidity listings in the interim. Therefore, turbidity and temperature remain, and arsenic, aluminum, and Benthic-Macroinvertebrate Bioassessments (Streams) were added as causes of non support. Arsenic occurs naturally in ground water in the Jemez watershed.

2010 Action: There were 7 of 27 exceedences of the interim turbidity numeric translator of 25 NTU with an M-SCI score of 53.67 at the lower station (threshold of 56.70). Therefore, this AU is noted as Non Support for turbidity and Benthic-Macroinvertebrate Bioassessments (Streams) was removed. TMDL was prepared for arsenic (2009). Natural conditions contribute to high aluminum concentrations throughout the Jemez and impacts to aquatic life are unclear; WQS criteria are under review to identify appropriate/attainable levels. This AU may need to be split.

2016 Action: This AU was sampled during the Jemez (2013) survey. There were 2/4 and 4/4 total rec. aluminum acute and chronic, respectively, exceedences. There were 0/4 arsenic exceedences. The max thermograph temp was 24.9 degrees C. There are no sonde data at the bottom of the AU to re-assess turbidity. Therefore, turbidity, temperature, and aluminum remain, and arsenic was removed as a cause of impairment.

2018 Action: Long-term temperature data collected by the SWQB WPS Effectiveness Monitoring Program in 2017 at two stations confirm the temperature listing (max temp 26.9 C).

San Antonio Creek (VCNP bnd to headwaters)

AU:NM-2106.A_26 WQS: 20.6.4.108

2014 Action: SWQB WPS thermograph data from three stations and two years (2012 - 2013) still indicate temperature impairment.

2016 Action: This AU was studied during the Jemez (2013) survey. VCNP sonde data and SWQB Effectiveness Monitoring data were also assessed. The max thermograph temp was 26.5 degrees C. Both causal and response nutrient thresholds were exceeded. Turbidity was > 23 NTU for > 72 hours. There were 3/3 total rec. aluminum chronic WQC exceedences. Therefore, DO and pH were changed to nutrients, temperature was retained, and aluminum and turbidity were added. AU may not be perennial -- HP and WQS review needed.

2018 Action: Long-term temperature data collected by the SWQB WPS Effectiveness Monitoring Program in 2016 and 2017 at the VC02 bridge confirm the temperature listing (max temp 25.48 C).

San Gregorio Lake

AU:NM-2106.B_10 WQS: 20.6.4.134

2014 Action: This AU was included in a petition to classify or revise WQS for 62 lakes. Amendments were effective June 14, 2012 and EPA approved November 26, 2012. This AU was surveyed during the 2011 Puerco/Zuni survey. No impairments were found. The nutrient assessment was incomplete (n=1).

2016 Action: This AU was studied during the Jemez (2013) survey. Both causal (TP) and response (chl-a) nutrient thresholds were exceeded. Therefore, nutrients were added as a cause of impairment.

Sulphur Creek (Redondo Creek to headwaters)

AU:NM-2106.A_22 WQS: 20.6.4.124

1996 Action: Previously named "Sulphur Creek (Redondo Creek to headwaters)," this AU was split based on the 2001 Valle Caldera study. This reach has extreme pH violations. At two stations on this reach the cumulative pH exceedence ratio is 8/8. The cause of this is unknown but is most likely from natural causes. The exceedences ratio for temperature is 1/6 which will be listed as Full Support, Impacts Observed. No other concerns were noted on this reach.

1998 Action: The reach will be listed with pH as the cause of non-support.

2000 Action: Data outside of the pH criterion were measured 6/7 samples; Conductivity criterion was exceeded 3/8 times; turbidity criterion was exceeded 1/7 times. pH will remain listed and conductivity will be listed as causes of non-support; turbidity will be added to the 305(b) report as FSIO.

2004 Action: TMDLs were written for pH and conductivity as part of the 2003 Jemez TMDL bundle. A Use Attainability Analysis was submitted to EPA because the low pH values in this spring fed tributary are naturally occurring.

2006 Action: Sulphur Creek above Redondo Creek was broken out as a separate water quality standard segment (NMAC 20.6.4.124) as a result of unique, naturally low pH conditions, with a segment specific pH range of 2.0 to 9.0. The Sulphur Creek AU was split into two AUs at the VCNP boundary. The aquatic life use was changed from high quality coldwater to limited aquatic life, thus removing the specific conductance criterion. Therefore, pH and specific conductivity were removed as causes on non support and the associated TMDLs will be withdrawn.

EXHIBIT 4-E

Uses Abbreviation Key	
ColdWAL	Coldwater Aquatic Life
CoolWAL	Coolwater Aquatic Life
DWS	Domestic Water Supply
FC	Fish Culture
HQColdWAL	High Quality Coldwater Aquatic Life
IW Storage	Industrial Water Storage
IW Supply	Industrial Water Supply
IRR	Irrigation
IRR Storage	Irrigation Storage
LAL	Limited Aquatic Life
LW	Livestock Watering
MCWAL	Marginal Coldwater Aquatic Life
MWWAL	Marginal Warmwater Aquatic Life
MWS	Municipal Water Storage
PC	Primary Contact
PWS	Public Water Supply
SC	Secondary Contact
WWAL	Warmwater Aquatic Life
WH	Wildlife Habitat

ColdWAL	Coldwater Aquatic Life
CoolWAL	Coolwater Aquatic Life
DWS	Domestic Water Supply
FC	Fish Culture
HQColdWAL	High Quality Coldwater Aquatic Life
IW Storage	Industrial Water Storage
IW Supply	Industrial Water Supply
IRR	Irrigation
IRR Storage	Irrigation Storage
LAL	Limited Aquatic Life
LW	Livestock Watering
MCWAL	Marginal Coldwater Aquatic Life
MWWAL	Marginal Warmwater Aquatic Life
MWS	Municipal Water Storage
PC	Primary Contact
PWS	Public Water Supply
SC	Secondary Contact
WWAL	Warmwater Aquatic Life
WH	Wildlife Habitat

Lake Fork (Cabresto Lake to headwaters)			AU IR CATEGORY	LOCATION DESCRIPTION	
			2	HUC: 13020101 Upper Rio Grande	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2120.A_708	20.6.4.123	STREAM, PERENNIAL	4.69 MILES	2020	2025
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
DWS	Not Assessed				
HQColdWAL	Fully Supporting				
IRR	Not Assessed				
LW	Not Assessed				
PC	Fully Supporting				
WH	Not Assessed				

AU Comment: None.

Lake Fork Creek (Rio Hondo to headwaters)			AU IR CATEGORY	LOCATION DESCRIPTION	
			1	HUC: 13020101 Upper Rio Grande	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2120.A_606	20.6.4.123	STREAM, PERENNIAL	4.04 MILES	2020	2025
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
DWS	Fully Supporting				
HQColdWAL	Fully Supporting				
IRR	Fully Supporting				
LW	Fully Supporting				
PC	Fully Supporting				
WH	Fully Supporting				

AU Comment: None.

Rio Grande (Ohkay Owingeh bnd to Embudo Creek)			AU IR CATEGORY	LOCATION DESCRIPTION	
			5/5C	HUC: 13020101 Upper Rio Grande	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2111_10	20.6.4.114	RIVER	14.07 MILES	2020	2025
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
IRR	Fully Supporting				
LW	Fully Supporting				
MCWAL	Not Supporting	Mercury - Fish Consumption Advisory	2020		5/5C
		DDT - Fish Consumption Advisory	2020		5/5C
		Turbidity	1998	6/2/2005	4A
PC	Fully Supporting				
PWS	Not Assessed				
WWAL	Not Supporting	DDT - Fish Consumption Advisory	2020		5/5C
WH	Fully Supporting				

AU Comment: TMDL for turbidity. Fish Tissue Advisory listings are based on NMs current fish consumption advisories for this water body. Per USEPA guidance, these advisories demonstrate non-attainment of CWA goals stating that all waters should be "fishable". Therefore, the impaired designated use is the associated aquatic life even though human consumption of the fish is the actual concern.

Rio Grande (Red River to CO border)			AU IR CATEGORY	LOCATION DESCRIPTION	
			4A	HUC: 13020101 Upper Rio Grande	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2119_05	20.6.4.122	RIVER	29.2 MILES	2020	2025
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
ColdWAL	Not Supporting	Temperature	2004	12/17/2004	4A
FC	Not Assessed				
IRR	Fully Supporting				
LW	Fully Supporting				
PC	Fully Supporting				
WH	Fully Supporting				

AU Comment: TMDL for temperature.

Rio Grande (Rio Pueblo de Taos to Red River)			AU IR CATEGORY	LOCATION DESCRIPTION	
			5/5A	HUC: 13020101 Upper Rio Grande	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2119_00	20.6.4.122	RIVER	23.29 MILES	2020	2025
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
ColdWAL	Not Supporting	pH Temperature	2020 2020	2021 (est.)	5/5C 5/5A
FC	Not Assessed				
IRR	Fully Supporting				
LW	Fully Supporting				
PC	Fully Supporting				
WH	Fully Supporting				
AU Comment: None.					
Rio Grande (Santa Clara Pueblo bnd to Ohkay Owingeh bnd)			AU IR CATEGORY	LOCATION DESCRIPTION	
			5/5A	HUC: 13020101 Upper Rio Grande	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2111_11	20.6.4.114	RIVER	0.69 MILES	2020	2025
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
IRR	Fully Supporting				
LW	Fully Supporting				
MCWAL	Not Supporting	Mercury - Fish Consumption Advisory Temperature Turbidity	2020 2020 1998	2021 (est.) 6/2/2005	5/5C 5/5A 4A
PC	Fully Supporting				
PWS	Not Assessed				
WWAL	Fully Supporting				
WH	Fully Supporting				
AU Comment: TMDL for turbidity. Fish Tissue Advisory listings are based on NMs current fish consumption advisories for this water body. Per USEPA guidance, these advisories demonstrate non-attainment of CWA goals stating that all waters should be "fishable". Therefore, the impaired designated use is the associated aquatic life even though human consumption of the fish is the actual concern.					

Rio Hondo (Lake Fork Creek to headwaters)			AU IR CATEGORY	LOCATION DESCRIPTION	
			1	HUC: 13020101 Upper Rio Grande	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2120.A_607	20.6.4.129	STREAM, PERENNIAL	1.92 MILES	2020	2025
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
DWS	Fully Supporting				
HQColdWAL	Fully Supporting				
IRR	Fully Supporting				
LW	Fully Supporting				
PC	Fully Supporting				
WH	Fully Supporting				

AU Comment: None.

Rio Hondo (Rio Grande to USFS bnd)			AU IR CATEGORY	LOCATION DESCRIPTION	
			4A	HUC: 13020101 Upper Rio Grande	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2120.A_600	20.6.4.129	STREAM, PERENNIAL	8.74 MILES	2012	2025
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
DWS	Fully Supporting				
HQColdWAL	Not Supporting	Temperature	2002	12/17/2004	4A
IRR	Fully Supporting				
LW	Fully Supporting				
PC	Fully Supporting				
WH	Fully Supporting				

AU Comment: TMDL for temperature.

Rio Hondo (South Fork Rio Hondo to Lake Fork Creek)			AU IR CATEGORY	LOCATION DESCRIPTION	
			1	HUC: 13020101 Upper Rio Grande	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2120.A_602	20.6.4.129	STREAM, PERENNIAL	3.97 MILES	2020	2025
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
DWS	Fully Supporting				
HQColdWAL	Fully Supporting				
IRR	Fully Supporting				
LW	Fully Supporting				
PC	Fully Supporting				
WH	Fully Supporting				

AU Comment: A protectiveTMDL was prepared for nutrients in 2005.

Rio Hondo (USFS bnd to South Fork Rio Hondo)			AU IR CATEGORY	LOCATION DESCRIPTION	
			1	HUC: 13020101 Upper Rio Grande	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2120.A_601	20.6.4.129	STREAM, PERENNIAL	4.54 MILES	2012	2025
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
DWS	Fully Supporting				
HQColdWAL	Fully Supporting				
IRR	Fully Supporting				
LW	Fully Supporting				
PC	Fully Supporting				
WH	Fully Supporting				

AU Comment: None.

East Fork Jemez (San Antonio Creek to VCNP bnd)			AU IR CATEGORY	LOCATION DESCRIPTION	
			5/5B	HUC: 13020202 Jemez	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2106.A_13	20.6.4.108	STREAM, PERENNIAL	11.76 MILES	2016	2021
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
DWS	Fully Supporting				
FC	Not Assessed				
HQColdWAL	Not Supporting	Aluminum, Total Recoverable Temperature	2016 2008	9/15/2009	5/5B 4A
IRR	Fully Supporting				
LW	Fully Supporting				
PC	Fully Supporting				
WH	Fully Supporting				
AU Comment: TMDLs for turbidity (2003). TMDLs for temperature and arsenic (2009). Natural conditions may contribute to high aluminum concentrations in the Jemez Mountains; aluminum criteria may need review to identify appropriate/attainable levels.					
East Fork Jemez (VCNP to headwaters)			AU IR CATEGORY	LOCATION DESCRIPTION	
			5/5B	HUC: 13020202 Jemez	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2106.A_10	20.6.4.108	STREAM, PERENNIAL	10.44 MILES	2016	2021
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
DWS	Fully Supporting				
FC	Not Assessed				
HQColdWAL	Not Supporting	Aluminum, Total Recoverable Turbidity Nutrients	2016 1998 2016	12/31/1999 9/23/2016	5/5B 4A 4A
IRR	Fully Supporting				
LW	Fully Supporting				
PC	Fully Supporting				
WH	Fully Supporting				
AU Comment: Natural conditions may contribute to high aluminum concentrations in the Jemez Mountains; aluminum criteria may need review to identify appropriate/attainable levels.					

La Jara Creek (East Fork Jemez to headwaters)			AU IR CATEGORY	LOCATION DESCRIPTION	
			5/5B	HUC: 13020202 Jemez	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2106.A_11	20.6.4.108	STREAM, PERENNIAL	5.4 MILES	2016	2021
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
DWS	Fully Supporting				
FC	Not Assessed				
HQColdWAL	Not Supporting	Aluminum, Total Recoverable	2016		5/5B
IRR	Fully Supporting				
LW	Fully Supporting				
PC	Fully Supporting				
WH	Fully Supporting				
AU Comment: Natural conditions may contribute to high aluminum concentrations in the Jemez Mountains; aluminum criteria may need review to identify appropriate/attainable levels.					

Redondo Creek (Sulphur Creek to headwaters)			AU IR CATEGORY	LOCATION DESCRIPTION	
			5/5C	HUC: 13020202 Jemez	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2106.A_21	20.6.4.108	STREAM, PERENNIAL	6.34 MILES	2016	2021
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
DWS	Fully Supporting				
FC	Not Assessed				
HQColdWAL	Not Supporting	pH	2016		5/5B
		Turbidity	1998	6/2/2003	4A
		Temperature	2018	6/2/2003	4A
IRR	Fully Supporting				
LW	Fully Supporting				
PC	Fully Supporting				
WH	Not Assessed				
AU Comment: TMDL for turbidity, total phosphorus, and temperature. Previously split at the Valles Caldera Boundary, the upper (NM-2016.A_25) and lower AUs were merged back into this AU ID. AU may not be perennial -- HP and WQS review needed					

San Antonio Creek (East Fork Jemez to VCNP bnd)			AU IR CATEGORY	LOCATION DESCRIPTION	
			5/5A	HUC: 13020202 Jemez	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2106.A_20	20.6.4.108	STREAM, PERENNIAL	12.62 MILES	2016	2021
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
DWS	Fully Supporting				
FC	Not Assessed				
HQColdWAL	Not Supporting	Aluminum, Total Recoverable	2016		5/5B
		Temperature	1998	6/2/2003	4A
		Turbidity	2006	6/2/2003	4A
IRR	Fully Supporting				
LW	Fully Supporting				
PC	Fully Supporting				
WH	Fully Supporting				

AU Comment: TMDL for turbidity and temperature (2003). TMDL for arsenic (2009). Natural conditions may contribute to high aluminum concentrations in the Jemez Mountains; aluminum criteria may need review to identify appropriate/attainable levels.

San Antonio Creek (VCNP bnd to headwaters)			AU IR CATEGORY	LOCATION DESCRIPTION	
			5/5B	HUC: 13020202 Jemez	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2106.A_26	20.6.4.108	STREAM, PERENNIAL	19.5 MILES	2016	2021
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
DWS	Fully Supporting				
FC	Not Assessed				
HQColdWAL	Not Supporting	Aluminum, Total Recoverable	2016		5/5B
		Nutrients	2016		5/5B
		Temperature	1998	6/2/2003	4A
		Turbidity	2016		5/5B
IRR	Fully Supporting				
LW	Fully Supporting				
PC	Fully Supporting				
WH	Fully Supporting				

AU Comment: TMDL for temperature (2003). Natural conditions may contribute to high aluminum concentrations in the Jemez Mountains; aluminum criteria may need review to identify appropriate/attainable levels. In addition, the low pH in this AU is likely contributing to increased metals concentrations. AU may not be perennial -- HP and WQS review needed.

Sulphur Creek (San Antonio Creek to Redondo Creek)			AU IR CATEGORY	LOCATION DESCRIPTION	
			5/5B	HUC: 13020202 Jemez	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2106.A_27	20.6.4.108	STREAM, PERENNIAL	1.01 MILES	2016	2021
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
DWS	Fully Supporting				
FC	Not Assessed				
HQColdWAL	Not Supporting	Temperature	2016		5/5B
		Turbidity	2010		5/5B
		Aluminum, Total Recoverable	2016		5/5B
		pH	2016		5/5B
IRR	Fully Supporting				
LW	Fully Supporting				
PC	Fully Supporting				
WH	Fully Supporting				

AU Comment: Natural conditions may contribute to high aluminum concentrations in the Jemez Mountains; aluminum criteria may need review to identify appropriate/attainable levels. In addition, the low pH in this AU is likely contributing to increased metals concentrations. HP needed -- this AU may not be perennial. pH applicable to 20.6.4.108 NMAC not attainable given naturally low pH in upstream AU.

Vallecito Ck (Jemez Pueblo bnd to Div abv Ponderosa)			AU IR CATEGORY	LOCATION DESCRIPTION	
			5/5A	HUC: 13020202 Jemez	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2105.5_20	20.6.4.98	STREAM, INTERMITTENT	3.51 MILES	2016	2021
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PARAMETER IR CATEGORY
LW	Fully Supporting				
MWWAL	Not Supporting	Arsenic, Dissolved	2016	2023 (est.)	5/5A
PC	Fully Supporting				
WH	Fully Supporting				

AU Comment: None.

Uses Abbreviation Key	
ColdWAL	Coldwater Aquatic Life
CoolWAL	Coolwater Aquatic Life
DWS	Domestic Water Supply
FC	Fish Culture
HQColdWAL	High Quality Coldwater Aquatic Life
IW Storage	Industrial Water Storage
IW Supply	Industrial Water Supply
IRR	Irrigation
IRR Storage	Irrigation Storage
LAL	Limited Aquatic Life
LW	Livestock Watering
MCWAL	Marginal Coldwater Aquatic Life
MWWAL	Marginal Warmwater Aquatic Life
MWS	Municipal Water Storage
PC	Primary Contact
PWS	Public Water Supply
SC	Secondary Contact
WWAL	Warmwater Aquatic Life
WH	Wildlife Habitat

ColdWAL	Coldwater Aquatic Life
CoolWAL	Coolwater Aquatic Life
DWS	Domestic Water Supply
FC	Fish Culture
HQColdWAL	High Quality Coldwater Aquatic Life
IW Storage	Industrial Water Storage
IW Supply	Industrial Water Supply
IRR	Irrigation
IRR Storage	Irrigation Storage
LAL	Limited Aquatic Life
LW	Livestock Watering
MCWAL	Marginal Coldwater Aquatic Life
MWWAL	Marginal Warmwater Aquatic Life
MWS	Municipal Water Storage
PC	Primary Contact
PWS	Public Water Supply
SC	Secondary Contact
WWAL	Warmwater Aquatic Life
WH	Wildlife Habitat

EXHIBIT 5

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO

County of Bernalillo SS

Elise Rodriguez, the undersigned, authorized Representative of the Albuquerque Journal, on oath states that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, that payment therefore has been made of assessed as court cost; and that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 1 time(s) on the following date(s):

11/21/2021


 Official Seal
 Christina White
 Notary Public
 State of New Mexico
 My Commission Expires 4/19/22
Christina White

Elise Rodriguez

Sworn and subscribed before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 22 day of November of 2021

PRICE \$66.54

Statement to come at the end of month.

ACCOUNT NUMBER 1030560

The Outdoor Recreation Division of the New Mexico Department of Economic Development ("Petitioner") provides public notice that it intends to file with the New Mexico Water Quality Control Commission a Petition to Nominate Segments of the Rio Grande, Rio Hondo, Lake Fork, East Fork Jemez River, San Antonio Creek, and Redondo Creek as Outstanding National Resource Waters ("Petition") pursuant to 20.6.4.9 NMAC. The Petition will include maps of the surface waters nominated, including the location and proposed upstream and downstream boundaries; a written statement and evidence based on scientific principles in support of the nomination, including specific reference to the applicable Outstanding National Resource Waters ("ONRW") criteria listed in 20.6.4.9.B NMAC, including the ecological significance of all waters nominated; water quality data to establish a baseline condition for the proposed ONRWs; a discussion of activities that might contribute to the reduction of water quality in the proposed ONRWs; and additional evidence to substantiate the designation, including a discussion of the benefit to the State of New Mexico. Pursuant to 20.6.4.9.A(6) NMAC, Petitioner gives notice of the Petition in this newspaper of general statewide circulation. For more information, please contact Axle Lavas, Outdoor Recreation Division Director or visit www.nmoutside.com.

Journal: November 21, 2021

Affidavit of Publication

STATE OF NM }
COUNTY OF TAOS } SS

LEGAL NO. 17,540.
LEGAL NOTICE

Gabrielle Sanchez, being duly sworn, says:

That she is Legal Advertising Representative of the The Taos News, a weekly newspaper of general circulation, printed and published in Colfax County, Rio Arriba County, Taos County, NM; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

November 25, 2021

The Outdoor Recreation Division of the New Mexico Department of Economic Development ("Petitioner") provides public notice that it intends to file with the New Mexico Water Quality Control Commission a Petition to Nominate Surface Waters in the Upper Rio Grande, Rio Hondo, and Jemez Watersheds as Outstanding National Resource Waters ("Petition") pursuant to 20.6.4.9 NMAC. The Petition will include maps of the surface waters of the state, including the location and proposed upstream and downstream boundaries; a written statement and evidence based on scientific principles in support of the nomination, including specific reference to the applicable Outstanding National Resource Waters ("ONRW") criteria listed in 20.6.4.9.B NMAC, including the exceptional recreational and ecological significance of all waters nominated; water quality data to establish a baseline condition for the proposed ONRWs; a discussion of activities that might contribute to the reduction of water quality in the proposed ONRWs; and additional evidence to substantiate the designation, including a discussion of the benefit to the State of New Mexico. Pursuant to 20.6.4.9.A(6) NMAC, Petitioner gives notice of the Petition in this newspaper within the affected county of TAOS. For more information, please contact Outdoor Recreation Division Director Axie Navas at Alexandra.navas@state.nm.us or visit NMOoutside.com (LEGAL NO. 17,540; PUB. NOV. 24, 2021).

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Gabrielle Sanchez

Subscribed to and sworn to me this 25th day of November 2021.

Mary Chavez

Mary Chavez, Notary Public, Taos County, NM

My commission expires: April 03, 2025



00010717 00045783

ALYSSA RENWICK
NM DEPT. ECONOMIC DEVELOPMENT
1100 S St. Francis Driv
Joseph M. Montoya Building
Santa Fe, NM 87505

LEGAL NOTICE

The Outdoor Recreation Division of the New Mexico Department of Economic Development ("Petitioner") provides public notice that it intends to file with the New Mexico Water Quality Control Commission a Petition to Nominat...

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO

County of Sandoval SS

Elise Rodriguez, the undersigned, authorized Representative of Rio Rancho Observer, on oath states that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937; that payment therefore has been made of assessed as court cost; and that the notice, copy of which is hereto attached, was published in said paper in the regular edition, for 1 time(s) on the following date(s):

11/28/2021

[Signature]



Official Seal Christina White Notary Public State of New Mexico My Commission Expires 4/10/22

[Signature]

Sworn and subscribed before me, a Notary Public, in and for the County of Sandoval and State of New Mexico this 29 day of November of 2021

PRICE \$66.42

Statement to come at the end of month.

ACCOUNT NUMBER 1030560

Observer: November 28, 2021

EXHIBIT 6

**NEW MEXICO DEPARTMENT OF GAME AND FISH ANGLER DATA
FOR NOMINATED WATERBODIES**

Water	Year	Total Anglers	Total Visitor Days
East Fork Jemez	1998	19507	46812
East Fork Jemez	1999	14808	25686
East Fork Jemez	2000	12208	36919
East Fork Jemez	2001	10419	27716
East Fork Jemez	2002	18337	58326
East Fork Jemez	2004	11977	48785
East Fork Jemez	2008	10014	37400
East Fork Jemez	2016	14497	46934
East Fork Jemez	2017	22948	65841
East Fork Jemez¹	2019²	11202	60084
San Antonio Creek	1998	3105	8227
San Antonio Creek	1999	1933	2736
San Antonio Creek	2000	1678	4209
San Antonio Creek	2001	1452	2738
San Antonio Creek	2002	1189	3406
San Antonio Creek	2004	2274	5041
San Antonio Creek	2008	2540	9576
San Antonio Creek	2016	8243	27410
San Antonio Creek	2017	16915	48572
San Antonio Creek³	2019	7883	51392
Rio Grande (Gorge - above Pilar)	1998	13971	31988
Rio Grande (Gorge - above Pilar)	1999	15907	34369
Rio Grande (Gorge - above Pilar)	2000	10327	30200
Rio Grande (Gorge - above Pilar)	2001	11171	29289
Rio Grande (Gorge - above Pilar)	2002	14954	47171
Rio Grande (Gorge - above Pilar)	2004	17085	47702
Rio Grande (Gorge - above Pilar)	2008	6752	21232
Rio Grande (Gorge - above Pilar)	2016	12531	32667

¹ Anglers: ranked #11 in all waters in 2019; #4 in lotic waters. Visitor days: ranked #19 in all waters; #5 in lotic waters.

² Data is from the 2019-2020 license year, which is April 1, 2019 to March 31, 2020.

³ Anglers: ranked #23 in all waters 2019; #9 in lotic waters. Visitor days: ranked #25 in all waters; #7 in lotic waters.

Rio Grande (Gorge - above Pilar)	2017	16934	47924
Rio Grande (Gorge - above Pilar)	2019	10716	69667
Rio Hondo	1998	425	2058
Rio Hondo	1999	2123	8326
Rio Hondo	2000	1044	3154
Rio Hondo	2001	1509	7686
Rio Hondo	2002	1460	11481
Rio Hondo	2004	1754	8238
Rio Hondo	2008	728	7698
Rio Hondo	2016	1916	7044
Rio Hondo	2017	2296	9746
Rio Hondo ⁴	2019	705	3357

⁴ Anglers: ranked #14 in all waters 2019; #5 in lotic waters. Visitor days: ranked #15 in all waters; #4 in lotic waters.

EXHIBIT 7

SPECIAL STATUS ANIMAL AND PLANT SPECIES LISTS

Special status animal species lists generated June 13, 2021 through the New Mexico Environmental Review Tool (nmert.org)

The project area extends one mile on each side of the identified stream segment. The stream segments used to generate each report are the same as those nominated.

Legend:

USFWS = U.S. Fish and Wildlife Service

ESA = Federal Endangered Species Act

NM = New Mexico

WCA = New Mexico Wildlife Conservation Act

NMDGF = New Mexico Department of Game and Fish

SGCN = Species of Greatest Conservation Need

SERI = Species of Economic and Recreational Importance

T = Threatened

E = Endangered

Common Name	Scientific Name	USFWS (ESA)	NM (WCA)	NMDGF SGCN/SERI
RIO GRANDE				
Northern Leopard Frog	<i>Lithobates pipiens</i>			SGCN
Eared Grebe	<i>Podiceps nigricollis</i>			SGCN
American Bittern	<i>Botaurus lentiginosus</i>			SGCN
Bald Eagle	<i>Haliaeetus leucocephalus</i>		T	SGCN
Peregrine Falcon	<i>Falco peregrinus</i>		T	SGCN
Mountain Plover	<i>Charadrius montanus</i>			SGCN
Boreal Owl	<i>Aegolius funereus</i>		T	SGCN
Black Swift	<i>Cypseloides niger</i>			SGCN
Lewis's Woodpecker	<i>Melanerpes lewis</i>			SGCN
Red-Headed Woodpecker	<i>Melanerpes erythrocephalus</i>			SGCN
Williamson's Sapsucker	<i>Sphyrapicus thyroideus</i>			SGCN
Olive-Sided Flycatcher	<i>Contopus cooperi</i>			SGCN
Southwestern Willow Flycatcher	<i>Empidonax traillii extimus</i>	E	E	SGCN
Bank Swallow	<i>Riparia riparia</i>			SGCN
Pinyon Jay	<i>Gymnorhinus cyanocephalus</i>			SGCN
Clark's Nutcracker	<i>Nucifraga columbiana</i>			SGCN
Juniper Titmouse	<i>Baeolophus ridgwayi</i>			SGCN
Pygmy Nuthatch	<i>Sitta pygmaea</i>			SGCN
Western Bluebird	<i>Sialia mexicana</i>			SGCN

Loggerhead Shrike	<i>Lanius ludovicianus</i>		SGCN
Brown-Capped Rosy-Finch	<i>Leucosticte australis</i>		SGCN
Cutthroat Trout	<i>Oncorhynchus clarkii</i>		SERI
Rio Grande Cutthroat Trout	<i>Oncorhynchus clarkii virginalis</i>		SERI
Brown Trout	<i>Salmo trutta</i>		SERI
Rio Grande Chub	<i>Gila pandora</i>		SGCN
Spotted Bat	<i>Euderma maculatum</i>	T	SGCN
American Pika	<i>Ochotona princeps</i>		SGCN
Gunnison's Prairie Dog	<i>Cynomys gunnisoni</i>		SGCN
Bighorn Sheep	<i>Ovis canadensis canadensis</i>		SERI
Black Bear	<i>Ursus americanus</i>		SERI
Cougar	<i>Puma concolor</i>		SERI
Elk	<i>Cervus canadensis nelsoni</i>		SERI
Mule Deer	<i>Odocoileus hemionus</i>		SERI
	<i>Antilocapra Americana</i>		
Pronghorn	<i>Americana</i>		SERI

RIO HONDO AND LAKE FORK

Northern Leopard Frog	<i>Lithobates pipiens</i>		SGCN
American Bittern	<i>Botaurus lentiginosus</i>		SGCN
Peregrine Falcon	<i>Falco peregrinus</i>	T	SGCN
White-Tailed Ptarmigan	<i>Lagopus leucura</i>	E	SGCN
Mountain Plover	<i>Charadrius montanus</i>		SGCN
Boreal Owl	<i>Aegolius funereus</i>	T	SGCN
Black Swift	<i>Cypseloides niger</i>		SGCN
Lewis's Woodpecker	<i>Melanerpes lewis</i>		SGCN
Red-Headed Woodpecker	<i>Melanerpes erythrocephalus</i>		SGCN
Williamson's Sapsucker	<i>Sphyrapicus thyroideus</i>		SGCN
Olive-Sided Flycatcher	<i>Contopus cooperi</i>		SGCN
Bank Swallow	<i>Riparia riparia</i>		SGCN
Pinyon Jay	<i>Gymnorhinus cyanocephalus</i>		SGCN
Clark's Nutcracker	<i>Nucifraga columbiana</i>		SGCN
Juniper Titmouse	<i>Baeolophus ridgwayi</i>		SGCN
Pygmy Nuthatch	<i>Sitta pygmaea</i>		SGCN
Western Bluebird	<i>Sialia mexicana</i>		SGCN
Loggerhead Shrike	<i>Lanius ludovicianus</i>		SGCN
Brown-Capped Rosy-Finch	<i>Leucosticte australis</i>		SGCN
White-Winged Crossbill	<i>Loxia leucoptera</i>		SGCN
Cutthroat Trout	<i>Oncorhynchus clarkii</i>		SERI
Rio Grande Cutthroat Trout	<i>Oncorhynchus clarkii virginalis</i>		SERI
Spotted Bat	<i>Euderma maculatum</i>	T	SGCN
American Pika	<i>Ochotona princeps</i>		SGCN
Gunnison's Prairie Dog	<i>Cynomys gunnisoni</i>		SGCN
Pacific Marten	<i>Martes caurina</i>	T	SGCN

Bighorn Sheep	<i>Ovis canadensis canadensis</i>			SERI
Black Bear	<i>Ursus americanus</i>			SERI
Cougar	<i>Puma concolor</i>			SERI
Elk	<i>Cervus canadensis nelsoni</i>			SERI
Mule Deer	<i>Odocoileus hemionus</i>			SERI

EAST FORK JEMEZ RIVER

Jemez Mountains				
Salamander	<i>Plethodon neomexicanus</i>	E	E	SGCN
Northern Leopard Frog	<i>Lithobates pipiens</i>			SGCN
Eared Grebe	<i>Podiceps nigricollis</i>			SGCN
American Bittern	<i>Botaurus lentiginosus</i>			SGCN
Peregrine Falcon	<i>Falco peregrinus</i>		T	SGCN
Mountain Plover	<i>Charadrius montanus</i>			SGCN
Flammulated Owl	<i>Otus flammeolus</i>			SGCN
Mexican Spotted Owl	<i>Strix occidentalis lucida</i>	T		SGCN
Boreal Owl	<i>Aegolius funereus</i>		T	SGCN
Black Swift	<i>Cypseloides niger</i>			SGCN
Lewis's Woodpecker	<i>Melanerpes lewis</i>			SGCN
Red-Headed Woodpecker	<i>Melanerpes erythrocephalus</i>			SGCN
Williamson's Sapsucker	<i>Sphyrapicus thyroideus</i>			SGCN
Olive-Sided Flycatcher	<i>Contopus cooperi</i>			SGCN
Bank Swallow	<i>Riparia riparia</i>			SGCN
Pinyon Jay	<i>Gymnorhinus cyanocephalus</i>			SGCN
Clark's Nutcracker	<i>Nucifraga columbiana</i>			SGCN
Juniper Titmouse	<i>Baeolophus ridgwayi</i>			SGCN
Pygmy Nuthatch	<i>Sitta pygmaea</i>			SGCN
Western Bluebird	<i>Sialia mexicana</i>			SGCN
Loggerhead Shrike	<i>Lanius ludovicianus</i>			SGCN
Gray Vireo	<i>Vireo vicinior</i>		T	SGCN
Brown-Capped Rosy-Finch	<i>Leucosticte australis</i>			SGCN
Rio Grande Sucker	<i>Catostomus plebeius</i>			SGCN
Rio Grande Chub	<i>Gila Pandora</i>			SGCN
Prebble's Shrew	<i>Sorex preblei</i>			SGCN
Long-legged Myotis	<i>Myotis voltans</i>			SGCN
Spotted Bat	<i>Euderma maculatum</i>		T	SGCN
American Pika	<i>Ochotona princeps</i>			SGCN
Gunnison's Prairie Dog	<i>Cynomys gunnisoni</i>			SGCN
Wrinkled Marshsnail	<i>Stagnicola caperata</i>		E	SGCN
Black Bear	<i>Ursus americanus</i>			SERI
Cougar	<i>Puma concolor</i>			SERI
Elk	<i>Cervus canadensis nelsoni</i>			SERI
Mule Deer	<i>Odocoileus hemionus</i>			SERI

SAN ANTONIO CREEK

Jemez Mountains				
Salamander	<i>Plethodon neomexicanus</i>	E	E	SGCN
Northern Leopard Frog	<i>Lithobates pipiens</i>			SGCN
Eared Grebe	<i>Podiceps nigricollis</i>			SGCN
American Bittern	<i>Botaurus lentiginosus</i>			SGCN
Northern Goshawk	<i>Accipiter gentilis</i>			SGCN
Peregrine Falcon	<i>Falco peregrinus</i>		T	SGCN
Blue Grouse	<i>Dendragapus obscurus</i>			SGCN
Mountain Plover	<i>Charadrius montanus</i>			SGCN
Flammulated Owl	<i>Otus flammeolus</i>			SGCN
Mexican Spotted Owl	<i>Strix occidentalis lucida</i>	T		SGCN
Boreal Owl	<i>Aegolius funereus</i>		T	SGCN
Black Swift	<i>Cypseloides niger</i>			SGCN
Lewis's Woodpecker	<i>Melanerpes lewis</i>			SGCN
Red-Headed Woodpecker	<i>Melanerpes erythrocephalus</i>			SGCN
Williamson's Sapsucker	<i>Sphyrapicus thyroideus</i>			SGCN
Olive-Sided Flycatcher	<i>Contopus cooperi</i>			SGCN
Bank Swallow	<i>Riparia riparia</i>			SGCN
Pinyon Jay	<i>Gymnorhinus cyanocephalus</i>			SGCN
Clark's Nutcracker	<i>Nucifraga columbiana</i>			SGCN
Juniper Titmouse	<i>Baeolophus ridgwayi</i>			SGCN
Pygmy Nuthatch	<i>Sitta pygmaea</i>			SGCN
Western Bluebird	<i>Sialia mexicana</i>			SGCN
Loggerhead Shrike	<i>Lanius ludovicianus</i>			SGCN
Gray Vireo	<i>Vireo vicinior</i>		T	SGCN
Brown-Capped Rosy-Finch	<i>Leucosticte australis</i>			SGCN
Rio Grande Sucker	<i>Catostomus plebeius</i>			SGCN
Rio Grande Chub	<i>Gila Pandora</i>			SGCN
Spotted Bat	<i>Euderma maculatum</i>		T	SGCN
American Pika	<i>Ochotona princeps</i>			SGCN
Gunnison's Prairie Dog	<i>Cynomys gunnisoni</i>			SGCN
New Mexican Meadow				
Jumping Mouse	<i>Zapus hudsonius luteus</i>	E	E	SGCN
Black Bear	<i>Ursus americanus</i>			SERI
Cougar	<i>Puma concolor</i>			SERI
Elk	<i>Cervus canadensis nelsoni</i>			SERI
Mule Deer	<i>Odocoileus hemionus</i>			SERI

REDONDO CREEK

Jemez Mountains				
Salamander	<i>Plethodon neomexicanus</i>	E	E	SGCN
Northern Leopard Frog	<i>Lithobates pipiens</i>			SGCN
Eared Grebe	<i>Podiceps nigricollis</i>			SGCN
American Bittern	<i>Botaurus lentiginosus</i>			SGCN
Peregrine Falcon	<i>Falco peregrinus</i>		T	SGCN
Blue Grouse	<i>Dendragapus obscurus</i>			SGCN
Mountain Plover	<i>Charadrius montanus</i>			SGCN
Mexican Spotted Owl	<i>Strix occidentalis lucida</i>	T		SGCN
Black Swift	<i>Cypseloides niger</i>			SGCN
Lewis's Woodpecker	<i>Melanerpes lewis</i>			SGCN
Red-Headed Woodpecker	<i>Melanerpes erythrocephalus</i>			SGCN
Williamson's Sapsucker	<i>Sphyrapicus thyroideus</i>			SGCN
Olive-Sided Flycatcher	<i>Contopus cooperi</i>			SGCN
Bank Swallow	<i>Riparia riparia</i>			SGCN
Pinyon Jay	<i>Gymnorhinus cyanocephalus</i>			SGCN
Clark's Nutcracker	<i>Nucifraga columbiana</i>			SGCN
Juniper Titmouse	<i>Baeolophus ridgwayi</i>			SGCN
Pygmy Nuthatch	<i>Sitta pygmaea</i>			SGCN
Western Bluebird	<i>Sialia mexicana</i>			SGCN
Loggerhead Shrike	<i>Lanius ludovicianus</i>			SGCN
Gray Vireo	<i>Vireo vicinior</i>		T	SGCN
Brown-Capped Rosy-Finch	<i>Leucosticte australis</i>			SGCN
Spotted Bat	<i>Euderma maculatum</i>		T	SGCN
American Pika	<i>Ochotona princeps</i>			SGCN
Gunnison's Prairie Dog	<i>Cynomys gunnisoni</i>			SGCN
New Mexican Meadow				
Jumping Mouse	<i>Zapus hudsonius luteus</i>	E	E	SGCN
Wrinkled Marshsnail	<i>Stagnicola caperata</i>		E	SGCN
Black Bear	<i>Ursus americanus</i>			SERI
Cougar	<i>Puma concolor</i>			SERI
Elk	<i>Cervus canadensis nelsoni</i>			SERI
Mule Deer	<i>Odocoileus hemionus</i>			SERI

**Special status plant species lists generated June 13, 2021 through the New Mexico
Environmental Review Tool (NMert.org)**

The project area extends one mile on each side of the identified stream segment. The stream segments used to generate each report are the same as those nominated.

Legend:

USFWS = U.S. Fish and Wildlife Service

NMAC = New Mexico Administrative Code

NMRPCS = New Mexico Rare Plant Conservation Strategy

SS = New Mexico Rare Plant Conservation Strategy Species

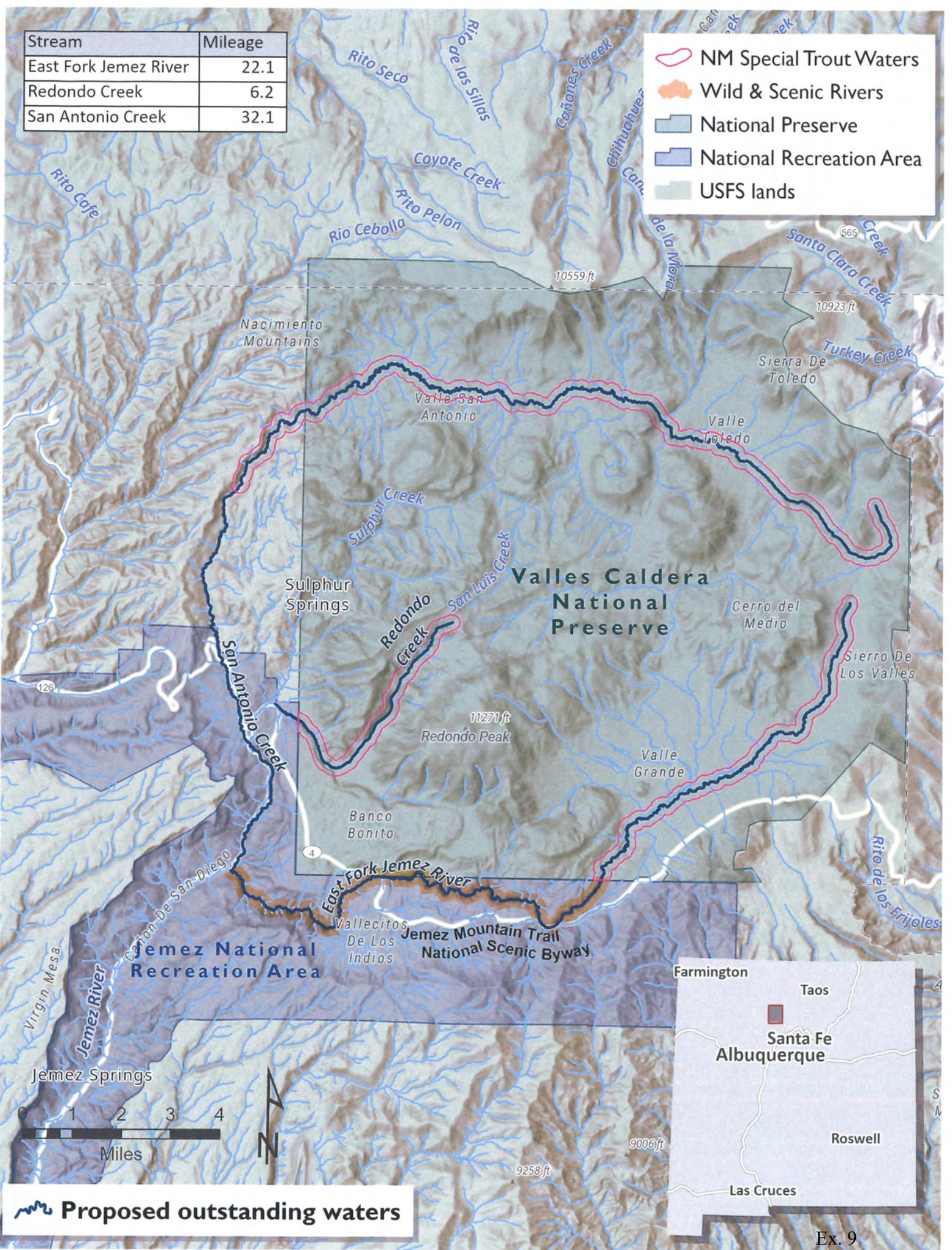
Common Name	Scientific Name	USFWS (ESA)	NMAC	NMRPCS
RIO GRANDE				
Taos Springsparsley	<i>Cymopterus spellenbergii</i>			SS
Ripley Milkvetch	<i>Astragalus ripleyi</i>			SS
Clipped Wild Buckwheat	<i>Eriogonum lachnogynum</i> var. <i>colobum</i>			SS
RIO HONDO AND LAKE FORK				
	<i>Eriogonum lachnogynum</i> var. <i>colobum</i>			SS
Clipped Wild Buckwheat	<i>Eriogonum lachnogynum</i> var. <i>colobum</i>			SS
Taos Springsparsley	<i>Cymopterus spellenbergii</i>			SS
Brandegees Alpine Clover	<i>Trifolium brandegeei</i>			
Alpine Larkspur	<i>Delphinium alpestre</i>			SS
SAN ANTONIO CREEK				
Sapello Canyon Larkspur	<i>Delphinium sapellonis</i>			SS
Hooded Ladies'-Tresses	<i>Spiranthes romanzoffiana</i>			SS
EAST FORK JEMEZ RIVER				
Sapello Canyon Larkspur	<i>Delphinium sapellonis</i>			SS
Hooded Ladies'-Tresses	<i>Spiranthes romanzoffiana</i>			SS
Giant Helleborine Orchid	<i>Epipactis gigantea</i>			SS

EXHIBIT 8

EXHIBIT 9

Stream	Mileage
East Fork Jemez River	22.1
Redondo Creek	6.2
San Antonio Creek	32.1

-  NM Special Trout Waters
-  Wild & Scenic Rivers
-  National Preserve
-  National Recreation Area
-  USFS lands



 **Proposed outstanding waters**

EXHIBIT 10

RIO GRANDE NOMINATION

Pueblo Support



TAOS PUEBLO WARCHIEF

Office of Natural Resource Protection
P.O. Box 2596 Taos, New Mexico 87571
(575) 758-3883 FAX (575) 758-2706

NM Water Quality Control Commission
NM Environment Department
1190 Saint Francis Drive
Suite # South 2102
Santa Fe, New Mexico 87505

May 10, 2021

Dear New Mexico Water Quality Control Commission,

Taos Pueblo Warchief Office hereby petitions that you designate the stretch of the Rio Grande from the Colorado State Line to Taos County Line as an Outstanding National Resource Water. For millennia, the Rio Grande has flowed through our area providing life giving water to many species including us humans and some time in memorial it has flowed with pristine and unpolluted sacred head waters. Our ancestors as well as our present-day people have benefited from the clean water with many blessings provided by the Rio Grande. This portion of the Rio Grande provides critical water to the communities in Taos County and below for agriculture through acequia irrigation. Today people from all over the world are drawn to recreate on this beautiful stretch of river, for hiking along it, they fish, they boat, they bird, they swim and they picnic. They also hold sacred ceremony. This river section is one of the most popular recreational areas in the state of New Mexico. Recreation in nature provides a way for people to strengthen their conscious connection with nature. The local economy of Taos County and Taos Pueblo depend on clean water to support recreation and tourism-based activities.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit new and increased pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water to benefit present and future generations and to honor Mother Earth.

Respectfully

A handwritten signature in black ink, appearing to read 'Fred Romero', written over a horizontal line.

Fred Romero
Taos Pueblo Warchief

RIO GRANDE NOMINATION

Local Government Support



TOWN OF RED RIVER

(575) 754-2277
www.redriver.org
100 East Main Street
PO Box 1020
Red River, NM 87558

Dear New Mexico Water Quality Control Commission,

The Town of Red River hereby petitions that you designate the stretch of the Rio Grande from the Colorado State Line to Taos County Line as an Outstanding National Resource Water. For millennia, the Rio Grande has flowed through our area providing life giving water to many species including us humans. For most of the time it has flowed with pristine and unpolluted. This portion of the Rio Grande provides critical water for the communities in Taos County and below for agriculture through acequia irrigation. Today people from all over the world are drawn to recreate on this beautiful iconic stretch of river. They hike along it, they fish, they boat, they bird, they swim, they camp and they picnic. This river section is one of the most popular recreational areas in the state of New Mexico. Recreation in nature provides a way for people to strengthen their conscious connection with nature. The local economy of Taos County and Taos Pueblo depend on clean water to support recreation and tourism-based activities.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water to benefit present and future generations, to reinforce our local tourism economy and to honor this extraordinary section of river,

Respectfully

Linda Calhoun

Linda Calhoun,
Mayor, Town of Red River



VILLAGE OF QUESTA
RESOLUTION NO. 2021-04

A RESOLUTION IN SUPPORT OF PROTECTING OUR LOCAL WATERSHED FROM FUTURE DEGRADATION BY PETITIONING THE NEW MEXICO WATER QUALITY CONTROL COMMISSION TO DESIGNATE THE UPPER RIO GRANDE AND RIO HONDO AS OUTSTANDING NATIONAL RESOURCE WATERS.

WHEREAS, the Rio Grande and Rio Hondo Watersheds provides clean water for residents and visitors who enjoy recreating in the watershed;

WHEREAS, the recreational uses of these watersheds such a fishing, camping, swimming, hiking, biking, snowmaking, and wildlife viewing depend on a clean and healthy watershed;

WHEREAS, these watersheds provide critical water resources to the communities in Northern New Mexico and provide clean water to the numerous agriculturally and culturally significant acequia systems;

WHEREAS, clean water is essential for the health and wellbeing of Questa residents;

WHEREAS, the local economy is dependent on clean water to support recreation-based economic activities;

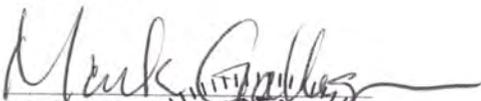
WHEREAS, Outstanding National Resource Water protections outlined in state water quality regulations prohibit new and increased pollution to waters designated as an Outstanding National Resource Water;

WHEREAS, Outstanding National Resource Water protections protect and do not inhibit traditional and historic uses of waters designated as an Outstanding National Resource Water;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE VILLAGE OF QUESTA that the Village supports pursuing Outstanding National Resource Water protections for the Upper Rio Grande from the state line with Colorado downstream the confluence with the Rio Pueblo de Taos and the Rio Hondo from the headwaters downstream to the USFS boundary at the mouth of the canyon and Lake Fork from the Wilderness boundary downstream to the confluence with the Rio Hondo.

**PASSED, APPROVED AND ADOPTED IN REGULAR SESSION
THIS 9th DAY OF MARCH 2021.**

APPROVED:


Mark Gallegos

APPROVED AS TO FORM:


Village Attorney

ATTEST


Renee Martinez, CMC

SEAL

VILLAGE OF QUESTA INCORPORATED
MAY 11 1891



TAOS COUNTY
RESOLUTION 2021-16

TAOS COUNTY
VALERIE RAEI MONTOYA, CLERK
000452049
Book 1084 Page 688
1 of 1
04/12/2021 11:03 15 AM
BY TAMMYS

SUPPORTING THE PROTECTION OF OUR LOCAL WATERSHED FROM FUTURE DEGRADATION BY PETITIONING THE NEW MEXICO WATER QUALITY CONTROL COMMISSION TO DESIGNATE THE UPPER RIO GRANDE AND RIO HONDO AS OUTSTANDING NATIONAL RESOURCE WATERS.

WHEREAS, the Rio Grande and Rio Hondo Watersheds provides clean water for residents and visitors who enjoy recreating in the watershed; and

WHEREAS, the recreational uses of these watersheds such a fishing, camping, swimming, hiking, biking, snowmaking, and wildlife viewing depend on a clean and healthy watershed; and

WHEREAS, these watersheds provide critical water resources to the communities in the Taos area and provide clean water to the numerous agriculturally and culturally significant acequia systems; and

WHEREAS, clean water is essential for the health and wellbeing of Taos County residents; and

WHEREAS, the local economy is dependent on clean water to support recreation-based economic activities; and

WHEREAS, Outstanding National Resource Water protections outlined in state water quality regulations prohibit new and increased pollution to waters designated as an Outstanding National Resource Water; and

WHEREAS, Outstanding National Resource Water protections protect and do not inhibit traditional and historic uses of waters designated as an Outstanding National Resource Water.

NOW, THEREFORE, BE IT RESOLVED the County supports pursuing Outstanding National Resource Water protections for the Upper Rio Grande from the state line with Colorado downstream the confluence with the Rio Pueblo de Taos and the Rio Hondo from the headwaters downstream to the USFS boundary at the mouth of the canyon and Lake Fork from the headwaters downstream to the confluence with the Rio Hondo.

PASSED, APPROVED AND ADOPTED, this 16th day of March 2021.

**BOARD OF COUNTY COMMISSIONERS
OF TAOS COUNTY, NEW MEXICO**

Candace O'Donnell

Candace O'Donnell, Chairperson

Attest:

Valerie Montoya

Valerie Montoya, Taos County Clerk



Approved as to legal for TAOS

Randy Autio

Randy Autio, Contract County Attorney

VOTE RECORD:

J. Fambro	<input checked="" type="radio"/> yes	<input type="radio"/> no	<input type="radio"/> abstain	<input type="radio"/> absent
M. Gallegos	<input checked="" type="radio"/> yes	<input type="radio"/> no	<input type="radio"/> abstain	<input type="radio"/> absent
C. O'Donnell	<input checked="" type="radio"/> yes	<input type="radio"/> no	<input type="radio"/> abstain	<input type="radio"/> absent
D. Vigil	<input checked="" type="radio"/> yes	<input type="radio"/> no	<input type="radio"/> abstain	<input type="radio"/> absent
A. Brush	<input checked="" type="radio"/> yes	<input type="radio"/> no	<input type="radio"/> abstain	<input type="radio"/> absent



RIO GRANDE NOMINATION

Acequia Support

August 11, 2020

Dear New Mexico Water Quality Control Commission,

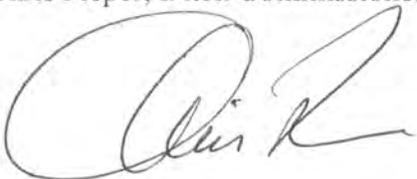
The Acequia Madre del Rio Lucero y Arroyo Seco hereby petitions that you designate the stretch of the Rio Grande that runs through Taos County (from the Colorado State Line to Taos County Line) as an Outstanding National Resource Water. This portion of the Rio Grande provides critical water for the communities in Taos County and below for agriculture through acequia irrigation. Today we locals, as well as people from all over the world are drawn to recreate (by fishing, swimming, picnicking, camping and boating) on this beautiful iconic stretch of river. This portion of the Rio Grande was designated as one of our nation's first Wild and Scenic Rivers. While this federal designation prohibits new development along the Rio Grande, it does not protect the water quality of the river. Today, this river section is one of the most popular recreational areas in the state of New Mexico. Recreation in nature provides another way for people to strengthen their conscious connection with the Earth.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water to benefit present and future generations, to sustain centuries old acequia irrigation traditions for parciantes downstream and to honor this extraordinary section of river,

Respectfully,

Chris Pieper, Ditch Commissioner and Secretary, Acequia Madre del Rio Chiquito



P.O. Box 342
Arroyo Seco, N.M
87514

Embudo Valley Regional Acequia Association
P.O. Box 26
Embudo, NM 87531
12 August 2020

New Mexico Water Quality Control Commission
1190 Saint Francis Drive, Suite South 2102
Santa Fe, New Mexico 87505

Re: Nomination for Outstanding National Resource Waters

To Whom It May Concern:

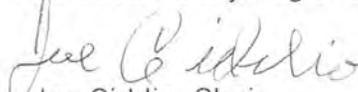
The Embudo Valley Regional Acequia Association, representing ten acequias in the Embudo Valley, hereby petition that you designate the stretch of the Rio Grande that runs through Taos County as an Outstanding National Resource Water. This portion of the Rio Grande provides critical water for the communities in Taos County and below for agriculture through acequia irrigation, including to some of our members.

Today we locals, as well as people from all over the world, are drawn to recreate (by fishing, swimming, picnicking, camping and boating) on this beautiful, iconic stretch of river. This portion of the Rio Grande was designated as one of our nation's first Wild and Scenic Rivers and is one of the most popular recreational areas in the state of New Mexico. While this federal designation prohibits new development along the Rio Grande, it does not protect the water quality of the river.

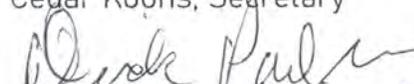
We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water, and protects, not inhibits, traditional and historic uses of the river.

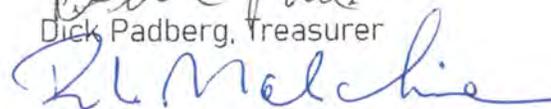
We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water to benefit present and future generations, to sustain centuries-old acequia irrigation traditions for parciantes downstream and to honor this extraordinary section of a magnificent river.

Respectfully,
Embudo Valley Regional Acequia Association


Joe Ciddio, Chair


Cedar Koons, Secretary


Dick Padberg, Treasurer


Lou Malchie, NMAA Representative

Acequia de la Plaza

August 20, 2020

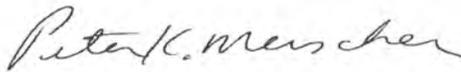
Dear New Mexico Water Quality Control Commission,

The Acequia de la Plaza hereby petitions that you designate the stretch of the Rio Grande that runs through Taos County (from the Colorado State Line to Taos County Line) as an Outstanding National Resource Water. This portion of the Rio Grande provides critical water for the communities in Taos County and below for agriculture through acequia irrigation. Today people from all over the world are drawn to recreate on this beautiful iconic stretch of river. This portion of the Rio Grande was designated as one of our nation's first Wild and Scenic Rivers. While this federal designation prohibits new development along the Rio Grande, it does not protect the water quality of the river. Today, this river section is one of the most popular recreational areas in the state of New Mexico. Recreation in nature provides a way for people to strengthen their conscious connection with nature. The extraordinary Rio Grande is part of our "backyard" and it is an important landscape feature that enhances our local economy.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water to benefit present and future generations, to reinforce our local tourism economy, to sustain our acequia agricultural tradition, to sustain healthy outdoor recreation and to honor this extraordinary section of river,

Respectfully,



Peter Merscher,
Acequia de la Plaza
PO Box 295, Arroyo Hondo, NM 87513

August 21, 2020

Dear New Mexico Water Quality Control Commission,

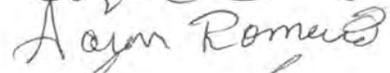
The Acequia Madre del Rio Chiquito hereby petitions that you designate the stretch of the Rio Grande that runs through Taos County (from the Colorado State Line to Taos County Line) as an Outstanding National Resource Water. This portion of the Rio Grande provides critical water for the communities in Taos County and below for agriculture through acequia irrigation. Today we locals, as well as people from all over the world are drawn to recreate (by fishing, swimming, picnicking, camping and boating) on this beautiful iconic stretch of river. This portion of the Rio Grande was designated as one of our nation's first Wild and Scenic Rivers. While this federal designation prohibits new development along the Rio Grande, it does not protect the water quality of the river. Today, this river section is one of the most popular recreational areas in the state of New Mexico. Recreation in nature provides another way for people to strengthen their conscious connection with the Earth.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water to benefit present and future generations, to sustain centuries -old acequia irrigation traditions for parciantes downstream and to honor this extraordinary section of river,

Respectfully,

[Insert Title of Signor(s)], Acequia Madre del Rio Chiquito

	PRESIDENT
	TREASURER
	SECRETARY

August 23, 2020

New Mexico Water Quality Control Commission:

The Atalaya Acequia hereby petitions that you designate the stretch of the Rio Grande that runs through Taos County (from the Colorado State Line to Taos County Line) as an Outstanding National Resource Water. This portion of the Rio Grande provides critical water for the communities in Taos County and below for agriculture through acequia irrigation. Today we locals, as well as people from all over the world are drawn to recreate (by fishing, swimming, picnicking, camping and boating) on this beautiful iconic stretch of river. This portion of the Rio Grande was designated as one of our nation's first Wild and Scenic Rivers. While this federal designation prohibits new development along the Rio Grande, it does not protect the water quality of the river. Today, this river section is one of the most popular recreational areas in the state of New Mexico. Recreation in nature provides another way for people to strengthen their conscious connection with the Earth.

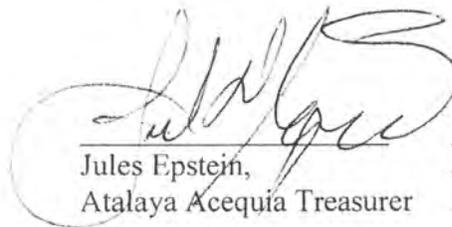
We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water to benefit present and future generations, to sustain centuries-old acequia irrigation traditions for parciantes downstream and to honor this extraordinary section of river.

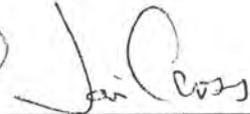
Respectfully,



Kenton Lewis,
Atalaya Acequia President



Jules Epstein,
Atalaya Acequia Treasurer



Jai Cross,
Atalaya Acequia Secretary

REBALSE DITCH ASSOCIATION
P.O. BOX 730
EL PRADO, NM 87529

August 31, 2020

Dear New Mexico Water Quality Control Commission,

The Rebalse Ditch Association hereby petitions that you designate the stretch of the Rio Grande that runs through Taos County (from the Colorado State Line to Taos County Line) as an Outstanding National Resource Water. This portion of the Rio Grande provides critical water for the communities in Taos County and below for agriculture through acequia irrigation. Today people from all over the world are drawn to recreate on this beautiful iconic stretch of river. This portion of the Rio Grande was designated as one of our nation's first Wild and Scenic Rivers. While this federal designation prohibits new development along the Rio Grande, it does not protect the water quality of the river. Today, this river section is one of the most popular recreational areas in the state of New Mexico. Recreation in nature provides a way for people to strengthen their conscious connection with nature. The extraordinary Rio Grande is part of our "backyard" and it is an important landscape feature that enhances our local economy.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water to benefit present and future generations, to reinforce our local tourism economy, to sustain our acequia agricultural tradition, to sustain healthy outdoor recreation and to honor this extraordinary section of river,

Respectfully,



Dean Archuleta, Commissioner
Rebalse Ditch Association

Acequia de



San Antonio

2020 Commissioners

Mayordomo and
President

Elias Espinoza

Secretary

Sylvia Rodríguez

Treasurer

Tibby Gold

P.O. Box 339
Valdez, NM 87580

September 4, 2020

Dear New Mexico Water Quality Control Commission:

September 4, 2020

Dear New Mexico Water Quality Control Commission:

The Acequia de San Antonio in Valdez petitions that you designate the stretch of the Rio Grande that runs through Taos County from the Colorado State Line to Taos County Line as an Outstanding National Resource Water. This portion of the Rio Grande provides critical water for the communities in Taos County and below for agriculture through acequia irrigation. Today people from all over the world are drawn to recreate on this beautiful iconic stretch of river. This portion of the Rio Grande was designated as one of our nation's first Wild and Scenic Rivers. While this federal designation prohibits new development along the Rio Grande, it does not protect the water quality of the river. Today, this river section is one of the most popular recreational areas in the state of New Mexico. Recreation on the river provides a way for people to strengthen their conscious connection with nature. The extraordinary Rio Grande is part of our "backyard" and it is an important landscape feature that enhances our local economy.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water to benefit present and future generations, to reinforce our local tourism economy, to sustain our acequia agricultural tradition, to sustain healthy outdoor recreation and to honor this extraordinary section of river.

Respectfully,

A handwritten signature in cursive script, appearing to read 'Elias Espinoza'.

Elias Espinoza, President and Mayordomo

A handwritten signature in cursive script, appearing to read 'Tibby Gold'.

Tibby Gold, Treasurer

A handwritten signature in cursive script, appearing to read 'Sylvia Rodríguez'.

Sylvia Rodríguez, Secretary

RIO GRANDE NOMINATION

Land Grant Support

August 24, 2020

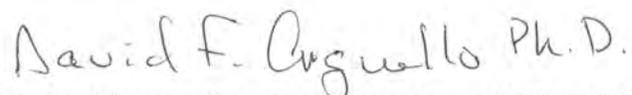
Dear New Mexico Water Quality Control Commission,

The Arroyo Hondo Arriba Community Land Grant Association hereby petitions that you designate the stretch of the Rio Grande that runs through Taos County (from the Colorado State Line to Taos County Line) as an Outstanding National Resource Water. This portion of the Rio Grande provides critical water for the communities in Taos County and below for agriculture through acequia irrigation. Today people from all over the world are drawn to recreate on this beautiful iconic stretch of river. This portion of the Rio Grande was designated as one of our nation's first Wild and Scenic Rivers. While this federal designation prohibits new development along the Rio Grande, it does not protect the water quality of the river. Today, this river section is one of the most popular recreational areas in the state of New Mexico. Recreation in nature provides a way for people to strengthen their conscious connection with nature. The extraordinary Rio Grande is part of our "backyard" and it is an important landscape feature that enhances our local economy.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water to benefit present and future generations, to sustain acequia traditions and to honor this extraordinary section of river,

Respectfully,



Dr. David Arguello, Arroyo Hondo Arriba Land Grant Community Association Grant Association

P.O. Box 277
Arroyo Seco,
New Mexico 87514
575-776-2752
drsarguello@q.com

RIO GRANDE NOMINATION

Neighborhood Association Support



Stagecoach Neighborhood Association (SNA)

PO Box 1974, El Prado NM 87529

Aug 7, 2020

Dear New Mexico Water Quality Control Commission,

Stagecoach Neighborhood Association in Taos County hereby petitions that you designate the stretch of the Rio Grande from the Colorado State Line to Taos County Line as an Outstanding National Resource Water. This portion of the Rio Grande was designated as one of our nation's first Wild and Scenic Rivers. Portions of the Rio Grande Wild and Scenic River are adjacent by only a half to one mile from many of our homes in our neighborhood. As neighbors, we all cherish the Rio Grande for many reasons including our recreational pursuits which include hiking, fishing, boating, photography and *plein air* art. While this federal designation prohibits new development along the Rio Grande, it does not protect the water quality of the river. Today, this river section is also one of the most popular recreational areas in the state of New Mexico. Recreation in nature provides a way for people to strengthen their conscious connection with nature. The extraordinary Rio Grande is part of our "backyard" and it is an important landscape feature that enhances our local economy.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water to benefit present and future generations, to reinforce our local tourism economy and to honor this extraordinary section of river,

Respectfully,

Douglas Daubert

President, Stagecoach Neighborhood Association

September 3, 2020

Dear New Mexico Water Quality Control Commission,

The Lower Des Montes Neighborhood Association hereby petitions that you designate the stretch of the Rio Grande from the Colorado State Line to Taos County Line as an Outstanding National Resource Water. This portion of the Rio Grande provides critical water for the communities in Taos County and below for agriculture through acequia irrigation. Today people from all over the world are drawn to recreate on this beautiful iconic stretch of river. This portion of the Rio Grande was designated as one of our nation's first Wild and Scenic Rivers. While this federal designation prohibits new development along the Rio Grande, it does not protect the water quality of the river. Today, this river section is one of the most popular recreational areas in the state of New Mexico. Recreation in nature provides a way for people to strengthen their conscious connection with nature. The extraordinary Rio Grande is part of our "backyard" and it is an important landscape feature that enhances our local economy. We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water. We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water to benefit present and future generations, to reinforce our local tourism economy and to honor this extraordinary section of river.

Respectfully,



Floyd Archuleta, President,
Lower Des Montes Neighborhood Association
2 JMA Ranch Road, El Prado, NM 87529

RIO GRANDE NOMINATION

Local Business Support

New Mexico River
Outfitters Association
P.O. Box 608
Ranchos de Taos, NM 87557
office@losriosriverrunners.com
575.776.8854

August 8, 2020

Dear New Mexico Water Quality Control Commission,

The New Mexico River Outfitters Association hereby petitions that you designate the stretch of the Rio Grande from the Colorado State Line to Taos County Line as an Outstanding National Resource Water. This portion of the Rio Grande provides critical water for the communities in Taos County. People from all over the world are drawn to recreate on this beautiful iconic stretch of river. This portion of the Rio Grande was designated as one of our nation's first Wild and Scenic Rivers. While this federal designation prohibits new development along the Rio Grande it does not protect the water quality of the river. Today, this river section is one of the most popular recreational areas in the state of New Mexico. Each year river rafting companies alone guide approximately over 30,000 river adventurers down the Rio Grande for easy to highly technical rafting trips. Recreation in nature provides a way for people to strengthen their conscious connection with nature. Our businesses depend on clean water to support recreation and tourism-based activities related to this extraordinary stretch of the Rio Grande.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit new and increased pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water to benefit present and future generations, to reinforce our local tourism economy and to honor this extraordinary section of river.

Respectfully,

A handwritten signature in black ink, appearing to read 'Francisco Guevara', with a long horizontal flourish extending to the right.

Francisco Guevara, President
NM River Outfitters Association

Dear New Mexico Water Quality Control Commission,

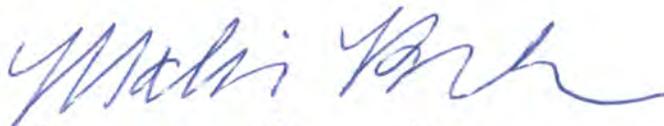
Shed Rio hereby petitions that you designate the stretch of the Rio Grande that runs from the Colorado State Line to the southern Taos County Line as an Outstanding National Resource Water. This extraordinary stretch of river provides essential water for communities in Taos County *and* below that is used for tourism, recreation, and agriculture and is vital to the ecological and economic wellbeing of our communities.

At Shed Rio, our way of life and livelihood is inseparable from the wellbeing of the Rio Grande and the excellent opportunities for tourism and recreation, such as boating, fishing, camping, and picnicking, that it provides. All of these things rely upon the waters of the Rio Grande remaining clean for present and future generations of humans, wildlife, and plants, and an Outstanding National Resource Waters designation can provide the protections necessary to do so.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water designations protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water, including irrigation and farming.

The Rio Grande is the lifeblood of many New Mexican communities, and has allowed people to thrive here for centuries. Keeping these waters clean is vital to ensuring that our communities thrive for centuries to come. Please help protect this invaluable resource for present and future generations by supporting the Outstanding National Resource Water designation for the specified section of the Rio Grande Wild and Scenic River.

Respectfully,



Malisa Brasche

Shed Rio LLC

8/13/20

575) 770-7245

August 14, 2020

Dear New Mexico Water Quality Control Commission,

Taos Village Farm hereby petitions that you designate the portion of the Rio Grande that runs through Taos County as an Outstanding National Resource Water. This extraordinary stretch of river provides essential water for communities in Taos County *and* below that is used for agriculture, tourism, and recreation, and is vital to the ecological and economic wellbeing of our communities.

At Taos Village Farm, clean water is at the heart of our way of life and livelihood, and we support the right of all communities - human, animal, and plant - in and downstream of Taos County to have access to the clean water and habitat that this section of the Rio Grande provides.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water designations protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

The Rio Grande is the lifeblood of many New Mexican communities, and has allowed people to thrive here for centuries. Keeping these waters clean is vital to ensuring that our communities thrive for centuries to come. We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water for the benefit of present and future generations.

With Respect,

A handwritten signature in black ink, appearing to read "Bob Huggins", written in a cursive style.

Taos Village Farm

Pilar Yacht Club
2884 State Highway 68
Pilar, NM 87557

August 19, 2020

New Mexico Water Quality Control Commission
1190 Saint Francis Drive, Suite # South 2102
Santa Fe, New Mexico 87505

Re: Nomination for Outstanding National Resource Waters

Dear New Mexico Water Quality Control Commission,

Pilar Yacht Club hereby petitions that you designate the stretch of the Rio Grande that runs from the Colorado State Line to the southern Taos County Line as an Outstanding National Resource Water. This extraordinary stretch of river provides essential water for communities in Taos County *and* below that is used for tourism, recreation, and agriculture and is vital to the ecological and economic wellbeing of our communities.

At Pilar Yacht Club, our way of life and livelihood is inseparable from the wellbeing of the Rio Grande and the excellent opportunities it provides for tourism and recreation, such as boating, fishing, camping, and picnicking. All of these things rely upon the waters of the Rio Grande remaining clean for present and future generations of humans, wildlife, and plants, and an Outstanding National Resource Water designation can provide the protections necessary to do so.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water designations protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water, including recreation.

The Rio Grande is the lifeblood of many New Mexican communities, and has allowed people to thrive here for centuries. Keeping these waters clean is vital to ensuring that our communities thrive for centuries to come. Please help protect this invaluable resource for present and future generations by supporting the Outstanding National Resource Water designation for the specified section of the Rio Grande Wild and Scenic River.

Respectfully,

A handwritten signature in blue ink that reads "Rico Salazar". The signature is written in a cursive, flowing style.

Rico Salazar, Owner
Pilar Yacht Club

NM Water Quality Control Commission
NM Environment Department
1190 Saint Francis Drive
Suite # South 2102
Santa Fe, New Mexico 87505

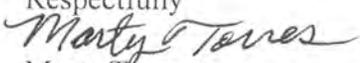
August 26, 2020

Dear New Mexico Water Quality Control Commission,

As an outdoorsman who makes a living as an outdoor guide, I hereby petition that you designate the stretch of the Rio Grande from the Colorado State Line to Taos County Line as an Outstanding National Resource Water. This portion of the Rio Grande provides critical water for the communities in Taos County and below for agriculture through acequia irrigation. Today people from all over the world are drawn to recreate on this beautiful iconic stretch of river. This portion of the Rio Grande was designated as one of our nation's first Wild and Scenic Rivers. While this federal designation prohibits new development along the Rio Grande it does not protect the water quality of the river. Today, this river section is one of the most popular recreational areas in the state of New Mexico. Recreation in nature provides a way for people to strengthen their conscious connection with nature. The local economy of Taos County and Taos Pueblo depend on clean water to support recreation and tourism-based activities related to this extraordinary stretch of the Rio Grande.

I understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

I now request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water to benefit present and future generations, to reinforce our local tourism economy and to honor this extraordinary section of river,

Respectfully

Marty Torres,
Owner of Laguna Elk Ranch
PO Box 884
Taos, New Mexico

NM Water Quality Control Commission
NM Environment Department
1190 Saint Francis Drive
Suite # South 2102
Santa Fe, New Mexico 87505

September 9, 2020

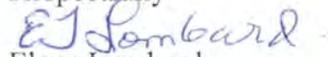
Dear New Mexico Water Quality Control Commission,

As the proprietor of a retail outdoor recreational equipment store in Taos, , I hereby petition that you designate the stretch of the Rio Grande from the Colorado State Line to Taos County Line as an Outstanding National Resource Water. This portion of the Rio Grande provides critical water for the communities in Taos County and below for agriculture through acequia irrigation. Today people from all over the world are drawn to recreate on this beautiful iconic stretch of river. This portion of the Rio Grande was designated as one of our nation's first Wild and Scenic Rivers. While this federal designation prohibits new development along the Rio Grande it does not protect the water quality of the river. Today, this river section is one of the most popular recreational areas in the state of New Mexico. Recreation in nature provides a way for people to strengthen their conscious connection with nature. The local economy of Taos County and Taos Pueblo depend on clean water to support recreation and tourism-based activities related to this extraordinary stretch of the Rio Grande.

I understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

I now request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water to benefit present and future generations, to reinforce our local tourism economy and to honor this extraordinary section of river,

Respectfully


Elana Lombard
MuddnFlood Mountain Shop
103 A Bent Street
Taos, NM 87571

RIO GRANDE NOMINATION

NGO Support



Taos Initiative for Life Together
215 La Posta Rd.
Taos, NM 87571

August 17, 2020

New Mexico Water Quality Control Commission
1190 Saint Francis Drive, Suite # South 2102
Santa Fe, New Mexico 87505

Dear New Mexico Water Quality Control Commission,

Taos Initiative for Life Together (TiLT) hereby petitions that you designate the portion of the Rio Grande that runs through Taos County as an Outstanding National Resource Water (ONRW).

At TiLT, our motto is "Do unto those downstream as you would have those upstream do unto you", and ensuring that the water quality of the Rio Grande is protected for present and future generations of humans, wildlife, and plants is one of the most impactful ways of honoring this mission.

The Rio Grande provides essential water used for sustainable agriculture practices, as well as outstanding opportunities for connection with nature through recreation in and along the river. Of equal importance, innumerable species of wildlife and plants rely on having clean water in the Rio Grande for their survival. Protecting this section of the Rio Grande as an ONRW will not only benefit communities adjacent to this stretch of the river, but will aid communities downstream as well.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an ONRW. We also understand that ONRW designations protect and do not inhibit traditional and historic uses of water designated as an ONRW.

The Rio Grande is the lifeblood of many New Mexican communities, and has allowed people to thrive here for centuries. Keeping these waters clean is vital to ensuring that our communities thrive for centuries to come. We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water.

With Respect,

Todd Wynward, Founder & Executive Director
Taos Initiative for Life Together

roots & wings COMMUNITY SCHOOL

August 27, 2020

Dear New Mexico Water Quality Control Commission,

Roots & Wings Community School (RWCS) hereby petitions that you designate the stretch of the Rio Grande from the Colorado State Line to the southern Taos County Line as an Outstanding National Resource Water.



RWCS immerses our students in the unique natural surroundings of Northern New Mexico to encourage them to be engaged, self-reflective, and active citizens with the compassionate behaviors that cultivate a connection to the unique agricultural and cultural heritage of Northern New Mexico. This heritage depends upon clean water, and protecting the water quality of our rivers and streams, including the Rio Grande, is a powerful way of honoring our mission and our students' futures.

The Rio Grande provides essential water used for sustainable agriculture practices through acequia irrigation, as well as opportunities for connection with nature through recreation in and along the river. Of equal importance, innumerable species of wildlife and plants rely on having clean water in the Rio Grande for their survival. Protecting this section of the Rio Grande as an Outstanding National Resource Water will not only benefit communities adjacent to this stretch of the river but will aid those downstream as well.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Resource Water. We also understand that the Outstanding National Resource Water designations protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

The Rio Grande is the lifeblood of many New Mexican communities and has allowed people to thrive here for centuries. Keeping these waters clean is vital to ensuring that our communities thrive for centuries to come. We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water.

With Respect,

Jon Orris

Jon Orris, Director
Roots & Wings Community School

*Jon Orris, Director
Veronica Garcia, Office Manager*

35 La Lama Rd.
HC 81 Box 22, Questa, NM 87556
575-586-2076/fax 575-586-2087



Rivers & Birds

Adventures in Learning.

NM Water Quality Control Commission
NM Environment Department
1190 Saint Francis Drive
Suite # South 2102
Santa Fe, New Mexico 87505

September 14, 2020

Dear New Mexico Water Quality Control Commission,

Rivers & Birds, a Taos-based 501(c)(3) community organization based in Taos, hereby petitions that you designate the stretch of the Rio Grande from the Colorado State Line to Taos County Line as an Outstanding National Resource Water. For millennia, the Rio Grande has flowed through our area providing life giving water to many species including us humans. For most of the time it has flowed with pristine and unpolluted sacred water. In 1968 The United States, recognizing the extraordinary and unique character of the upper section of the Rio Grande in New Mexico, designated it as one of our nation's first Wild and Scenic Rivers. This portion of the Rio Grande provides critical water for the communities in Taos County and below for agriculture through acequia irrigation. Today people from all over the world are drawn to recreate on this beautiful stretch of river. They hike along it, they fish, they boat, they bird, they swim and they picnic. They hold sacred ceremony. This river section is one of the most popular recreational areas in the state of New Mexico. Recreation in nature provides a way for people to strengthen their conscious connection with nature. Our local economy of Taos County depends on clean water to support recreation, agriculture and tourism-based activities.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit new and increased pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate this specified section of the Rio Grande Wild and Scenic River as an Outstanding National Resource Water to benefit present and future generations to honor Mother Earth, and to sustain our historic traditional uses along this river by maintaining a high stand of water quality.

Respectfully, 
Roberta Salazar, Executive Director

RIO HONDO/LAKE FORK NOMINATION

Pueblo Support



TAOS PUEBLO WARCHIEF

Office of Natural Resource Protection
P.O. Box 2596 Taos, New Mexico 87571
(575) 758-3883 FAX (575) 758-2706

NM Water Quality Control Commission
NM Environment Department
1190 Saint Francis Drive
Suite # South 2102
Santa Fe, New Mexico 87505

May 10, 2021

Dear New Mexico Water Quality Control Commission,

Taos Pueblo Warchief Office hereby petitions that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water. This watershed was part of our Taos Pueblo ancestral homeland, and borders Taos Pueblo's Blue Lake Watershed. Our ancestors as well as our present-day people have benefited from the clean water with many blessings provided by this watershed. The Rio Hondo and Lake Fork watershed area provide critical water for wildlife and for the communities below for agriculture through acequia irrigation. Today people from all over the world are drawn to recreate on this river. They hike along it, they fish, they bird, they swim and they picnic. The local economy of Taos County and Taos Pueblo depend on clean water in our rivers to support recreation and tourism-based activities as well.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit new and increased pollution to those waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water to benefit present and future generations and to honor Mother Earth,

Respectfully,

A handwritten signature in dark ink, appearing to read 'Fred Romero', with a long, sweeping underline that extends to the right.

Fred Romero
Taos Pueblo Warchief

RIO HONDO/LAKE FORK NOMINATION

Local Government Support



TOWN OF RED RIVER

(575) 754-2277
www.redriver.org
100 East Main Street
PO Box 1020
Red River, NM 87558

Dear New Mexico Water Quality Control Commission,

The Town of Red River hereby petitions that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water. Today people from all over the world are drawn to recreate on the beautiful Rio Hondo. They hike along it, they fish, they bird, they swim, they camp and they picnic. The local economy of Taos County and Taos Pueblo depend on clean water to support recreation and tourism-based activities.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water to benefit present and future generations and to honor Mother Earth,

Respectfully,

Linda Calhoun

Mayor Linda Calhoun,
Town of Red River

VILLAGE OF TAOS SKI VALLEY
RESOLUTION NO. 2021-447

A RESOLUTION IN SUPPORT OF PROTECTING OUR LOCAL WATERSHED FROM FUTURE DEGRADATION BY PETITIONING THE NEW MEXICO WATER QUALITY CONTROL COMMISSION TO DESIGNATE THE RIO HONDO AND LAKE FORK AS AN OUTSTANDING NATIONAL RESOURCE WATERS

WHEREAS, the Rio Hondo Watershed provides clean water for residents and visitors who enjoy recreating in the watershed;

WHEREAS, the recreational uses of the watershed such as fishing, camping, swimming, hiking, biking, snowmaking, and wildlife viewing depend on a clean and healthy watershed;

WHEREAS, the Rio Hondo Watershed provides critical water resources to the communities in the Taos area and provides clean water to the numerous agriculturally and culturally significant acequia systems;

WHEREAS, clean water is essential for the health and wellbeing of the Village of Taos Ski Valley residents;

WHEREAS, the local economy is dependent on clean water to support recreation-based economic activities;

WHEREAS, Outstanding National Resource Waters protections outlined in state water quality regulations prohibit new and increased pollution to waters designated as an Outstanding National Resource Waters;

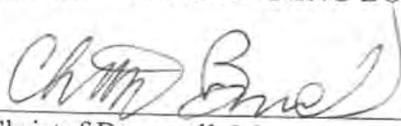
WHEREAS, Outstanding National Resource Waters protections protect and do not inhibit traditional and historic uses of waters designated as an Outstanding National Resource Waters;

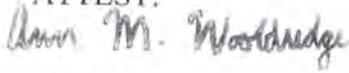
NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF TAOS SKI VALLEY that the Village supports pursuing Outstanding National Resource Waters protections for the Rio Hondo and Lake Fork;

BE IT FURTHER RESOLVED THAT, the Village will join as a petitioner with other interested parties in petitioning the New Mexico Water Quality Control Commission to designate the Rio Hondo and the Lake Fork as an Outstanding National Resource Waters.

PASSED, ADOPTED, AND APPROVED this 27th day of October, 2020.

MUNICIPAL GOVERNING BODY OF VILLAGE OF TAOS SKI VALLEY, NEW MEXICO


Christof Brownell, Mayor

ATTEST:

Ann Marie Wooldridge, Village Clerk



VILLAGE OF QUESTA
RESOLUTION NO. 2021-04

A RESOLUTION IN SUPPORT OF PROTECTING OUR LOCAL WATERSHED FROM FUTURE DEGRADATION BY PETITIONING THE NEW MEXICO WATER QUALITY CONTROL COMMISSION TO DESIGNATE THE UPPER RIO GRANDE AND RIO HONDO AS OUTSTANDING NATIONAL RESOURCE WATERS.

WHEREAS, the Rio Grande and Rio Hondo Watersheds provides clean water for residents and visitors who enjoy recreating in the watershed;

WHEREAS, the recreational uses of these watersheds such a fishing, camping, swimming, hiking, biking, snowmaking, and wildlife viewing depend on a clean and healthy watershed;

WHEREAS, these watersheds provide critical water resources to the communities in Northern New Mexico and provide clean water to the numerous agriculturally and culturally significant acequia systems;

WHEREAS, clean water is essential for the health and wellbeing of Questa residents;

WHEREAS, the local economy is dependent on clean water to support recreation-based economic activities;

WHEREAS, Outstanding National Resource Water protections outlined in state water quality regulations prohibit new and increased pollution to waters designated as an Outstanding National Resource Water;

WHEREAS, Outstanding National Resource Water protections protect and do not inhibit traditional and historic uses of waters designated as an Outstanding National Resource Water;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE VILLAGE OF QUESTA that the Village supports pursuing Outstanding National Resource Water protections for the Upper Rio Grande from the state line with Colorado downstream the confluence with the Rio Pueblo de Taos and the Rio Hondo from the headwaters downstream to the USFS boundary at the mouth of the canyon and Lake Fork from the Wilderness boundary downstream to the confluence with the Rio Hondo.

**PASSED, APPROVED AND ADOPTED IN REGULAR SESSION
THIS 9th DAY OF MARCH 2021.**

APPROVED:


Mark Gallegos

APPROVED AS TO FORM:


Village Attorney

ATTEST


Renee Martínez, CMC

SEAL



TAOS COUNTY
RESOLUTION 2021-16

TAOS COUNTY
VALERIE RAEI. MONTROYA, CLERK
000452049
Book 1084 Page 680
1 of 1
04/12/2021 11:03 15 AM
BY TAMIYS

SUPPORTING THE PROTECTION OF OUR LOCAL WATERSHED FROM FUTURE DEGRADATION BY PETITIONING THE NEW MEXICO WATER QUALITY CONTROL COMMISSION TO DESIGNATE THE UPPER RIO GRANDE AND RIO HONDO AS OUTSTANDING NATIONAL RESOURCE WATERS.

WHEREAS, the Rio Grande and Rio Hondo Watersheds provides clean water for residents and visitors who enjoy recreating in the watershed; and

WHEREAS, the recreational uses of these watersheds such a fishing, camping, swimming, hiking, biking, snowmaking, and wildlife viewing depend on a clean and healthy watershed; and

WHEREAS, these watersheds provide critical water resources to the communities in the Taos area and provide clean water to the numerous agriculturally and culturally significant acequia systems; and

WHEREAS, clean water is essential for the health and wellbeing of Taos County residents; and

WHEREAS, the local economy is dependent on clean water to support recreation-based economic activities; and

WHEREAS, Outstanding National Resource Water protections outlined in state water quality regulations prohibit new and increased pollution to waters designated as an Outstanding National Resource Water; and

WHEREAS, Outstanding National Resource Water protections protect and do not inhibit traditional and historic uses of waters designated as an Outstanding National Resource Water.

NOW, THEREFORE, BE IT RESOLVED the County supports pursuing Outstanding National Resource Water protections for the Upper Rio Grande from the state line with Colorado downstream the confluence with the Rio Pueblo de Taos and the Rio Hondo from the headwaters downstream to the USFS boundary at the mouth of the canyon and Lake Fork from the headwaters downstream to the confluence with the Rio Hondo.

PASSED, APPROVED AND ADOPTED, this 11th day of March 2021.

BOARD OF COUNTY COMMISSIONERS
OF TAOS COUNTY, NEW MEXICO

Candace O'Donnell

Candace O'Donnell, Chairperson

Attest:

Valerie Montoya

Valerie Montoya, Taos County Clerk

Approved as to legal TAOS

Randy Autio
12-31-2021 11:27 AM

Randy Autio, Contract County Attorney



VOTE RECORD:

J. Fambro	yes	no	abstain	absent
M. Gallegos	yes	no	abstain	absent
C. O'Donnell	yes	no	abstain	absent
D. Vigil	yes	no	abstain	absent
A. Brush	yes	no	abstain	absent



RIO HONDO/LAKE FORK NOMINATION

Acequia Support

August 11, 2020

Dear New Mexico Water Quality Control Commission,

The Acequia Madre del Rio Lucero & Arroyo Seco hereby petitions that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water. Our parciantes cherish our local rivers. Not only do we irrigate with river water from the Rio Chiquito but some of us fish, hike and camp along other local rivers like the Rio Hondo. We also know that our fellow parciantes from that area depend on the Rio Hondo to irrigate food crops, pastures and livestock. We all depend on clean unpolluted waters from our local river for our quality of life.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water to benefit present and future generations and to honor Mother Earth,

Respectfully,

Chris Pieper, Ditch Commissioner/Secretary, Acequia Madre del Rio Lucero y Arroyo Seco



P.O. Box 342
Arroyo Seco, NM
87514

Acequia de Atalaya

PO Box 257, Arroyo Hondo, NM 87513

August 17, 2020

New Mexico Water Quality Control Commission
1190 Saint Francis Dr
Suite #South 2102
Santa Fe, NM 87505

This letter supports the designation of the entirety of the Rio Hondo in Taos County as an “Outstanding National Resource Water” due to its exceptional recreational significance. This stream originates above the Taos Ski Valley and flows by four campgrounds in the Carson National Forest before emerging from the forest to supply vital waters to nine acequias in three rural Hispanic communities. The confluence of the Rio Hondo with the Rio Grande is a popular water sports area, administered by the local Bureau of Land Management office.

More than 200 years ago, the Acequia de Atalaya was dug to provide farming families in Arroyo Hondo with life-giving waters for their wells, animals, fields, orchards, gardens, and domestic uses. These waters continue to nourish healthy riparian vegetation, diverse aquatic and animal communities, and a rich cultural landscape. The presence of healthy clean water in the Rio Hondo allows our land-based communities to thrive while maintaining patterns of traditional and sustainable land use.

Therefore, we commissioners of the Acequia de Atalaya strongly urge the Water Quality Control Commission to grant the Rio Hondo the status of Outstanding National Resource Waters.

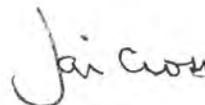
Sincerely,



Kent Lewis,
President



Jules Epstein,
Treasurer



Jai Cross,
Secretary

Acequia de la Plaza

August 21, 2020

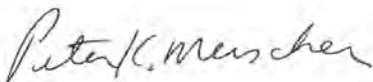
New Mexico Water Quality Control Commission,

The Acequia de la Plaza hereby petitions that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water. Our parciantes cherish our local rivers. Not only do we irrigate with river water from the Rio Hondo but some of us fish, hike and camp along other local rivers like the Rio Hondo. We also know that our fellow parciantes from that area depend on the Rio Hondo to irrigate food crops, pastures and livestock. We all depend on clean unpolluted waters from our local river for our quality of life.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water to benefit present and future generations and to honor Mother Earth,

Respectfully,



Peter Merscher, Ditch Commissioner,
Acequia de la Plaza
PO Box 295 Arroyo Hondo, NM 87513

August 21, 2020

Dear New Mexico Water Quality Control Commission,

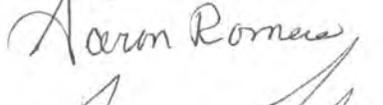
The Acequia Madre del Rio Chiquito hereby petitions that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water. Our parciantes cherish our local rivers. Not only do we irrigate with river water from the Rio Chiquito but some of us fish, hike and camp along other local rivers like the Rio Hondo. We also know that our fellow parciantes from that area depend on the Rio Hondo to irrigate food crops, pastures and livestock. We all depend on clean unpolluted waters from our local river for our quality of life.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water to benefit present and future generations and to honor Mother Earth,

Respectfully,

[Title of Signors], Acequia Madre del Rio Chiquito

	PRESIDENT
Armando Romera	TREASURER
	SECRETARY

REBALSE DITCH ASSOCIATION
P.O. BOX 730
EL PRADO, NM 87529

August 31, 2020

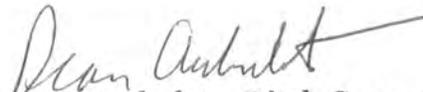
New Mexico Water Quality Control Commission,

The Rebalse Ditch Association hereby petitions that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water. Our parciantes cherish our local rivers. Not only do we irrigate with river water from the Rio Hondo but some of us fish, hike and camp along other local rivers like the Rio Hondo. We also know that our fellow parciantes from that area depend on the Rio Hondo to irrigate food crops, pastures and livestock. We all depend on clean unpolluted waters from our local river for our quality of life.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water to benefit present and future generations.

Respectfully,



Dean Archuleta, Ditch Commissioner,
Rebalse Ditch Association

**Des Montes Ditch Association
P.O. Box 1194
El Prado, New Mexico 87529**

September 2, 2020

New Mexico Water Quality Control Commission
1190 Saint Francis Dr.
Suite #South 2102
Santa Fe, NM 87505

To Whom It May Concern:

Please be advised that the Des Montes Ditch Association fully supports the application to designate the Rio Hondo as an **"Outstanding National Resource Water"**. The Des Montes Ditch Association manages the **"Cuchilla Ditch"** which is the first point of diversion off the Rio Hondo. This Ditch was constructed, in 1815 (as determined by the NM State Engineer) but more likely earlier (according to oral history). At minimum, the community of Des Montes has put to "beneficial use" the waters of the Rio Hondo for over 200 years, irrigating our farm lands and to replenishing the shallow aquifers that currently provide domestic wells for our community. The Cuchilla Ditch supplies water to the following acequias in the community of Des Montes; the Revalse Ditch, the Des Montes Ditch, the Llano Ditch and Mariposa Ditch, serving over 1,400 acres and over 250 residents.

The biggest threat to our water quality and quantity is uncontrolled growth in the watershed that feeds the Rio Hondo. Currently there are large scale commercial and residential development plans by Shopoff Realty Investments and the Taos Land and Cattle Company that stretches from the Bull of the Woods to the Forest Service boundary on the east. This area encompasses the entire water shed of the Rio Hondo.

While the Village of Taos Ski Valley is in the process of constructing a larger waste water treatment facility, this facility has in the past year exceeded the ammonia nitrate discharge levels into the Rio Hondo at minimum, three times last ski season (that we know of). Furthermore, this waste water treatment facility does not control contaminates that result from municipal and private residential construction, much less large scale condominiums and hotels. In addition, not all the commercial and residential building are hooked up to the Villages waste water treatment system. They operate independently, therefore there is no way to monitor any contaminates that reach the Rio Hondo from these sites.

Recently two hotels were constructed next to the banks of the Rio Hondo and the West Fork tributaries, in violation of US Environmental Protection Agency set back requirements, and perhaps those of the State of New Mexico. In a recent replacement of culverts on the Rio Hondo by the Village of TSV, sediment control structures were set in place on the Forest Service side of the project but not on the Village side of the river where a major hotel was being built at the same time. When we complained, we were told that enforcement of any violations to water quality standards would be handled out of Dallas, Texas. This is unacceptable to us residents below that rely on quality waters for agricultural and domestic purposes.

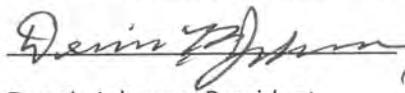
It is hoped that with such a designation, regulatory agencies will enforce existing regulations and ensure the water quality of the Rio Hondo is maintained. Therefore the Des Montes Ditch Commission as the

stewards of the water rights that belong to our parcientes support this application provided that we are made a partner to this application and that we be invited to meetings regarding this application and if successful to its implementation. We also request that we be informed of any and all actions that impact the Rio Hondo and the waters that belong to our parcientes on the Cuchilla Ditch System and the other 8 acequias that divert water from the Rio Hondo. The Des Montes Ditch Association is a political subdivision of the state, and therefore we believe that it is our right to be involved with and informed of any actions that affect our water source.

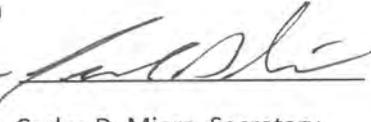
Thank you for your positive response to this application and request to be an active participant.

Respectfully Submitted:

The Des Montes Ditch Association



Dennis Johnson, President



Carlos D. Miera, Secretary



Subra Duncan, Treasurer

Acequia de



San Antonio

2020 Commissioners

Mayordomo and
President

Elias Espinoza

Secretary

Sylvia Rodríguez

Treasurer

Tibby Gold

P.O. Box 339
Valdez, NM 87580

September 4, 2020

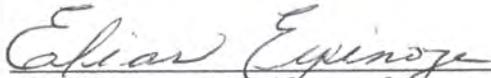
Dear New Mexico Water Quality Control Commission:

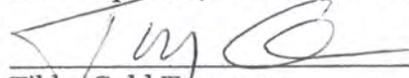
The Acequia de San Antonio in Valdez hereby petitions that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water. Our *parciantes* cherish our local rivers. Not only do we irrigate with river water from the Rio Hondo but some of us fish, hike and camp along other local rivers like the Rio Hondo. We also know that our fellow *parciantes* on other acequias along the depend on the Rio Hondo to irrigate food crops, pastures and livestock. We all depend on clean unpolluted waters from our local river for our quality of life.

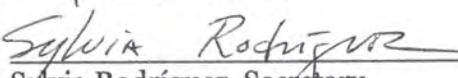
We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water to benefit present and future generations and to honor Mother Earth,

Respectfully,


Elias Espinoza, President and Mayordomo


Tibby Gold, Treasurer


Sylvia Rodríguez, Secretary

RIO HONDO/LAKE FORK NOMINATION

Land Grant Support

August 24, 2020

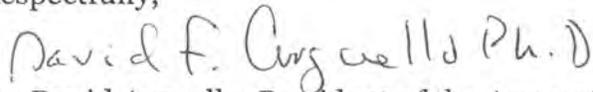
Dear New Mexico Water Quality Control Commission,

The Arroyo Hondo Arriba Community Land Grant Association hereby petitions that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water. Our residents cherish our adjacent Rio Hondo. Not only do we fish, hike and camp along this river, but we also water our livestock and irrigate our gardens and pasture from this river and watershed. We depend on clean unpolluted waters from this river for our quality of life.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water to benefit present and future generations and to honor Mother Earth,

Respectfully,



Dr. David Arguello, President of the Arroyo Hondo Arriba Community Land Grant Association

P.O. Box 277
Arroyo Seco,
New Mexico 87514
505-776-2752
drsarguello@q.com

RIO HONDO/LAKE FORK NOMINATION

Neighborhood Association Support

LOWER DES MONTES NEIGHBORHOOD ASSOCIATION

September 3, 2020

Dear New Mexico Water Quality Control Commission,

The Lower Des Montes Neighborhood Association hereby petitions that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water. Our residents cherish our adjacent Rio Hondo. Not only do we fish, hike and camp along this river, but we also irrigate our gardens and pasture from this river and watershed. We depend on clean unpolluted waters from this river for our quality of life.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water. We request now that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water to benefit present and future generations and to honor Mother Earth.

Respectfully,



Floyd Archuleta
President of the Lower Des Montes Neighborhood Association
Lower Desmontes Neighborhood Association
2 JMA Ranch Road, El Prado, NM 87529

RIO HONDO/LAKE FORK NOMINATION

Local Business Support

New Mexico River
Outfitters Association
P.O. Box 608
Ranchos de Taos, NM 87557
office@losriosriverrunners.com
575.776.8854

August 8, 2020

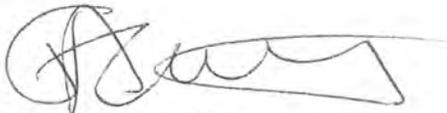
Dear New Mexico Water Quality Control Commission,

The New Mexico River Outfitters Association hereby petitions that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water. This is an important tributary to the Rio Grande where the majority of our business takes place. Today people from all over the world are drawn to recreate on the beautiful Rio Hondo. They hike along it, they fish, they bird, they swim, they camp and they picnic. The local economy of Taos County depends on clean pristine water quality in this river and watershed to support recreation and tourism-based activities.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit new and increased pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water to benefit present and future generations and to honor Mother Earth,

Respectfully,

A handwritten signature in black ink, appearing to read 'Francisco Guevara', written in a cursive style.

Francisco Guevara, President

NM River Outfitters Association

Dear New Mexico Water Quality Control Commission,

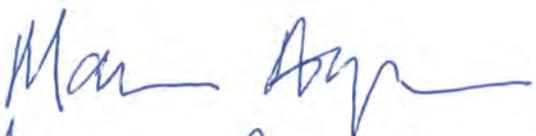
Shed Rio hereby petitions that you support the petition to nominate the Rio Hondo and Lake Fork Watershed as Outstanding National Resource Waters.

This watershed provides essential water for communities in Taos County *and* below that is used for tourism, recreation, and agriculture and is vital to the ecological and economic wellbeing of our communities. As a tributary to the Rio Grande, the Rio Hondo's cleanliness also impacts downstream businesses like ours that depend on the recreation and tourism opportunities that are only possible if the water quality of the Rio Grande is protected.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water designations protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

As outdoors enthusiasts and business owners, our way of life and livelihood depend upon the clean water and healthy habitat provided by this watershed. Please help promote economic opportunity for the region while protecting this gem of a watershed for present and future generations of people, wildlife, and our precious ecosystem by supporting the Outstanding National Resource Water designation for the Rio Hondo and Lake Fork Watershed.

Respectfully,


Marcos Aragon 8/13/20

Shed Rio LLC

(505) 314-4388

August 14, 2020

Dear New Mexico Water Quality Control Commission,

Taos Village Farm hereby petitions that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water.

At Taos Village Farm, our main goal is to help protect and preserve the historic agricultural character of the Taos Valley, and we are proud to provide rewarding jobs as part of Taos' diverse, self-sustaining economy. All of this is greatly impacted by the water quality of our local waterways. The streams and rivers of the Rio Hondo and Lake Fork Watershed provide essential water used for sustainable agriculture practices through acequia irrigation, as well as opportunities for tourism and recreation in and along the river - including fishing, hiking, and camping. Of equal importance, innumerable species of wildlife and plants rely on the clean water and habitat provided by the Rio Hondo and Lake Fork Watershed for their survival.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Resource Water. We also understand that Outstanding National Resource Water designations protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

The waters of the Rio Hondo and Lake Fork Watershed are essential to the way of life and wellbeing of many in Taos County, and have allowed people to thrive here for centuries. Keeping these waters clean is vital to ensuring that our communities thrive for centuries to come. We request now that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water to benefit present and future generations and to honor Mother Earth.

With Respect,

A handwritten signature in black ink, appearing to read "Brenda Lopez", with a long horizontal flourish extending to the right.

Taos Village Farm

NM Water Quality Control Commission
NM Environment Department
1190 Saint Francis Drive
Suite # South 2102
Santa Fe, New Mexico 87505

September 9, 2020

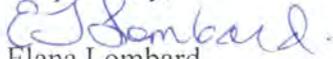
Dear New Mexico Water Quality Control Commission,

As the proprietor of the retail outdoor recreational equipment shop, MuddnFlood, in Taos, I hereby petition that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water. Many of our customers cherish our adjacent Rio Hondo. Not only do we fish, hike and camp along this river, but we also irrigate our gardens and pasture from this river and watershed. We depend on clean unpolluted waters from this river for our quality of life.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Water. We also understand that Outstanding National Resource Water Protections protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

We request now that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water to benefit present and future generations and to honor Mother Earth.

Respectfully,



Elana Lombard,

Proprietor of MuddnFlood

103 A Bent Street,

Taos, NM 87571

October 20, 2021

Dear New Mexico Water Quality Control Commission,

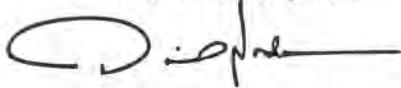
Taos Ski Valley, Inc. hereby affirms its support for the petition put forth by the Outdoor Recreation Division (ORD) to designate the Rio Hondo and Lake Fork as Outstanding National Resource Waters (ONRWs).

Taos Ski Valley calls the unique natural surroundings of northern New Mexico home, with the Rio Hondo and the Lake Fork in the company's backyard. As the world's first and only certified B-Corporation ski resort, we are dedicated to a mission built upon principles of sustainability and social benefit. Supporting an effort to protect the water quality of the Rio Hondo and Lake Fork in perpetuity is a powerful way to honor that mission.

The Rio Hondo provides essential water for neighboring communities, including the Village of Taos Ski Valley, and acequias. It also offers a myriad of opportunities for nature connection through outdoor recreation – including for the many thousands of skiers and riders who come from all over the world to be part of the Taos Ski Valley experience. Protecting this portion of the river as an ONRW will not only benefit those adjacent to the waters but will also aid those downstream. It is a business investment for the greater Taos County and New Mexican community.

Keeping these waters clean is vital to ensuring that our communities, our outdoor recreation businesses, and our people thrive for centuries to come.

Sincerely,
TAOS SKI VALLEY, INC.



David Norden
CEO
DN/db

RIO HONDO/LAKE FORK NOMINATION

NGO Support



Taos Initiative for Life Together
215 La Posta Rd.
Taos, NM 87571

August 17, 2020

New Mexico Water Quality Control Commission
1190 Saint Francis Drive, Suite # South 2102
Santa Fe, New Mexico 87505

Dear New Mexico Water Quality Control Commission,

Taos Initiative for Life Together (TiLT) hereby petitions that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water (ONRW).

At TiLT, our motto is "Do unto those downstream as you would have those upstream do unto you", and ensuring that the water quality of our local waterways is protected for present and future generations of humans, wildlife, and plants is one of the most impactful ways of honoring this mission. The Rio Hondo provides essential water used for sustainable agriculture practices, as well as opportunities for connection with nature through recreation - including fishing, hiking, and camping. Of equal importance, innumerable species of wildlife and plants rely on the clean water and habitat provided by the streams and rivers of this watershed for their survival. Protecting this watershed as an ONRW will not only benefit communities directly adjacent to these waterways, but will aid communities downstream as well.

We understand that Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an ONRWs. We also understand that ONRW designations protect and do not inhibit traditional and historic uses of water designated as an ONRW.

The waters of the Rio Hondo and Lake Fork Watershed are essential to the way of life and wellbeing of many in Taos County, and have allowed people to thrive here for centuries. Keeping these waters clean is vital to ensuring that our communities thrive for centuries to come. We request now that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water to benefit present and future generations and to honor Mother Earth.

With Respect,

Todd Wynward, Founder & Executive Director
Taos Initiative for Life Together

roots & wings COMMUNITY SCHOOL



August 27, 2020

Dear New Mexico Water Quality Control Commission,

Roots & Wings Community School (RWCS) hereby petitions that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water.

RWCS immerses our students in the unique natural surroundings of Northern New Mexico to encourage them to be engaged, self-reflective, and active citizens with the compassionate behaviors that cultivate a connection to the unique agricultural and cultural heritage of Northern New Mexico. This heritage depends upon clean water, and protecting the water quality of our rivers and streams, including those within the Rio Hondo and Lake Fork Watershed, is a powerful way of honoring our mission and our students' futures.

The Rio Hondo provides essential water used for sustainable agriculture practices through acequia irrigation, as well as opportunities for connection with nature through recreation in and along the river - including fishing, hiking, and camping. Of equal importance, innumerable species of wildlife and plants rely on the clean water and habitat provided by the Rio Hondo and Lake Fork Watershed for their survival.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit *new and increased* pollution to waters designated as an Outstanding National Resource Water. We also understand that the Outstanding National Resource Water designations protect and do not inhibit traditional and historic uses of water designated as an Outstanding National Resource Water.

The waters of the Rio Hondo and Lake Fork Watershed are essential to the way of life and wellbeing of many in Taos County and have allowed people to thrive here for centuries. Keeping these waters clean is vital to ensuring that our communities thrive for centuries to come. We request now that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water to benefit present and future generations and to honor Mother Earth.

With Respect,

Jon Orris

Jon Orris, Director
Roots & Wings Community School

*Jon Orris, Director
Veronica Garcia, Office Manager*

35 La Lama Rd.
HC 81 Box 22, Questa, NM 87556
575-586-2076/fax 575-586-2087



Rivers & Birds

Adventures in Learning.

NM Water Quality Control Commission
NM Environment Department
1190 Saint Francis Drive
Suite # South 2102
Santa Fe, New Mexico 87505

September 14, 2020

Dear New Mexico Stream Water Quality Commission,

Rivers & Birds, a Taos-based 501(c)(3) conservation education organization, petitions that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water. New Mexico's Outstanding National Resource Waters Designations are extremely important in this desert state where less than one-half of one percent of New Mexico's land mass is open water. We must do everything we can to reinforce protections of our precious surface waters. The majority of water delivered to the Rio Grande within New Mexico comes from our high mountain tributaries in the northern part of the state. Eventually, we would like to see each one these major upper Rio Grande tributaries designated as an Outstanding National Resource Water. As we say in New Mexico, "Agua es Vida!" Let's protect our water, this limited life-supporting resource in New Mexico .

Over the past twenty years Rivers & Birds has taken thousands of local public school fifth-grade students in Taos County through our 9-day Watershed Learning Project where the children learn about water ecology and conservation through hands-on learning. As part of this program, students conduct water quality monitoring along the Rio Hondo. Our goal is to inspire students and their families to dedicate themselves as water stewards on this planet.

Rivers & Birds' headquarters is located near the Rio Hondo. We witness how important the Rio Hondo is for recreation as people fish, hike, camp, rock-climb, bird-watch and downhill ski along this river. Residents have homes, pastures and gardens situated along the Rio Hondo. This scenic, cascading, high-mountain upper tributary to the Rio Grande attracts thousands of tourists each year to its tumbling, ice-cold waters and to its headwater near one of the highest peaks in New Mexico.

We understand that the Outstanding National Resource Water protections outlined in the state water quality regulations prohibit new and increased pollution to

waters designated as an Outstanding National Resource Water. We also understand that Outstanding National Resource Water Designations protect and do not inhibit traditional and historic uses of designated waters.

We request now that you designate the Rio Hondo and Lake Fork Watershed as an Outstanding National Resource Water to benefit present and future generations and to honor Mother Earth and our centuries-old traditional uses of the Rio Hondo.

Respectfully,

A handwritten signature in black ink, appearing to read 'Roberta Salazar', followed by a long horizontal line extending to the right.

Roberta Salazar,
Executive Director for Rivers & Birds

JEMEZ WATERS NOMINATION

Federal Government Support



United States Department of the Interior

NATIONAL PARK SERVICE
VALLES CALDERA NATIONAL PRESERVE
P.O. Box 359
090 Villa Louis Martin
Jemez Springs, NM 87025



IN REPLY REFER TO:

October 29, 2020

New Mexico Water Quality Control Commission
1190 Saint Francis Drive
Suite # South 2102
Santa Fe, New Mexico 87505

Dear Commission Members:

Valles Caldera National Preserve supports the proposal by the New Mexico Outdoor Recreational Division and the New Mexico Department of Game and Fish to designate segments of the East Fork Jemez River and San Antonio Creek within the preserve as “Outstanding National Resource Waters” in New Mexico. We do not take a position on the designation of any streams or waterways outside our jurisdiction.

As you may know, the preserve has been working for many years to restore its streams and wetlands and will continue to protect this important watershed for long-term environmental sustainability while pursuing innovative approaches to science-based adaptive management. Protecting the headwaters of the San Antonio Creek and East Fork Jemez River within the preserve as Outstanding National Resource Waters is consistent with the preserve’s Congressional mandate to protect, preserve, and restore the fish, wildlife, watershed, natural, scientific, scenic, and recreational values of the area.

The preserve’s approach to place-based and science-based land management, with a focus on innovation, works well within the context of Outstanding National Resource Water protections because of the focus on protecting water quality without prohibiting specific activities. As stewards of the land, we are aware of how watershed management measures in headwaters impact downstream ecosystems and communities, and we are committed to taking appropriate management actions that help ensure the headwaters of the Jemez Watershed flow clean and clear.

We thank the Commission for considering this proposal and stand ready to provide any additional information you may need during your review.

Sincerely,

Jorge Silva-Bañuelos
Superintendent

JEMEZ WATERS NOMINATION

Pueblo Support

SANTA CLARA

POST OFFICE BOX 580
(505) 753-7330
(505) 753-5375 Fax



INDIAN PUEBLO

ESPANOLA, NEW MEXICO
87532
OFFICE OF GOVERNOR

March 8, 2021

New Mexico Water Quality Control Commission
1190 Saint Francis Drive
Suite # South 2102
Santa Fe, NM 87505

RE: Outstanding National Resource Waters – Letter of Support

Dear Commission Members,

Santa Clara Pueblo supports the proposal by the New Mexico Outdoor Recreational Division and the New Mexico Department of Game and Fish to designate segments of San Antonio Creek and the East Fork Jemez River as “Outstanding National Resource Waters” (ONRW) in New Mexico. The headwaters of these streams have been long considered part of our aboriginal territory and we remain in support of their ecological and cultural protection.

Restoration of headwater streams, especially those within the range of native Rio Grande Cutthroat trout, is an important goal for both Santa Clara Pueblo and the Valles Caldera National Preserve (VCNP). As a direct neighbor to the East Fork Jemez, San Antonio Creek, and Rio de los Indios watersheds, and their direct connection with our ancestral lands, we strongly support the goal of conserving these watersheds.

Santa Clara Pueblo has continually supported protection of these watersheds, most recently working through co-stewardship with an established Memorandum of Understanding with the VCNP, and with regional collaborative groups whom aim to maximize the vitality of these watersheds. We believe that ONRW designation of these streams will further support these efforts while enhancing the cultural and recreational value for all whom depend on them.

We thank you for considering our support and are available to provide additional information you may need in your review.

Sincerely,

A handwritten signature in black ink that reads "James Francisco L. Chavarria".

J. Michael Chavarria, Governor

Statement by Joseph “Brophy” Toledo
Outstanding Water Designation on the Rio Jemez

As a Pueblo of Jemez Member, resident and Cultural Leader I feel very strongly about the need for protecting the Rio Jemez Watershed and its’ tributaries. The Rio Jemez and its headwaters are the lifeblood of our people and the ecosystems that are connected to this very special place in our ancestral homelands since time immemorial. The Rio Jemez is the lifeblood to the winged, four-legged and finned first. While those without human voice and not voiceless, I represent their interest here today.

The Jemez Mountains are our cherished ancestral homelands and that waters that flow from this mountain are all considered culturally sacred and ceremonially precious to us. The waters flowing from the Valles Caldera and then down into the Rio Jemez mainstem are important to our wellbeing as they supply our farms and Jemez Pueblo with a precious water source. These protections ensure that irrigation practices can continue without any additional requirements while ensuring that new or increased pollution to the watershed is prohibited.

Today, the descendants of Jemez Pueblo continue to regularly visit the sacred shrines of the Valles Caldera and perform ceremonies using the sacred waters of the Jemez and San Antonio Rivers as well as the many tributaries that feed into them. Many other Tribal Nations also use this cultural landscape and the waters of the Jemez and San Antonio to perform their own ceremonies. We as Native Peoples see the sacredness of the water ecosystem that sustain life to all the birds and animals, plants and the aquatic life that humans greatly benefit from.

To ensure the protection needed for this precious water and the ecosystems for the future generations of all peoples that connect themselves to the Jemez and San Antonio Rivers, Jemez Pueblo enthusiastically supports our and your efforts to have these rivers designated as Outstanding National Resource Waters.

Thank you for your efforts to protect the sacred waters of these rivers. May your efforts and the effort of your colleagues be blessed by Our Creator and may your lives be enriched with balanced health, wellbeing, love and peace.

JEMEZ WATERS NOMINATION

Local Government Support



ROGER SWEET
Mayor

DAVID RYAN
Mayor Pro-Tem

VILLAGE OF JEMEZ SPRINGS
Municipal Office

080 Jemez Springs Plaza
PO Box 269, Jemez Springs, NM 87025
Phone (575) 829-3540 • Fax (575) 829-3339
Christina Holder, Clerk/Treasurer
vcclerk@jemezsprings-nm.gov
Emili Zapata, Administrative Assistant
Website: www.jemezsprings-nm.gov



MANOLITO SANCHEZ
Trustee
BOB WILSON
Trustee
DR. JULIETTE SWEET
Trustee

Resolution 2020-10

RESOLUTION IN SUPPORT OF PROTECTING OUR LOCAL WATERSHED FROM FUTURE DEGRADATION BY PETITIONING THE NEW MEXICO WATER QUALITY CONTROL COMMISSION TO DESIGNATE THE HEADWATERS OF THE JEMEZ AS AN OUTSTANDING NATIONAL RESOURCE WATER.

WHEREAS, the Headwaters of the Jemez (here defined as the East Fork of the Jemez, Redondo Creek, San Antonio Creek, and a portion of the main stem) provides clean water for residents and visitors who live and recreate in the watershed;

WHEREAS, the recreational uses of the watershed such as fishing, camping, swimming, hiking, biking, and wildlife viewing depend on a clean and healthy watershed;

WHEREAS, the Headwaters of the Jemez provides critical water resources to the communities in the Village of Jemez Springs area;

WHEREAS, clean water is essential for the health and wellbeing of the Village of Jemez Springs residents;

WHEREAS, the local economy is dependent on clean water to support agriculture and recreation-based economic activities;

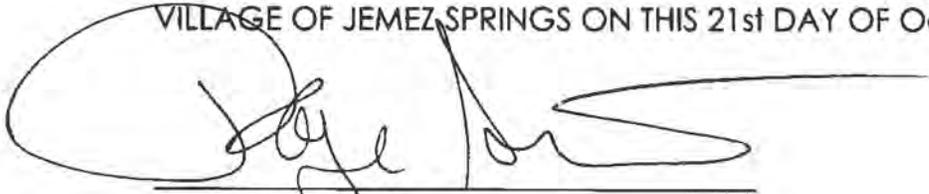
WHEREAS, Outstanding National Resource Water protections outlined in state water quality regulations prohibit new and increased pollution to waters designated as an Outstanding National Resource Water;

WHEREAS, Outstanding National Resource Water protections protect and do not inhibit traditional and historic uses of waters designated as an Outstanding National Resource Water;

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF JEMEZ SPRINGS that the Village supports pursuing Outstanding National Resource Water protections for the Headwaters of the Jemez in Sandoval County.

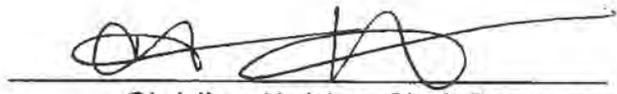
BE IT FURTHER RESOLVED THAT, the Village will join as a petitioner with the New Mexico Outdoor Recreation Division in petitioning the New Mexico Water Quality Control Commission to designate the Headwaters of the Jemez as an Outstanding National Resource Water.

PASSED, APPROVED & ADOPTED BY THE GOVERNING BODY OF THE VILLAGE OF JEMEZ SPRINGS ON THIS 21st DAY OF October, 2020.



Roger Sweet, Mayor

Attest:



Christina Holder, Clerk/Treasurer

JEMEZ WATERS NOMINATION

NGO Support



Caldera Action

Protecting a unique natural and cultural landscape

56 Hidden Valley Road, Santa Fe, NM 87505
www.caldera-action.org
(505) 982 4464

New Mexico Water Quality Control Commission
1190 Saint Francis Drive
Suite #South 2102
Santa Fe, NM 87505

June, 6, 2021

Caldera Action is a nonprofit organization whose work focuses on protecting the natural values of the Valles Caldera National Preserve and surrounding public lands. We support designating streams in the Valles Caldera National Preserve as Outstanding National Resource Waters proposal by the New Mexico Outdoor Recreational Division and the New Mexico Department of Game and Fish.

The Valles Caldera National Preserve offers a unique opportunity for those measuring and concerned about water quality from non-point sources. The Preserve was private property until 2000 and was affected by logging and livestock grazing for decades before federal purchase in 2000. The Valles Caldera Trust and then the National Park Service, have both ended logging and restricted livestock grazing. Off road vehicle recreation, a possible source of erosion, is not permitted in the Preserve. These are the land uses that could significantly affect water quality in the Valles Caldera.

The National Park Service has restricted livestock grazing to a limited area away from streams and they have undertaken restoration activities to address soil erosion caused by past land use. Thus, water quality in the Valles Caldera should be significantly better, over time, than that on streams on surrounding national forest lands where grazing and public uses that lead to soil erosion are ongoing.

Other than trespass cattle and erosion events associated with high severity wildfires such as the Las Conchas fire, we feel that the Valles Caldera offers the Outstanding Waters program a place where we are likely to see ongoing *improvement* of water quality. Grazing will cease in

most areas and wetland and watershed restoration work should see improved stream structure and a decline in sediment loads from past watershed damage.

We support the proposed Outstanding Waters designation and complement those who have worked to include the streams and rivers of the Valles Caldera National Preserve within this program. We hope that, over time, other streams in the Jemez Mountains will also be included so we can stabilize these waters and work toward improving water quality and quantity over time.

A handwritten signature in black ink, appearing to read 'Tom Ribe', with a large, sweeping flourish extending upwards and to the right.

Tom Ribe
Executive Director



FIREWISE USA®

Residents reducing wildfire risks

January 12, 2021

New Mexico Water Quality Control Commission
1190 Saint Francis Drive
Suite # South 2102
Santa Fe, New Mexico 87505

Dear Water Quality Control Commissioners,

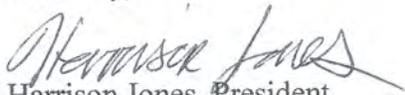
The Greater Eastern Jemez Wildland Urban Interface Corporation (GEJWUIC) -- a 501(c)(3), Firewise USA organization located in the Jemez Mountains -- supports the protection of the East Fork, San Antonio Creek and the Jemez River upstream from the Village of Jemez Springs as "Outstanding Waters" in New Mexico. GEJWUIC believes that protecting the San Antonio Creek, East Fork of the Jemez, and Jemez River as Outstanding Waters (ONRWs) will ensure protection of the Jemez River and tributaries for generations to come. We also urge the consideration of the expansion of ONRW designation in the future to the Guadalupe River.

Outstanding Waters protections will prohibit new pollution from impacting our watershed while supporting and maintaining existing community uses. Outstanding Water protections are appropriate for our community because water quality is protected but new development or activities, as long as water pollution doesn't result from the activity, are not stopped or limited.

In addition, Outstanding Water protections will help us draw much needed attention and funding support for restoration and fuel management projects throughout the watershed. As stewards of the land we are aware of how watershed management measures in headwaters impact downstream ecosystems and communities, and we support efforts to ensure clean and clear headwaters of the Jemez Watershed.

We urge the Commission to act in your authority under the New Mexico Water Quality Act to designate the Jemez River, San Antonio Creek and the East Fork of Jemez as Outstanding Waters.

Sincerely,


Harrison Jones, President
GEJWUIC