



The Legislature
of the
State of New Mexico

49th Legislature, First Session

LAWS 2009

CHAPTER _____

SENATE MEMORIAL 18

Introduced by

SENATOR LINDA M. LOPEZ
SENATOR GERALD ORTIZ y PINO
SENATOR MICHAEL S. SANCHEZ
SENATOR JOHN M. SAPIEN



1 A MEMORIAL

2 REQUESTING THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT, IN
3 COOPERATION WITH THE MID-REGION COUNCIL OF GOVERNMENTS, TO
4 CONVENE A TASK FORCE TO STUDY THE STATUS OF THE RIO GRANDE
5 LEVEES WITHIN VALENCIA, BERNALILLO AND SANDOVAL COUNTIES.
6

7 WHEREAS, the levees along the Rio Grande are of
8 differing designs and ages, and some of these levees have been
9 constructed as engineered levees while others are spoil bank
10 levees constructed from dredged materials removed from
11 riverside drains; and

12 WHEREAS, in some reaches of the Rio Grande no levees
13 exist at all; and

14 WHEREAS, the federal emergency management agency has
15 remapped the Rio Grande floodplain in Bernalillo county, and,
16 lacking engineering certification of a certain reach of spoil
17 bank levee, in September 2008 designated two thousand five
18 hundred acres in the south valley of Bernalillo county as zone
19 "A" floodplain; and

20 WHEREAS, the federal emergency management agency
21 floodplain designation has now resulted in the need for flood
22 insurance to be purchased for approximately one thousand five
23 hundred residences on the valley floor at the cost of
24 approximately two thousand dollars (\$2,000) per year; and

25 WHEREAS, the federal emergency management agency has

1 also remapped the Rio Grande floodplain in Sandoval county
2 and, lacking engineering certification of certain reaches of
3 spoil bank levee, in September 2008 designated a little over
4 one thousand six hundred thirty-two acres in the town of
5 Bernalillo as zone "A" floodplain; and

6 WHEREAS, the federal emergency management agency has
7 advised local floodplain managers that in the next federal
8 emergency management agency floodplain remapping efforts, the
9 engineered levees will need to be certified as meeting the
10 post-hurricane Katrina and new United States army corps of
11 engineers levee standards; and

12 WHEREAS, certain portions of the engineered levees have
13 been studied by the United States army corps of engineers,
14 which determined that major portions of the engineered levees
15 are fifty years old and do not meet the post-hurricane
16 Katrina and new United States army corps of engineers levee
17 standards and may not be recognized by the federal emergency
18 management agency; and

19 WHEREAS, according to the United States army corps of
20 engineers, the reconstruction cost of the levees within
21 Bernalillo county is estimated at one hundred twenty million
22 dollars (\$120,000,000); and

23 WHEREAS, environmental studies, permitting and design of
24 the reconstruction of the levees within Bernalillo county are
25 estimated to take two years, with reconstruction of the same

1 levees taking at least five years, for a total of seven
2 years, subject to local and federal funding availability; and

3 WHEREAS, maintenance of the levees within Bernalillo
4 county, even when reconstructed, is estimated at over two
5 million dollars (\$2,000,000) per year to comply with the new
6 levee standards, and

7 WHEREAS, levee reconstruction and maintenance costs of
8 similar magnitude are expected for levees within Valencia and
9 Sandoval counties;

10 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE
11 STATE OF NEW MEXICO that the middle Rio Grande conservancy
12 district, in cooperation with the mid-region council of
13 governments, be hereby urged to form the mid-Rio Grande levee
14 task force to evaluate the current state of the Rio Grande
15 levees along the reach of the Rio Grande within Sandoval,
16 Valencia and Bernalillo counties; and

17 BE IT FURTHER RESOLVED that the middle Rio Grande
18 conservancy district, in cooperation with the mid-region
19 council of governments, invite participation from
20 municipalities, local bodies, special districts, state and
21 federal agencies and tribal governments within Sandoval,
22 Valencia and Bernalillo counties to create and participate in
23 the mid-Rio Grande levee task force; and

24 BE IT FURTHER RESOLVED that the mid-Rio Grande levee
25 task force recognize the existing statutory authority of the

1 middle Rio Grande conservancy district as the local sponsor
2 for the mid-Rio Grande levees and evaluate the feasibility of
3 local cost-sharing; and

4 BE IT FURTHER RESOLVED that the mid-Rio Grande levee
5 task force evaluate the flood readiness, ownership and
6 maintenance responsibilities for the levees; and

7 BE IT FURTHER RESOLVED that the mid-Rio Grande levee
8 task force, in cooperation with the middle Rio Grande
9 conservancy district, analyze the economic impacts of
10 impending federal emergency management agency floodplain
11 remapping efforts for the Rio Grande; and

12 BE IT FURTHER RESOLVED that the mid-Rio Grande levee
13 task force analyze the reconstruction needs and costs,
14 strategies for funding local and federal cost shares,
15 strategies for accelerated reconstruction of these levees and
16 the evaluation of long-term levee maintenance funding and
17 responsibilities; and

18 BE IT FURTHER RESOLVED that the mid-Rio Grande levee
19 task force, in cooperation with the middle Rio Grande
20 conservancy district, analyze the impacts of the new levee
21 standards on the Rio Grande bosque environment; and

22 BE IT FURTHER RESOLVED that the mid-Rio Grande levee
23 task force, in cooperation the middle Rio Grande conservancy
24 district, report its findings and recommendations to the
25 governor and the appropriate legislative committees of the

1 legislature by December 31, 2009; and

2 BE IT FURTHER RESOLVED that copies of this memorial be
3 transmitted to the chair of the mid-region council of
4 governments; the secretary of energy, minerals and natural
5 resources; the state engineer; the chair of the middle
6 Rio Grande conservancy district; the chairs of the boards of
7 county commissioners of the counties of Sandoval, Bernalillo
8 and Valencia; the mayors of the city of Albuquerque, the
9 towns of Bernalillo, Los Lunas and Belen and the villages of
10 Algodones, Corrales, Los Ranchos de Albuquerque, Bosque Farms
11 and Tome; the governors of the Pueblos of Cochiti, Santo
12 Domingo, San Felipe, Santa Ana, Sandia and Isleta; the chairs
13 of the eastern Sandoval county arroyo flood control
14 authority, the southern Sandoval county flood control
15 authority and the Albuquerque metropolitan arroyo flood
16 control authority; the president of the middle Rio Grande
17 flood control authority; the district commander for the
18 Albuquerque district of the United States army corps of
19 engineers; the area manager for the Albuquerque district of
20 the United States department of the interior bureau of
21 reclamation; and the members of the New Mexico congressional
22 delegation. _____

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SENATE - 10/10/03
STATE OF CALIFORNIA

s/Diane D. Denish
Diane D. Denish, President
Senate

s/Lenore M. Naranjo
Lenore M. Naranjo, Chief Clerk
Senate