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May 19, 1986

To the Citizens of Farmington and San Juan County

We are amazed at the wealth of your natural setting here in the West. The three rivers which frame your settlement hold the heritage and form the promise of the quality of environment and experience which every Four Corners visitor hopes to discover.

As your design assistance team for this short time, we have the obligation to tell you what we recommend; at the same time we hope we have the insight to be sensitive to traditions, practical realities, and the fundamentals of surface waters in the West.

During the past four days you have shared your vision and shown us the resources. We have walked the river edges, worked through the data, and grappled with the vast scale and specific site opportunities which are well described in your thesis - River Reach. We have seen with the new eyes of the outsider, and with your eyes as resident interpreters, what is here - and what can be created here.

We offer this plan and program. It evolves from the grand concept to the "doable" project. It is a work schedule for the immediate future. You and your elected leadership must adopt this program for implementation now. We urge the formation of a partnership between landowners, governments and the River Reach Foundation. You are designing the future of your homes, economy and life quality. What you do next forms the new reputations of your region in the discoverable west. Let the motto be: "We shall leave the rivers better than we found them." It's a very big job - a suitable challenge under the Zia.

Respectfully submitted,

The Farmington River Reach
Regional and Urban Design Assistance Team

Tom Laging, AIA, Chairman
Dave Elwood, AICP
Ralph Evans, AIA
Mark Johnson, ASLA
Bill Shaw, Ph.D.
Marlin Smith, J.D.
Bob Thorpe, AICP
Dave Wilcox, AICP
This report is the principal document developed by the Farmington River Reach Regional and Urban Design Assistance Team (R/UDAT). The report is the product of an intensive review and analysis of the natural and urban resources which impress their influence on the three rivers which frame the City of Farmington and the larger urbanizing river corridor of San Juan County.

The R/UDAT program is a professional service in the public interest performed through the auspices of the American Institute of Architects. The Farmington River Reach R/UDAT is nearly the 90th R/UDAT study performed in the United States since 1967, and the third in New Mexico since 1984.

The River Reach R/UDAT has occurred because of the commitment of the Farmington community to the betterment of the river environment. The roots of the effort began in 1984 with the formation of the Riverine Task Force through the initiative of the Farmington Parks Recreation and Cultural Affairs Commission and many interested citizens. Late 1985 brought the initiative of the request to the AIA for a R/UDAT by the Task Force, the Farmington Chapter of the AIA, and the local Steering Committee.

Each locality seeking a R/UDAT project must demonstrate both organizational and financial commitment to the effort. Farmington leadership responded by capturing a $16,000 grant from the State of New Mexico and by raising at least $20,000 in cash and/or contributed goods and hardware. It is estimated that more than $100,000 in donated professional and support time has also been expended by the nearly 100 key volunteers in the community who have provided the critical support to the eight man R/UDAT team who came to Farmington from across the nation.

The R/UDAT team has been assembled with an eye to the challenges presented by multiple program design requirements which include urban river frontages, economic development and diversification, habitat stabilization and protection, intergovernmental cooperation, and the historical and continuing complexities of water in the west. Thus, the team includes architects, a landscape architect, a land planner, an ecologist, urban and economic development planners, and an attorney.

The River Reach R/UDAT methodology and schedule has emphasized substantive and detailed community input and the analysis of highly complex and often overlapping and competitive surface water use issues in the nearly 26 miles of water courses near the confluences of the San Juan, Animas, and La Plata Rivers.

During the course of their intensive study, members of the R/UDAT team have discovered additional issues that are related to and bear upon the objectives of the River Reach Program Plans. These are critical agendas for the City of Farmington and San Juan County. Public and private usage of the rivers represents the most fundamental long term opportunity for maintaining and improving the quality of life in this community.
RUPAT TEAM BUS TOUR
SAN JUAN/ANIMAS RIVER CONFLUENCE OVERLOOK TO FARMINGTON CITY VALLEY
EXECUTIVE SUMMARY

The Farmington River Reach R/UDAT Program Plan provides a recommended course of action for the citizens and elected leadership of the City of Farmington and San Juan County. This Executive Summary briefly describes the analyses which have been conducted and the proposals which are advanced for practiced achievement of many goals which have been under discussion in the community for nearly two years.

An introduction provides the frame of reference for the use of the R/UDAT technique in Farmington. A background on Farmington section follows which describes the history and scale of the community in its riverine region.

Community input is then described, as heard by the R/UDAT team during the intensive four day effort in the City. Issues and problems are next summarized with special emphasis on the planning process and planning techniques which may require improvement and disciplined application.

The bulk of the report describes recommendations made by the R/UDAT team. Five major topics are identified for implementation of the River Reach concept:

1. Protection of Existing Resources
   Particular emphasis is placed upon flood plain management and riverbanks clean-up.

2. Management
   A river authority, developed via a joint powers agreement between the City and County is proposed.

3. Development of Existing Parks
   Schematic concepts for improvements at four existing City park properties are proposed.

4. Achievable Opportunities
   A River Reach Trail is proposed for early implementation. An opportunities plan which identifies multiple infill improvements along the Animas River is sketched. A mixed use development is defined near the existing concentration of hotels and motor inns.

5. Economic Potentials for Private Lands
   In recognition of reality and use of opportunity, five types of private participation in development and conservation of the River Reach areas are suggested.

Finally, an implementation section describes the methodology for achieving the several program and project objectives which the R/UDAT team has suggested. This includes the formation of the River Reach Trust.
The principal orientation of the community is east-west along the Animas and San Juan Rivers. The City contains roughly 25 square miles, distributed along 11 linear miles of river course. Virtually no part of the community lies south of the San Juan River, owing to the commitment of mesa lands to the Navajo Reservation or the NAPI agricultural project.

Growth of the community has tended toward the northeast along the north bank of the Animas River. Development of the Animas Mall, a true regional shopping center with five "anchor" stores has recently occurred in the far northeast. The older downtown areas have not suffered major vacancies and still display a variety of specialty stores as well as the major financial institutions.

The river reaches of the Animas, San Juan, and La Plata Rivers that lie within the areas of heaviest urban and urbanizing influence are as follows:

* Animas River from Flora Vista to the San Juan River: 10 miles.

* San Juan River from San Juan Downs to the Animas River: 7 miles.

* La Plata River from Jackson Lake to the San Juan River: 5 miles.

* San Juan River from the Animas River to Harper Valley: 5 miles.

Thus, some 26 - 27 miles of river reach lie in the urbanizing region. The rivers fall between 100 and 250 feet in elevation within the reaches described above.
Around 900 A.D. the Anasazi, the Navajo term for "the ancient ones," settled in various locations in the four corners area. Such places as the Aztec Ruins, Mesa Verde, Hovenweep, Salmon Ruins, Chaco Canyon and Canyon de Chelly are ruins of the Anasazi. These people moved out of the four corners area in the 1200's, possibly becoming the Pueblos of today.

The Apache De Navajo, a Spanish derivative meaning "Enemies of the cultivated fields," arrived in New Mexico between 1350 and 1450 A.D. The group broke into two district groups—the Navajo who became planters and herders, and the Apache who became hunters. The Spanish and the Pueblos had trouble, at times, with both tribes.

After the Civil War the New Mexico volunteers under the command of Kit Carson tried to quell Indian trouble in the north. In 1864, Carson led the Navajo on the Long Walk from Canyon de Chelly to Fort Sumner and the Bosque Redondo Reservation. About the same time, the Apaches were sent to Bosque Redondo Reservation, and to San Carlos Reservation in Arizona. In 1868, the Navajos and the U.S. government signed a treaty which allowed the Navajo to return to their homeland.

Almost a century earlier a Spanish map-maker, Don Bernardo Miera Y. Pacheco, traveling with Fathers Escalante and Dominguez in their search for a northern route from Santa Fe to the California mission at Monterey, described that same confluence of rivers as a desirable place for a Spanish presidio.

The first 20 years of homestead plotted on a country map trace the outlines of the three rivers. Outlines of the early settlements today still define the bulk of the private land in San Juan County. People settled next to the rivers, where they could farm, and the rest of the land was left to the federal government. Today, less than 7 percent of the land in San Juan County is private. The rest comprises state and federal property, Indian allotments and land held by the federal government in trust for Indian tribes.

The first settlers built irrigation ditches, whose lines threaded the farms they established. One of today's remaining ditches, the North Farmington Ditch, is believed to start near the site of a ditch dug by Charley and Milton Virden, who were among the first handful of settlers in 1876-1877. The Virdens extended their ditch, forefather of the North Farmington, from the Animas River near today's Browning Parkway west to what is now the west edge of the city. The land there was later to become the Troy King Ranch.

The Virdens extended their ditch and moved their homestead after some compatriots of Billy the Kid took over their first homestead. Those men were members of the Coe family, refugees from the Lincoln County War in southern New Mexico.

The Coe family and their land figured significantly in Farmington's early years. Stories repeated by oldtimers hint of shootings, hangings, and, in general, 'Wild West' happenings at the Coe place or involving the Coe family.
Lou Coe and William Locke, who has been credited with starting the valley's fruit orchards, seem largely responsible for the Junction City courthouse dispute around the turn of the century. Coe and Locke built a courthouse in Junction City, a hamlet on the south side of the Animas River, across from Farraington. They managed somehow to get a countywide vote with a slight majority favoring Junction City as the county seat. The vote was overturned by the State Supreme Court, and the courthouse was later burned to the ground. The county seat remains today in Aztec.

A railroad was built from Durango to Farmington in 1905, with its right of way running roughly parallel to the Animas River. Fruit growers and other farmers shipped their products to Durango. The difficulty of loading and unloading products on different-gauge railroad lines prevented the railroad from opening distant markets to local products. A change to narrow-gauge tracks between Durango and Farmington in the 1920's did not prove sufficient to open more distant markets. The line was abandoned in 1968.

Farmington's rivers were its lifeblood, but they turned destructive in 1911. There were other floods in later years, but the 1911 one was the worst in the history of Anglo settlement. After days of heavy mountain rains, the rivers rose in waves and swept away farm buildings and other property. Navajo Methodist Mission, including a three-story concrete block building and other buildings and equipment, washed away. One person was killed. The mission was on the south side of the San Juan River, west of its confluence with the Animas. The mission was rebuilt at its present site on West Apache Street.

Farmington's settlers busied themselves building their community in the first 40 years. Mills, irrigation works and hydroelectric power generation were among the river-related construction. The rivers remained the focus of activity the first half of the 20th century. Some oil drilling stirred the community in the 1920's, but slowed in the 1930's. Construction of a natural gas pipeline in the late 1940's and early 1950's began to change Farmington's complexion. Booms from oilfield exploration and production and then the start of coal-fired power plants in the 1960's transformed the community. Most orchards and farms were sold for other uses, such as housing subdivisions, commercial, and industrial development.

The rivers tended to be forgotten in the rush to build. However, a few people kept farming, and interest in irrigation for farms and gardens has kept a few of the main irrigation ditches open.

The town has grown along the rivers, and many Farmington area citizens recognize their potential as the dominant natural feature of the region. They are a water resource, an historical resource, a biological resource, and a learning resource. They could be a basis for a tourism industry and for lasting community enjoyment and pride.

Farmington Today

Like many western towns, Farmington has grown and suffered from boom and bust. Rapid growth has expanded the city north and east along the fringes of the Animas River at an overwhelming pace. Somewhat typically for boom towns, new professional and business people have come to live in newer neighborhoods at the fringes of town, while downtown and the river reaches have been left to sporadic development, and to transient residents who ten to live near longtime residents and businesses in older parts of town, often creating resentment among older residents.

In the spring of 1986 Farmington's development has matured. Despite a recent decline in the oil industry, bankers talk of slow growth and stability instead of deep economic plunges and property foreclosures. Local bank assets reached $450 million in the first quarter of 1986.
The city is viable despite the oil and gas industry decline, which is tied to the international price of oil. Farmington, with a population of about 35,000, has an economic base that includes retail trade, mining, power generation, and service.

The city government, trying to cope with rapid growth, has had little choice but to respond to growth demands. Roads and sewers have followed growth and accelerated it by funneling the more affluent people farther from old parts of town. Planning has been minimal.

In "boom town" theory, the city has reached a stage toward the end of its boom town cycles. In theory, the boom town engine – in this case oil and gas – may be starting to run down. However the construction of two new oil company office buildings indicates the oil and gas engine is still viable.

Nonetheless, the city has come to a point at which antagonisms between longtime residents and boom-time newcomers can mellow. Common consensus about the preservation of river resources may help break a pattern the antagonism that typifies boom towns.

People in this community have come together enough to start thinking more of common interests. Some riverfront landowners are interested in getting the most economic benefit from their land while making its use compatible with the interests of others in the community.

The R/UDAT team has been able to identify riverfront improvements that are desirable to property owners and others in the community. It has not been able to identify a broad endorsement for a community riverfront development.

The team believes, however, that some very significant developments can occur soon, and that pockets of development along the rivers can lead to a grander vision in the decades ahead.
THE RIVERINE TASK FORCE

In September, 1984, the Farmington Parks, Recreation, and Cultural Affairs Commission created a Riverine Task Force. The purpose of this task force was to learn current land usage and ownership along existing waterways. Additionally the Task Force was asked to review the preservation of waterways, wildlife sanctuaries, historical and natural features, and to make recommendations for planning and management policies.

The task force was composed of two members from the PRCA Commission and ten other individuals from the community, all of diverse backgrounds but with a common goal---a desire to study and use our river resources to their best potential.

The Riverine Task Force became aware that in order to accomplish these objectives, there should be a more broadly based study that would encompass not only parklands and open space, but river landowners, and commercial and industrial enterprises as well.

In May, 1985, the Riverine Task Force applied for a $16,000 grant from the San Juan Regional Commission. This grant was to be used for the base funding of a R/UDAT study. This grant was received by the Task Force and a R/UDAT steering committee was formed to pursue that objective through the American Institute of Architects. The Task Force was expanded to include persons representing diversified community interests, to including industry, commerce, and landowners. An attempt to create a balance of developers and naturalists was sought and achieved.

Jim Christopher, a member of the national R/UDAT team and a Salt Lake City architect, visited Farmington in October, 1985 to evaluate the proposed R/UDAT study. The application was formally approved and Professor Tom Laging of Lincoln, Nebraska was chosen to chair the R/UDAT team.

Members of the R/UDAT team were selected based on their unique abilities to contribute to the Farmington riverine study.
COMMUNITY INTEREST INPUT
COMMUNITY INPUT

During the course of the R/UDAT community input phase, the entire R/UDAT team met with and heard individual observations expressed by about 95 individuals who were not members of the Riverine Task Force or members of the local R/UDAT Steering Committee. Thus, all R/UDAT team members as a group, have had the advantage of very considerable citizen input which has been expressed literally for the public record so that the River Reach Program Plan might reflect the spectrum of opinion which community residents and property owners hold concerning the future of the rivers.

The following summary expresses the topics which the R/UDAT team heard.

LAND OWNERSHIP

Residents of Farmington and San Juan County have achieved land ownership and property consolidation over the years by dint of hard work and financial risk. Family property has been held for generations; the emotional attachment to land and its uses - through many economic cycles - will remain as a shared and fundamental community ethic and should be accepted as a "given" in the development of any public purpose program.

STYLE OF GOVERNMENT

Northwest New Mexico is essentially Federal or Indian turf except for portions of these river valleys. Our local governments provide the standard services which we expect. More recently, expensive projects and expensive operations have caused considerable community discussion (library, hospital, racetrack). We are now concerned that the River Reach Program Plan should be practical, affordable, and based upon the likelihood that local governmental costs will be covered from revenues.
The city has plenty of parkland along the rivers which it has recently acquired but not developed. Start there first.

The imposition of zoning is not popular beyond the city limits, and is considered an unwarranted intrusion on the exercise of responsible property rights by land owners in the unincorporated areas.
COMMUNITY IMAGE

* Access into the community and the riverfront.
* Zoning of industrial lands along the river.
* Trash along the river.
* Public lands fragmented and no integrated system.

COMMUNITY PROCESS

* Need to bring strong attitude of various community entities together for cooperation.
* Need to overcome fragmentation of government units through cooperative agreements.

PLANNING AND LAND USE

* No identified land use plan.
* No overlay zone for sensitive areas nor riparian habitats.
* Preservation of river area and development of parks and trails not a high priority in the park plan.
* Lack of planning staff for long range planning and no pattern of consistent support for staff recommendations on land use matters.
* Process of individual zoning issues desired on a "case by case" basis.

DESIGN ISSUES

* Access to river and park areas.
* Linkages to activities nodes.
* Zoning of the area - industrial incompatibility.
* Trash on river banks and enforcement program.
* Public lands fragmentation and ownerships.

ENVIRONMENTAL ISSUES

* Conflict of suitable uses in the floodplain.
* Interface of community and flood plain.
* Regulations of development in the flood plain.
* Maximizing of opportunities not realized.
* Conservation of natural vegetation.
* Fragmentation of riparian corridors.
ISSUES AND PROBLEM SUMMARY

ECONOMICS

* Diversification of local economy
* Tourism development
* Water allocation and future demand
* Major project opportunities
* Community appearance

LEGAL

* How much can be done with regulations?
* What use can be made of acquisition of property rights?
* Incentives for acquiring easements and designing sensitive development through incentives.

IMPLEMENTATION

* Need for adopted comprehensive plan.
* Need for planning commission and council to focus on creation of zoning authority to regulate all of riverine area.
* Formation of Riverview Foundation.
* Development of cooperative planning effort with San Juan County by the city and the River Reach Foundation and state and federal agencies.
* Targeting of key park areas and projects to provide an image.
* Provide gateway image areas and intervening signage and linkage to river edges.
TEAM RECOMMENDATIONS

PROTECTION OF EXISTING RESOURCES

IMPROVEMENT OF RIVERINE MANAGEMENT

PROPER DEVELOPMENT OF EXISTING RIVERINE PARKS

ACHIEVEABLE OPPORTUNITIES WITHIN THE RIVERINE

DEVELOPMENT AND PROMOTION OF ECONOMIC POTENTIAL
PROTECTION OF EXISTING RESOURCES

I  FLOOD PLAIN MANAGEMENT

Purpose - The primary purpose of flood plain management is to maintain the natural hydrological processes, open space recreation, wildlife habitat, and to prevent unwise encroachment into flood hazard areas.

Definitions - To understand flood plain problems and solutions, the following definitions must be understood:

1. **Flood Hazard** is a general term meaning risk to life or damage to property from overflows of a river or stream channel.

2. **Riverine flood plains** are valley areas adjacent to a river which are flooded due to rainfall or snowmelt runoff that exceeds the carrying capacity of the river's main channel.

3. **Regulation flood** or 100 year flood has a 1% probability of occurring in any given year. The National Flood Insurance Program uses the Regulation Flood as a basis for establishing its flood insurance base rate maps.

4. **Standard Project Flood** - Great Flood or 500 year flood is one that exceeds the 100 year flood based on the highest recorded rainfall and snowmelt concentration in a nearby watershed area.

5. **Sheet Flooding** - Occurs in areas which are subject to flooding with depths of 1/2 foot or greater during the regulation flood where a clearly defined channel does not exist.

Farmington’s Flood Damage Prevention Regulation

Presently before any development permit is approved for any substantial improvement in a regulation flood plain, it must be in conformance with the recently adopted Flood Damage Prevention ordinance. Approval or denial of a permit by the engineer shall be based on a list of relevant factors including:

1. The danger to life and property due to flooding or erosion damage.

2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.

3. The compatibility of the proposed use with existing and anticipated development.

4. The necessity to the facility of a waterfront location.

5. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

The Farmington Flood Damage Prevention ordinance is excellent if enforced, however, it only covers 20% of the flood plain areas within greater Farmington. The remainder of the area is in San Juan County, which has no flood control regulation. This inconsistency presents a problem that must be solved to link both areas into an effective flood plain management plan. This is a missing Planning and Development tool that is urgently needed.
FLOODPLAIN CONFLICTS WITH EXISTING ZONING

Land Use Suitability In Regulated Flood Plain

Suitable - Buildings with salvageable, replaceable or moveable goods; low cost service uses, open air facilities, storage of low cost and non-dangerous material, low value crop or pasture land, park and recreation facilities, natural open space and wildlife preserves.

Non-suitable - Any building containing valuable property or materials dangerous to the public if released by flooding, residential buildings whose occupants may not have adequate means of escape during floods, and critical public service installations.
Existing Planning And Flood Plain Management Problem

The identified conflicts between flood plain and ecological resource boundaries and suitable land use and zoning indicates an immediate need for measures that will mitigate costly and environmentally damaging flood plain development activity. This calls for major changes in land use policies that are in tune with contemporary planning and flood plain management principles and standards. This can be done by initiating a planning process that will lead toward the implementation of a Farmington Riverine Master Plan. That will enable and promote orderly, cost effective and environmentally sound land development of designated areas in an atmosphere of mutual consent.

If greater Farmington is going to reach its riverine goals and objectives it is imperative that a planning action program be launched with the vision and commitment that Farmington will have a creative and dynamic interface between the community and the riverine area. Such a policy will insure Farmington’s national image as a sought after place to live.

Conflicts between existing zoning and flood plain management also conflicts with the boundaries of the flood plain when superimposed over the existing zoning pattern.
NATURE OF THE ECOLOGICAL RESOURCE

The most prominent natural feature of Farmington is its extensive system of watercourses. Fertile floodplain soils and available moisture support plants and animals that far exceed the numbers and diversity found in the surrounding arid uplands. Throughout the Southwest, riparian habitats have been reduced to approximately 10% of their former abundance as ground water has been pumped and natural vegetation has been converted to other land uses.

With two-thirds of New Mexico's surface waterflow, the confluence of three rivers, and several major arroyos, Farmington is indeed unique. Although much of the former riparian habitat has been lost, substantial amounts remain and these areas are a major aesthetic and biological amenity for this community. Several characteristics of the riverine system make it an important consideration in the development of plans for growth and development of this region.

The Dominant characteristics of the river system are:

*The watercourses form an interconnected system of open space with fingers of natural habitat reaching into developed areas of the community.

*The watercourses support a diversity of plant species creating habitat for a diverse fauna.

*The riparian habitat is particularly attractive for outdoor recreation activities.

*The riparian habitat provides important movement corridors for resident and migratory wildlife.

*Naturally vegetated floodplains recover quickly and minimize flood damages.
POTENTIAL FOR RESTORATION

Many areas that have been degraded can be readily rehabilitated. For example, native cottonwoods are rapid growers and can be re-established in areas where grazing is controlled. Cottonwoods can be planted using pole cuttings with temporary drip irrigation until they are established, or with nursery stock. Similarly, abandoned gravel pits can become valuable wetlands with appropriate landscaping. The crucial factor in creating valuable waterfowl habitat is to establish escape cover using emergent plants and adjacent vegetation. Rehabilitation efforts should be focused on those areas which are presently gaps in the continuous corridor of natural vegetation along the rivercourses.

COMPETING AND COMPATIBLE LAND USES

A strategy for protecting the ecological integrity of the river system does not need to be entirely built upon preservation. With careful planning, many different uses of these lands may be appropriate.

The goal of land use planning for the river corridors should be to create an interconnected open space system representing a continuum of wildlife, recreation, agriculture and commercial uses. Examples of appropriate land uses are listed on the following page.

Inappropriate uses are those which fragment the river corridor by creating gaps in the riparian vegetation (buildings, pavement, roads, etc.).
<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Appropriate Areas</th>
<th>Appropriate Activities</th>
<th>Flood Control Requirements</th>
<th>Other Considerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preservation</td>
<td>Prime wildlife sites, (wetlands, major riparian forests, etc.)</td>
<td>Nature Study, Birdwatching, hiking trails</td>
<td>None</td>
<td>May be compatible with some forms of agricultural uses provided substantial areas of natural vegetation are preserved.</td>
</tr>
<tr>
<td>Agricultural Open Spaces</td>
<td>Areas within flood plain that are currently agriculture</td>
<td>Aesthetic views, passive recreation where permitted by landowner</td>
<td>None</td>
<td>Voluntary compliance by landowners essential. Tax incentives for conservation and recreation easements may be effective.</td>
</tr>
<tr>
<td>Outdoor Recreation Areas</td>
<td>Frequent points of access along river system</td>
<td>Picnicking, boat launching, camping, trails</td>
<td>&quot;Soft&quot; erosion protection (dikes, vegetation)</td>
<td>As river is restored and developed, opportunities will arise for commercial recreation facilities (campgrounds, boat rentals, etc.)</td>
</tr>
<tr>
<td>River-Oriented Commercial Uses</td>
<td>Commercial zones, out of floodplains but adjacent to rivers</td>
<td>Tourist facilities, (hotels, restaurants, etc.)</td>
<td>&quot;Hard&quot; bank stabilization required to protect structures</td>
<td>Should be concentrated in nodes of riverside development.</td>
</tr>
</tbody>
</table>
The Use of Law to Protect the Rivers Environment

From a legal perspective the City of Farmington has two methods available to it to protect the rivers and their banks by preserving open space along the rivers. The City can regulate the use and development of land along the rivers and it can acquire land or an interest in land (such as an easement) in order to preserve land as open space or for passive or active recreational purposes. These two basic methods are not mutually exclusive and can be used in combination.

Zoning Restrictions

One of the principal regulatory tools that are available to the City is the power to adopt zoning restrictions. This authority extends only to land within the corporate limits of the City. However, there is authority in the New Mexico zoning enabling statute for the imposition of zoning restrictions by joint action of the city and county in a jurisdictional area that may extend for two miles beyond the city limits.

In its simplest form, zoning can be used to require that buildings and other structures be well set back from the established floodway. River edge setback restrictions are not different in concept from the more familiar requirements for front yards of a minimum depth and for minimum set backs from the right-of-way of centerlines of streets.

The Farmington Zoning Ordinance does not currently contain any provisions requiring a minimum building set back from the rivers. The addition to the Zoning Ordinance of such minimum river edge setbacks should be considered by the City Council as a part of the first phase of any regulatory program.

There are more "state of the art" techniques of land use regulations that would enhance its City's package of regulations for the river areas.

Flood Plain Zoning

Flood plain zoning regulations are one of the techniques which should be applied to areas along the three rivers. The federal government, through the Federal Energy Management Administration (FEMA) has required the adoption of regulations governing construction in flood hazards as a condition of eligibility for flood hazard insurance. Farmington has adopted such a flood hazard ordinance. (See, Farmington City Code, Ch. 12A) However, the zoning ordinance could also be used to limit the utilization of land in or along flood prone areas to uses that are not susceptible to flood damage, such as agriculture, recreation, golf courses, riding stables, and similar uses. As a general matter, the courts have been amenable to sustaining very restrictive zoning regulations on flood plains and wetlands on the theory that more intensive development is not a reasonable use of land that is protected from police power regulation.

Density Zoning and Cluster Development

Another method of using zoning to preserve open land along the rivers without diminishing the permissible amount of developments, particularly in residential zones, is the assignment of a maximum density (or intensity of use) as the principal land use control with the buildings clustered in a limited area on smaller lots than would otherwise be required. Using clustering as a zoning technique in residential zones along the rivers would permit the preservation of open space at the river edge without decreasing the number of dwellings units that could be built. The size of individual lots would be reduced but the overall density remains unchanged and the amount of contiguous open space is increased. For the developer clustering offers the incentive that by confining developments to a part of the parcel, the cost of subdivision improvements is reduced.
Environmental Performance Standards

Some communities have begun to devise regulations that focus upon the impact of development activity on environmentally sensitive areas. Such regulations limit the amount of development that can take place by measuring its effect upon streams, wetlands, wooded areas, and other lands that have characteristics that make them unsuitable for development. There is a comprehensive and useful discussion of environmental performance controls in a publication of American Planning Association in the Planning Advising Services series entitled Performance Controls for Sensitive Lands: A Practical Guide for Local Administrators (Reports Nos. 307 and 308).

Nuisance Regulations

Municipalities have broad authority to prohibit, regulate, and abate activity that is a nuisance, and to adopt ordinances that protect the safety and health of the public. Ordinances that prohibit the indiscriminate dumping of rubbish and require the clean-up of accumulations of trash fall within the scope of that authority.

The present Farmington City Code contains ample authority for vigorous, mandatory clean-up programs along the rivers. Section 13-31 of the Code makes it unlawful for a property owner to allow trash, rubbish, unsightly debris, etc. to accumulate on his property. Section 13-32 provides a mechanism for the City Council to initiate an investigation of property covered with trash, rubbish or debris and, after notice to the owner and an opportunity for him to be heard, to adopt a resolution requiring the owner to remove it. If the owner fails to clean up the trash, the City may do so and make the cost a lien on the property. So the City has all the regulatory authority it needs to improve the appearance of the river banks.

Land Acquisition

The most effective way for government to preserve land is to buy it outright, either in a negotiated sale, or through the use of the power of eminent domain. The use of the power of eminent domain to compel a sale requires that the acquisition be for a public purpose and that just compensation be paid. In general, any land acquisition that contributes to the general welfare and prosperity of a community will meet the public purpose test. However, there are budgetary limits to what Farmington can afford to expend on land acquisition along the rivers. Outright purchase will undoubtedly have to be confined to the acquisition of key parcels, in addition to the present parks, and to the improvement of access to existing parks such as Berg Park and Westland Park.

However, it is not always necessary for land to be purchased outright in order to preserve open space. The acquisition of less than a fee simple interest can be achieved with scenic, conservation or development easements that leave land in private hands while placing limits on what the landowner can do with the portion of the land that is subject to the easement. In this instance, the linkage of the existing parks with pedestrian or bicycle trails along the rivers could be secured by purchasing or condemning relatively narrow strips of land along the rivers. While such acquisition would require compensation, it wouldn’t be as costly as a few simple acquisitions because the measure of compensation is the difference between the value of the land before the imposition of the easement and the value of the land burdened by the easement.
Limitations on the Authority to Regulate

There are two limitations on the authority of local government to impose regulations on the use and development of land. The first of these limitations is the states enabling legislation. Authority for a particular regulation must be expressly conferred by state statutes or necessarily inferred from the existence of express authority.

The other constraint is the requirement that local ordinances comply with state and federal constitutional standards. There are four such standards that are important in land use regulations:

First, the process by which the regulation is adopted must be procedurally fair. In the case of zoning restrictions that means, among other things, that timely notice must have been given and that a public hearing must have been held.

Second, the ordinance must satisfy substantive due standards. That is, the regulations must seek to achieve a legitimate and proper public purpose and there must be a rational connection between the regulation and the achievement of that purpose.

Third, the regulations must not "take" private property for public use without compensation. Land use regulations do not amount to a "taking" unless they deprive the landowner of all reasonably viable economic use of his property. A diminution in the value of land does not ordinarily amount to a "taking." Very restrictive regulations on the use of flood plains and wetlands have been sustained by the Courts against "taking" claims on the theory that uses that would destroy the natural function of the land are not reasonable uses.

Fourth, a zoning ordinance may not deprive a property owner of the equal protection of the laws. Equal protection requires that the classifications which are applied to land serve a proper public purpose and that there be a rational connection between the classification and that purpose. Certain "suspect classifications," such as race, religion, and national origin are subject to a strict scrutiny analysis. When a strict scrutiny analysis is employed, regulations, to be upheld, must serve some compelling public purpose.
IMPROVEMENT OF RIVERINE MANAGEMENT

A. CLEAN UP PROGRAM

The R/UDAT team was dismayed, as must be many members of the community, at the extent to which the rivers have become a dumping ground for rubbish, broken concrete, discarded stoves, refrigerators and junked automobiles.

The ordinances of the city contain ample authority for the city to move swiftly and effectively to get the river banks cleaned of trash. All that is required is the will to do so.

So one of the immediate short-term objectives should be housecleaning along the rivers. With the aid of volunteers and the co-operation of the Clean City Committee, a work force of citizens could clean, bag and haul away small debris and trash; such as the litter in Berg Park. The generous offer of the Boy Scouts to help in this task should be gratefully and speedily accepted.

For the larger rubbish, i.e. junked cars, large appliances, heavy furniture and concrete slabs, mechanized equipment will be necessary to remove it. The city and county should be able to provide this equipment, as well as the trained personnel, to complete the task.

It is not just the river banks that need attention. More trash has been dumped into the river bed where it presents a hazard to the use of the river by rafts, canoes, kayaks and boats. If the recreational possibilities of the rivers are safely used, the trash can be removed at the next period of low water flow.

It is not just trash that should be removed. The R/UDAT TEAM was told of at least one instance in which a riparian owner hung a wire cable across the San Juan River just a few feet above the water surface to discourage use of the river. Such impediments are unlawful and must be removed. The San Juan and Animas Rivers are navigable rivers.

The Corps of Engineers has permit jurisdiction over structures placed in, over or along navigable rivers. The team was left with the distinct impression that enforcement of this jurisdiction by the Corps has been virtually non-existent. In the past, it appears the Corps of Engineers has taken notice only when someone bought a permit.

The city should endeavor to persuade the officials of the district, in which Farmington is now located, to...
use the authority that the Corps clearly has to enforce the federal laws by co-operating with the city and the county to secure the removal of illegal structures in, or over, the bed of the rivers.

A clean-up program is not a one-time effort. It must be ongoing. The initial effort should be followed by regular inspection and swift enforcement against violators. Enforcement should mean not just fines, but mandatory clean-up orders.

In addition, volunteer efforts could be employed to implement both clean-up and beautification efforts along the river banks. The clean-up program could be a one- or two-day annual (or semi-annual) affair, including a barbecue with awards for exemplary clean-up or beautification efforts.

B. GOVERNMENTAL COOPERATION

The rivers flow through both the city and the unincorporated area of the county. This physical condition is likely to continue to exist for many years. So, if effective control and development of the river areas is to be exercised, close co-operation between city and county planning of land area controls will be imperative.

The provision in the New Mexico zoning statutes for extra-territorial planning and zoning authority offers one possible vehicle for co-ordinated planning and regulation. But the R/UDAT team believes the use of this statutory authority is undermined by its rather narrow scope. Moreover, joint action is required in more than just planning and zoning.

Consequently, the R/UDAT team recommends the creation by the city and the county of a separate Animas-San Juan River Authority under the Joint Powers Agreement Act contained in Sections 11-1-1 to 11-1-7 of the New Mexico Statutes Annotated.

This would be a semi-independent authority with planning, zoning, flood control and other authority over a definite area bordering on the three rivers. The only formal links to the governing bodies of the city and county would be that the city and county each appoint two members for the authority. Funding would be provided equally by them.

The establishment of Animas-San Juan River (the details of which are set out in the implementation section of the report) would provide uniform regulation for all of the river area in the vicinity of Farmington. Also, it would provide the community with a governmental body whose exclusive concern would be the preservation and protection of the river resources.
Governmental action is not a complete answer to the preservation and enhancement of the Riverine areas along the rivers. There is an important role for private action as well. The R/UDAT team recommends that the Riverine Task Force become a permanent not-for-profit organization, tentatively called the River Reach Foundation. The Foundation should be qualified as a Section 501(c)(3) organization under the Internal Revenue Code so that contributions to it would be tax deductible.

The principal purpose of the Foundation would be to accept donations of land, or easements over land, for the purpose of maintaining open space, trails and wildlife habitats. The Foundation would also provide an organization to which tax deductible cash contributions could be made to provide funds for the Foundation to use in carrying out its conservation objectives.

Conservation easements have been mentioned several times in this report. At present, there does not appear to be any express authority in the New Mexico statutes for the creation of conservation easements, nor authority for government bodies or not-for-profit corporations to accept such easements. Many other states have adopted such legislation, which usually has been non-controversial. The members of the Task Force and the City, working with their local representatives, should endeavor to secure the adoption of such legislation in New Mexico.

The 12,000 to 16,000 acre Bolack Ranch provides an excellent example of the type of property that would be eminently suited for a conservation easement. Although the property is posted as a state wildlife and game preserve, as far as the R/UDAT team could discover, the Bolack Ranch remains entirely in private ownership and control. There is apparently no state involvement in the management or control of the property.

Preservation of all, or nearly all, of the Bolack Ranch as a wildlife preserve should be an important mid- or long-range goal of the river protection effort. The existence of the Foundation as a potential recipient of a conservation easement could be an attractive option for the present owner of the Bolack Ranch or his heirs. Such easements can permit continued occupation and use of the property impressed with the easement for the lifetime of the present owner and his heirs.

Not all of a private landholding must be burdened with the easement. Portions can be left available for later development. The burden of the easement in favor of a qualified not-for-profit corporation does significantly diminish the market value of the property. This diminution in value becomes a tax deductible contribution to the donor of the easement. If the owners of the Bolack Ranch are interested in preserving their property in its present condition while continuing to live on the property, and at the same time securing the benefits of a substantial charitable deduction, the existence of the River Reach Foundation would provide a logical mechanism for the achievement of those objectives. Also, the conservation easement would provide a key link in the preservation of open land along the San Juan River.
IMPROVE EXISTING PARKS

1. Animas River Park
   - River Reach Trail Step 1

2. Berg Park

3. Boyd Park
   - San Juan River

4. Westland Park

5. Jackson Lake Park
   - La Plata River
   - La Plata Hwy

To Shiprock
To Aztec
U.S. 550
U.S. 64
BLUFFS
BLUFFS
PROPER DEVELOPMENT OF EXISTING RIVERINE PARKS

The development of the four existing Riverine Parks owned by the City is an important step which must follow the enhanced protection and management of the river resources. With the development of the first priority, Animas River Park, the community must prove its ability to achieve a functional, safe, clean river park.

Each Riverine Park is given a proposed program and conceptual design in this section to indicate clear objectives and potential solutions to guide park designers. Prior to park design, the following general program needs to be refined and detailed to provide continuity for all Riverine Parks, as well as to refine capital improvements planning for implementation:

1. Introduce a common River Reach logo for all signage, monuments and park furniture.
2. Introduce a chain of interpretive story boards to guide users.
3. Introduce river-users guideboards and safety information; especially at all boat access points.
4. Introduce twice-daily river runs by park rangers - visibly for safety and bank condition patrol.
5. Develop and implement park improvement sponsorship contracts with local businesses, major corporations and other donors—possibly through the River Authority.
6. Develop non-motorized boat launch and recovery locations where appropriate.
ANIMAS RIVER PARK (62 Acres)

Animas River Park should be a priority in the early establishment of the River Reach Trail. (See Opportunities Section).

Animas River Park forms the heart of this first project by offering parking, boat access, and a pedestrian bridge for an essential river crossing to complete the trail to Berg Park.

PROGRAM:

1. Conduct an inventory of plant species, soils and river bank contours emphasizing stability and flooding.

2. Establish a master plan concept which should be achievable in phases as funds are available.

3. Identify improvement projects which can be supported by corporate funding.

4. The master plan concept may include these elements:
   
   A. A River Reach interpretive kiosk with information on flows, seasons, surface water use, etc.

   B. A nature/ecology interpretive kiosk or shelter defining the flood plain, the habitat, and wildlife, plant succession, etc.

   C. Recreational space but not playing fields.

   D. Parking locations up slope which do not damage the slopes or the bottom lands.

   E. Animas River Lodge - for community meetings, group presentations, nature interpretation, catered events, school classes, etc.

   F. Canoe and raft launch & recovery space for group events and individual users.
BERG PARK (11 Acres)

1. Install signs that will enable users to find the park.

2. Install benches, picnic tables, and cooking grills.

3. Improve existing access roads.

4. Stabilize existing trees and vegetation, improve bank stabilization and remove rubble.

5. Initiate multiple daytime/early evening ranger and police patrols.

6. Program events at the park to induce use and familiarity.

7. Extend the use of riverbank frontage by connective easements (upstream toward Animas River Park and downstream toward Boyd Park).
BERG RIVER PARK

EXPLORE RETENTION FOR NEW VEHICULAR ENTRY TO PARK & PARKING LOT ON D&RGW RAILROAD R.O.W.

RIVER REACH ACCESS弁

WALKING TRAIL

FUTURE TRAIL

ACQUISITION OF THIS PARCEL IS NEEDED TO COMPLETE THE PARK.

ISOLATED BEACHES AND TABLES THROUGHOUT

ADD BARRIERS TO LIMIT CAR ACCESS TO PARKING AREA

CANAVAL PAST "PUT IN" AREA

GENERAL RIVERBANK CLEAN-UP AND STABILIZATION THROUGHOUT

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BOYD PARK:

1. Adopt Boyd Park as the first improvement site because of its existing facilities.

2. Define the parking areas so that additional park furniture can be installed.

3. Design the park as the primary community picnic and family recreation space in Farmington.

4. Seek expansion of the park lands southwesterly under the bridge and north along the riverbanks.

5. Include the Miller Street bridge in the designated park space, and both approaches to it as potential future park space, in the event the bridge is abandoned when the new by-pass and bridge are built.

6. Install night lighting and a barbecue pit for community/group picnics and family space in Farmington.

7. Investigate setting levee back and relocating existing vehicle access points. Discontinue free movement of vehicles up to the river bank.

8. Increase patrols to insure public security and a litter free park.
WESTLAND RIVER PARK

WESTLAND PARK (32 Acres)

1. This park area is entirely under-developed and is closed to vehicle access at this time.

2. Westland Park contains the remaining sites of an historic Farmington agricultural settlement which can become an interpretive center.

3. A thorough site resource inventory must be completed as a guide to the master planning effort; before any special allocations are attempted.

4. The park lies most westerly of all city parks and is likely to be the terminus point (on public land) of most canoe and rafting group events.

5. Vehicular access to the park must carefully protect the adjoining right of way and medium density sub-division.

6. A name change will be in order if both the heritage and the river frontage uses are to be part of the development there.

7. Park development and operations represent an opportunity for support by both corporations and local groups such as the historical society.
ACHIEVABLE OPPORTUNITIES

Numerous opportunities exist in the Riverine area for parks, trails, commercial and recreational development. Many are listed here to illustrate this wide diversity, and to stimulate further support, investigation, and action. Each opportunity will require a different approach to implementation. At least the following possibilities exist:

1. Easements for access and maintenance, by purchase, donation or lease.
2. Acquisition by purchase or donation.
3. Visual improvement of private lands through clean-up programs, code enforcement, and cooperative efforts with landowners.
4. Private development with dedication of public access rights.
5. Joint development of commercial facilities.

An Immediate Objective: River Reach Trail

The development of a 2 to 2 1/2 mile trail for bikes and pedestrians may be an achievable goal in a 3-5 year period. This trail would be accessed at Animas River Park and Berg Park on the west and the Browning property to the east. This has several benefits:

1. It creates potential for cooperation from landowners who may allow for public easements.
2. It creates a quality river environment.
3. It utilizes existing public facilities at Animas River and Berg Parks.
4. Animas River Park would serve as a Trail “Anchor”.
5. The entire complex lies within city boundaries, thus allowing action prior to the city-county joint powers agreement.

The River Reach Trail could begin with a trailhead at the Eastern Boundary of the Browning Property (former roller rink site); including room for 3-5 cars; a wooden rail for stopping cars, leaning bikes, and indicating the trailhead; and a River Reach Trail sign with map and rules for trail and canoe users. From this point, a trail of crushed stone would proceed west along the north bank of the Animas. The alignment might vary, being sometimes close to the water, and other times behind the trees.

At the Browning Parkway Bridge, the trail may need to rise gently, allowing users to cross the river. A safety lane, cautionary signs and crossing path may be required along the roadway. At Animas River Park, the trail could descend gently to the River Bank again, meandering to a new pedestrian bridge crossing the Animas onto the current American Steel property. The crossing could bring together the users of Animas Park with trail users and provide an exciting park experience.

From here the trail would proceed to the west on the north bank, affording access to Berg Park with its parking and canoe access point, and similar trailhead facilities.
STEP ONE: RIVER REACH TRAIL

- Trailhead: New put-in and 5-car parking at Browning Property
- Proposed 2 1/2 mile foot and bike trail
- Trail crosses over on bridge
- New pedestrian bridge
- Improved access at Berg Park and put-in
- AMERICAN TANK AND STEEL
- ANIMAS RIVER PARK
FUTURE OBJECTIVES:

TOTAH RIVER MARKET

This new development offers major opportunity for commercial, cultural, and recreational facilities to come together in a Riverfront environment (see below).

CITY ENTRY GATEWAYS

Three key entry points into the city occur where highways 550 and 64 cross or approach the rivers. Each could be developed with landscaping, storage and potential parking with access to a riverside picnic site or trail.

BOAT ACCESS

Points of access for canoe and raft put-in and take-out are needed at several locations to improve recreational opportunity and to enhance river safety. At a minimum, access points should provide a safe place to park a vehicle, a calm current for launching, a safe, stable bank condition; and a sign with a map of the river (including known hazards such as diversions). Additionally, canoe or raft rental could be established through private concessions at public parks, with proper review, control, and responsibility by the concessionaire.

FUTURE PARKS

Future park acquisitions should be contemplated to enhance the number of points of public access. Specifically, the confluence of the Animas and San Juan Rivers is the symbolic center of the riverine systems, and deserves to become public at some time. As annexations occur, the river authority should investigate possible sites for acquisition and protective zoning.

FUTURE TRAILS

The completion of a continuous trail system may take many years. Every opportunity should be taken to acquire access lands from willing landowners to prepare a corridor for the system.

GRAVEL RECLAMATION

Opportunities exist for development or reclamation plans for existing gravel mines along the river, with cooperative planning, gravel mines along the river can be reclaimed as part of the mining process, creating recreational and wildlife resource.
TOTAH MARKETPLACE ON THE ANIMAS RIVER, FARMINGTON, NEW MEXICO

- River Reach Landscape
- Signed Drive
- Special Events Parking 300 Autos
- Railroad R-W Future Downtown Connection
- La Quinta Motor Inn
- Existing Holiday Inn
- River Drive Entrance at Bridge
- Produce Truck Delivery
- Agriculture Model Farm
- Berg Park
- Apple Orchard
- Public Lawn
- Nature Spot Woods
Totah, our Navajo name, means "three rivers." It is these rivers, the San Juan, the Animas and the La Plata, which make Farmington unique among the cities of this arid plateau.

The Totah River Marketplace defines a commercial cultural facility comprised of the following:

- Animas riverfront accommodations
- River recreational experiences
- Focal point of a historical cultural heritage center
TOTAH MARKETPLACE on the Animas River. Farmington, New Mexico
RIVER PARK HOTEL ON THE ANIMAS RIVER. FARMINGTON, NEW MEXICO

COTTONWOOD GROVE
EXISTING

SHOPS AT PLAZA LEVEL

RIVERFRONT HOTEL OVER
CULTURAL CENTER/CRAMPS MARKET

ANIMA RIVER

RIVER

HOTEL
ENTRY GATEWAYS

FARMINGTON

RIVER REACH SIGN
PEDESTRIAN WALK FROM HOTEL

LANDSCAPE/DEVELOP MEDIAN LIGHT

NEW TOTAH MARKETPLACE

NEW SCREEN LANDSCAPING

BLOOMFIELD BRIDGE ENTRANCE

FARMINGTON RIVER REACH LIGHTED ENTRANCE SIGN
MAJOR LANDSCAPING TREE FORM AT BRIDGE

WESTLAND PARK DEVELOPMENT

WEST CITY ENTRANCE FROM SHIPROCK OVER LA PLATA/JAN JUAN RIVER CONFLUENCE
ECONOMIC POTENTIAL OF THE RIVERINE RESOURCE

NEW LANDS/NEW USEAGES

The scale of the River Reach corridors is 26 miles. The great majority of land is privately held. The River Reach Plan must provide incentives for profitable participation by the riverbank frontage owners. A suitable concept should thus be identified for each reach of the river.

La Plata River - essentially its entire reach between the San Juan River and Jackson Lake Reserve is privately held as low density single family ranchettes with a high level of on-site horsekeeping. This circumstance appears to be such a dominant developed land use pattern that common sense suggests an encouragement of the preferred use, and an upgrading of the riverside corridor as a part of horse trail network.

San Juan River - the seven mile reach between San Juan Downs Racetrack and the Animas River is virtually all in private ownership, with more than one-half the corridor being B Square Ranch that is owned by the Bolack family. Portions of this ranch have been operated as a private game preserve. This fortunate circumstance should be maintained, and an appropriate method for sustained conservation of the property should be a priority for discussion between the Bolack family and the proposed River Reach Foundation.

San Juan River (West of the Animas River) - this reach represents approximately 4 1/2 miles, and extends easterly beyond Harper Hill Road, to roughly the equivalent easterly extension of the City boundaries on State Route 89. The river corridor contains mixed residential, industrial, and gravel extraction uses, as well as two public parcels - the municipal waste treatment ponds, and the undeveloped Westland Park site. The Bisti Bridge (State Route 371) is also a public right-of-way location.

Animas River - this 10 mile reach is composed of two sectors:

1) A 4 mile reach from the San Juan River upstream to the Browning Parkway. This corridor lies primarily in the City of Farmington and is substantially committed to urban uses on both sides of the river.

2) A 6 mile reach from Browning Parkway to Flora Vista, along which the north side of the Animas has been or is being developed with urban uses and has intensive mixed agriculture and residential uses, while the south side (below the mesa ridge) is relatively undeveloped.

These portions of the Animas River represent the greatest challenge for public and private developments and partnerships for several reasons:

1) There are literally hundreds of ownerships.

2) There are underutilized private properties in land use designations which have not been effectively utilized, and are unlikely to be in terms of market demand.

3) The Animas is subject to fluctuating seasonal flows, which result in existing fast water (level 2 canoeing skill classification) during the first half of each summer. During the latter half of the summer, the lower river levels represent in-the-water play and float-down participation opportunities.

4) The growth toward the northeast of urbanizing uses represents opportunity and difficulty for the achievement of the public purposes of river access and enjoyment.

5) The outdoor recreation "Main Event" of the River Reach theme will surely occur on the Animas.
6) The clustering of visitor accommodations, the sequence of public parks, and the commercial recreation opportunities are spread out along the river.

7) The near term, riverbanks clean-up challenge is considerable.

For these reasons greater attention has been given in this report to the Animas River.

Several fundamental realities underlie the importance of encouraging environmentally appropriate private land development along the three rivers.

In a region overwhelmingly controlled by Federal land designations, the three river corridors represent the majority of private land in San Juan County. This is shown schematically in the graphic entitled "Regional Setting".

Common sense indicates that the majority of visitor and tourism accommodations that are yet to be built in the Farmington area will be built on private land at private risk. The pattern of outlying visitor and tourist attractions has been established and exhibits both growth and fluctuation in visitation. The graphic entitled "Regional Tourism Attractions and Visitation" demonstrates the distribution of principal attractions to the north and east of Farmington. The success of Farmington's ability to compete for the economic benefits of tourism will depend upon the initiatives that Farmington landowners will take to develop local attractions that center on the environment of the river corridors.

The success of the River Reach planning effort will depend more upon the efforts by private businesses than upon the regulatory effort of local governments. In a phrase: the quality of the rivers is good business.
With these observations in mind, the R/UDAT team suggests that there are series of opportunities for the private sector. The suggestions are:

River front commercial developments.
Hotels cluster/riverfront and river crossing node.
A themed marketplace.
Commercial recreation developments.
River bottom lands resource improvements.

Each is described briefly below, and shown in schematic location on the accompanying graphics.

**RIVERFRONT COMMERCIAL DEVELOPMENTS**

There are a few choice locations in the City and the County where the river courses closely parallel the major arterials. Such locations remain essentially available and vacant. Adjacent properties have often turned their backs on the rivers.

A recently opened example (an adaptive use of an existing building) is the Point of View Restaurant, facing the Animas River near the intersection of Main Street and 20th Street. There are, literally, no other comparable properties in Farmington.

Both the Animas and the San Juan present opportunities for the development of new, high quality restaurants, office parks, mixed use developments, and overnight accommodations which provide visual connection with the rivers. The R/UDAT team anticipates that there will be more such developments once the regional economy improves. It may be entirely appropriate for the City of Farmington to initiate discussions with property owners holding industrially zoned lands, to encourage commercial uses of those properties.
COMMERCIAL DEVELOPMENT OPPORTUNITIES

TOTAL FESTIVAL MARKET
HOTEL RIVERFRONT COMMERCIAL AREA

GROWING RIVERFRONT COMMERCIAL DEVEL.

CONFLUENCE PARK, WILDLIFE ENHANCEMENT AT SEWAGE PLANT, COMMERCIAL RECREATION DEVELOPMENT PUBLIC PARK, RV PARK.
HOTELS CLUSTER RIVER CROSSING NODE

An opportunity exists now for the creation of something better than the market forces have already created in the adjacent locations of five hotels/motor inns on both sides of the Animas. The R/UDAT team proposes the development of a focused plan for the integration of these several hundred rooms via a landscape program which ties together all of the properties on both sides of state 64 bridge with pedestrian walks on the river bank levees.

Funding for these improvements thus made could be provided by a partnership between the hotels and the City of Farmington, which could also include nearby restaurants and related tourist services.

A THEMED MARKETPLACE

On the north side of the Animas River, east of the hotel cluster, there is a site that could be a small specialty shopping center with indoor and outdoor space. This could be built at the elevation of the levee line so that a visual connection with the river is achieved. The components of the project could include a restaurant/lounge deck, specialty retail shops, a farmers market, Indian nations store, ceremonial interpretation amphitheatre, and a hotel/motor inn.

The Totah Festival Market shown on the accompanying locations map carries out this idea. The theme of the market could highlight the native American heritage of New Mexico's Four Corners region, or the traditions of the Old Southwest.

Such a venture would involve a significantly large financial undertaking and would require extensive land assembly.

COMMERCIAL RECREATION DEVELOPMENTS

The Farmington area does not have any recreation vehicle campgrounds, nor are there any canoe rental establishments or river raft outfitters. There are no commercial hunting and fishing resorts along the river corridors, or corporate conference resort ventures. Each of these forms of commercial recreation use presents forms of untapped opportunities that are well suited to the River Reach area.

The RV campground and the river canoe/raft rental facility are likely near term candidates for private development in the Farmington area. RV campgrounds could be established in a variety of locations. One is shown schematically at the tip of the peninsula at the confluence of the Animas and San Juan Rivers.

The canoe/raft outfitter/rental businesses would most logically be located upriver on the Animas or the San Juan at the points of launch. Haul out locations downriver might be privately owned or be located in City parks.

RIVERBOTTOM LANDS RESOURCE IMPROVEMENTS

In many instances, landowners will want to preserve the continued private enjoyment of their properties in undeveloped or very low intensity uses. It will be in their interest to husband carefully the quality of the property both above and below the flood plain line. A cooperative program with the County Agricultural Extension Agent for the management of vegetation and wildlife could ensure that both property value and riverrine habitat are sustained and increased.

In some cases, landowners may be willing to allow restricted access to the river. In such cases, donation of a specific easement to the River Reach foundation could result in tax benefits for the owner. In other cases, designations of property for wildlife habitat coupled with a conservation easement could provide a similar tax benefit.

Locations where such options should be explored are shown on the "River Reach Use and Management" graphic.
IMPLEMENTATION

PROMOTIONAL ACTIVITIES

Every plan requires initial steps which are clearly sensible and "do-able". It will take 15 or more years to achieve most of the recommendations included in this program. The residents and tourists need to know the sequence of progress and improvements. A consistent and continuing promotional program is a key facet of implementation. The components of that effort should be:

THE RIVERS-SHORT TERM

Wide spread disseminations of a River Reach R/UDAT Program Plan summary to the West Coast and Mid-West newspapers.

Definition of three to four annual river events which build a cycle of highly enjoyable outdoor recreation.

Solicitation of consumer goods corporate sponsors for river events and for publicizing these events.

Publication of a seasonal River Reach brochure for widespread distribution in the community, the motor inns, and in the four corners states.

Local sponsorship of river running events.

Development, with local Farmington media, and New Mexico public television, of a 25 minute video program which tells the story of the River Reach Programs.

Development of the La Plata Relay, a dry river bed trail horse race.

THE HERITAGE-SHORT TERM

Collection of oral history from long time residents of Farmington and San Juan County on video, in historical landscape backdrops which give life to history. Such episodes might be called the "Front Porch Stories".

Promotion of the development of a paved road to the Chaco Culture National Historic Park.

VISITOR ACCOMMODATIONS-SHORT TERM

Create an Animas River crossing hotel district on both sides of the State Route 64 bridge, with pedestrians/exercise paths in the levees.

Visitor Bureau and Hotel Group support for the new river running events.

THE ANIMAS - SAN JUAN RIVER AUTHORITY

Implementation of the regulatory recommendations of the R/UDAT team can most effectively be achieved by the creation of a joint city-county agency for the river areas. The suggested powers and duties of that agency, tentatively called the Animas-San Juan River Authority, are set out in the following outline of the provisions of an intergovernmental agreement pursuant to Sections 11-1-1 to 11-1-7 of the New Mexico Statutes annotated.
JOINT POWERS AGREEMENT

Outline of provisions for Joint Powers Agreement between the City of Farmington and San Juan County for the establishment of the Animas - San Juan Authority.

I. Purpose. The purpose of this agreement is to enable the City of Farmington and San Juan County to exercise jointly the following powers in the territory described in Part II.

A. The authority to adopt zoning regulations conferred by 3-21-1, 3-21-5 and 4-37-1 NMSA.
B. The authority to approve subdivision plats conferred by 3-20-1 to 3-20-12 NMSA.
C. The authority to protect persons and property from flood waters conferred by 3-41-1 to 3-41-5, and 4-30-1 to 4-30-17 NMSA.
D. The authority to prepare a master plan for the use and development of land conferred by 3-19-1, 3-19-4, 3-19-9, 3-19-10, and 4-37-1 NMSA.
E. The authority to build, beautify, and improve public parks and acquire land for park purposes conferred by 3-18-18 and 4-37-1 NMSA.
F. The authority to cleanse and purify waters and watercourses conferred by 3-53-1 and 4-37-1 NMSA.

II. Territorial Application. The territorial area within which the powers enumerated above shall be exercised is defined as follows:

(Legal Description)

III. Creation of Commission. The powers that are to be jointly exercised will be exercised by a joint authority to be known as the Animas -San Juan River Authority.

IV. Composition of Authority. The Authority shall be composed of five members, two appointed by the Board of County Commissioners, two by the Farmington City Council, and the four shall by majority vote select a fifth member who shall not be a resident of the city or of the unincorporated area of the county within the jurisdictions of the Authority.

V. Term of Office. Members of the authority shall serve for staggered terms of three years.

VI. Exercise of Power.

A. In the adoption, amendment and enforcement of zoning regulations the Authority shall adhere to the requirements and procedures set out in 3-21-6 to 3-21-8 and 3-21-10 NMSA.
B. In the adoption and amendment of a master plan the Authority shall adhere to the requirements and procedures set out in 3-19-9 and 3-19-10 NMSA.
C. In the exercise of authority conferred by Part I of this agreement, the parties agree that the Authority shall be empowered to sue and be sued, enter into contracts and leases, employ personnel, and acquire and hold real and personal property, including acceptance of the dedication or conveyance of right-of-way, access, or conversation easements.
D. The Authority shall act by ordinance or resolution duly passed and approved by the affirmative vote of not less than four members of the Authority.
E. In aid of the implementation and enforcement of the powers conferred by this agreement and the ordinances and resolutions adopted pursuant thereto, the Authority may appoint such officers, boards and commissions as to it may seem necessary or desirable.
VII. Financing. The expenses of the Authority in carrying out and implementing the powers conferred by this agreement shall be borne in equal shares by the city and the county and shall be funded by contributions from funds of the city and the county. In no event shall the respective contributions of the city and the county exceed $ per year. The Authority shall be authorized to receive grants from the federal government and the State of New Mexico. The Authority shall have full discretion with respect to the budgeting and expenditure of such contributions and any grants received, but shall provide for strict accountability of all receipts and expenditures.

VIII. Term. This agreement shall be in effect for an initial term of five years and shall be automatically renewed for successive terms of five years unless one or both of the parties shall serve notice of intent to withdraw not less than six months prior to the end of any such five year term.

IX. Termination. The agreement may be terminated by either party by giving notice of intent to terminate not less than six months prior to the prospective date of termination or upon the annexation of all property within the jurisdiction of the Authority by the City of Farmington.

X. Disposition of Property upon Termination. In the event that the Authority acquires land in the exercise of the powers herein granted then upon termination of this agreement such property shall be divided in such manner as the City and County may then agree, and in the absence of such agreement shall be divided equally between the County and the City. Any surplus money shall be returned in proportion to the contribution made by such party.

XI. Effect of Termination. Upon termination of this Agreement, all ordinances and resolutions pursuant to Parts VIII or IX theretofor passed and approved by the Authority shall remain in full force and effect within the respective jurisdictional areas of the city and the county until such ordinances and resolutions shall be duly amended, repealed or superseded.

ACTION PLAN FOR INITIATING A CONTINUING ANIMAS/SAN JUAN RIVER AUTHORITY AND MASTER PLAN

1. Define purpose, responsibility and authority of the Animas/San Juan River Authority (Following New Mexico statutes, annotated Section 11-1-1 to 11-1-7, Joint Powers Agreements).

2. Draft joint powers agreement between the City of Farmington and San Juan County including boundary description.

3. Refine and sign joint powers agreement.

4. Appoint Animas/San Juan River Authority and authorize initial contributions.

5. Appoint executive director and support staff.


7. Prepare work program for formation and implementation of a continuing Animas/San Juan master plan including:

A. Research and inventory of pertinent information, data and resources.

B. Analysis to identify: Planning and development problems, issues and environmental factors to be addressed.
C. Formulate program including: Purpose, goals, objectives, methodology, organization, and staff commitment, public input and review process, detailed scope of work, needed equipment and facilities.

D. Estimated costs and delivery rates.

8. Public hearings.

9. Decision to proceed with proposed master plan program.

Critical to success of such a program is the establishment of clear authority and implementation lines closely to the funding sources, the elected officials and the citizens they represent.

IMPLEMENTATION:

A. Zoning

1. Densities generally work to provide a framework for minor modifications.

2. Parking ratios appear to be excessive in light of Urban Land Institutes and the Institute of Traffic Engineers recommendations concerning the number of cars required, for various uses particularly for commercial and office uses. Recommend research and reduction of parking requirements.

3. Setbacks generally appear to be okay - need to be increased next in sensitive lands designated areas.

4. Signs - uses appear to be a question of whether or not types of signs, particularly outdoor display signs that are portable, have flashing lights and other movable signs that have pennants, etc., are permitted in the code and there is a question whether this is a matter of strict enforcement of the code. We recommend strict enforcement of the code.

5. Incentives. There appears to be little incentives in terms of density increases, floor area ratios, or other options to provide for amenities or setbacks or other areas in the sensitive land area or designated area of an "opportunities zone." Recommend ordinance revisions.

B. Processes - Zoning

1. There is no comprehensive plan to guide the decisions. Recommend adoption of Planning Commission and City Council in making rezoning plan and adherence to it in zoning review.

2. There is no provision for user fees for unusual zoning requirements. Recommend fees to cover planning staff costs for long range planning.
3. There is no established landscaping standards in the zoning code. Recommend adoption of a landscape design section.

4. There is no design review. The manufacturing park and PUD process appear to be well written, however, the process may be too long for the bonuses the applicant can gain. Recommend additional design review in sensitive land areas.

C. Subdivision Ordinance: The subdivision ordinance appears to have the capacity and the standards for implementing several of the recommendations of the R/UDAT team. However, some minor fine tuning may be appropriate in the following areas:

1. Creation of a specific zone for sensitive lands areas and consideration of open space and larger flood plain setbacks to be implemented during subdivision.

2. Consideration of amendment to Section 2b, street right-of-way widths to reduce widths of streets in the sensitive lands areas, particularly along the river corridors should be made.

3. Section 5, Recreational space and service areas. A possible consideration may be to increase the requirement in this area of dedication in the flood plain area if any use is permitted in that area.

4. That within the identified sensitive land zones dedications for trails and access to the river be considered a normal part of the subdivision process.

5. The dedication of land for easements should follow the same procedure as that for recreational space under section 5a, (9).

6. The Article VIII, Public Improvements, Section J concerning dedication of easements should be amended to require dedication on the plat for access to the river.

D. Capitol improvement programs and budgets. An overview of the capitol improvement programs and budget indicated no major problems. However, there are funds for new open space acquisition and minimal funds for existing park development.
THOMAS LAGING is the team chairman. He is a professor of urban design and architecture at the University of Nebraska in Lincoln, where he has directed the graduate program for several years. As a practicing architect with Geller Design, he has designed numerous projects including offices, housing and recreational facilities.

Professor Laging has worked as a planner for the City of Detroit, and the City of Lima, Peru. He was co-author of a capitol environs plan for the Nebraska State Capitol which won the prestigious Progressive Architecture magazines first award in Urban Design.

Laging is an active member of the American Institute of Architects Urban Design Committee and has served on numerous R/udat teams including Boise, Idaho, Newport Beach, California, and Gilbert, Arizona.

Laging was a Fulbright lecturer in Venezuela, an exchange professor in Mexico and a member of a campus planning team in Nigeria. He has served as visiting lecturer and critic at numerous universities. Laging holds a master's degree from Harvard University.
RALPH F. EVANS is an architect and urban designer from Salt Lake City, Utah. His work since 1966 has been in the traditional role as architect and developer.

Design awards were won for his work on the Jordan River Parkway improvements, Utah State Fairpark Masterplan Development, The Fairmont Offices in Salt Lake City, and a condominium residential community in Salt Lake City. Sunset Magazine's cover story in February 1985 was devoted to redevelopment of his private residence.

He is involved with the Utah legislature and the state's division of expositions in the redevelopment of Utah State Fairpark.

He has been involved in urban design committee studies for the American Institute of Architects in twelve cities, including San Antonio, Texas, Denver, Colorado, Portland, Oregon, and Washington, DC.

Evans is active in community services and church projects in Salt Lake City.

He holds degrees in fine arts and in architecture from the University of Utah. He has taught design and graphics at the School of Architecture. Evans is a graduate of the Civil Engineering Corps School for the U.S. Navy.

DAVID B. ELWOOD of Tucson, Ariz., is a land planning consultant, and a landscape architect. He has 30 years experience in management, planning and design of land development projects throughout the United States. His professional accomplishments come under seven categories: Community land planning and design; urban land planning and design; environmental impact statements; site analysis and feasibility studies; planned unit development and cluster design; business and industrial parks; and application of computer imaging technology to environmental assessment.

Among specific projects in his career are a master plan and site plan for Garden of the Gods Community, Colorado Springs, Colo.; master plan for M.G.M. Studios, lots 1 and 2, Culver City, California; environmental impact statement on 160-mile Florida West Coast Intracoastal Waterway Maintenance Dredging for U.S. Army Corps of Engineers; and site feasibility study of select lodge locations in 110,000-acre Big South Fork National River and Recreational Area, Tennessee and Kentucky.

A 1952 graduate of the University of California at Berkeley, he holds a bachelor's degree in landscape architecture.
WILLIAM W. SHAW is an ecologist whose major research and teaching interests include socio-political aspects of wildlife resource management, nongame management, conservation of urban wildlife, recreation resource management, multiple-use planning, international management of wildlife and national parks. He is the chairman for the University of Arizona's Division of Wildlife, Fisheries and Recreation Resources. He is from Tucson.

He has worked as a researcher, teacher or program director for a dozen employers including the Michigan Department of Natural Resources, the University of California, the U.S. Fish and Wildlife Service and the Victoria Forests Commission, Melbourne, Australia. He serves or has served in numerous Arizona and national programs involving wildlife, wild land and conservation programs, and he has been the recipient of more than a dozen research grants and fellowships for wildlife, recreation and conservation purposes.

He has a Ph.D. in natural resources from the University of Michigan. He holds a master's degree in wildlife biology from Utah State University and a bachelor's degree in biological sciences from the University of California, Berkeley.

MARK W. JOHNSON of Denver, Colorado, is an urban designer and landscape architect with an extensive background in site design for major public and private projects. He has been involved in site designs for new facilities and redevelopment plans in several cities across the United States.

He is the author of "Boom or Bust: Strategies for Design," a study of growth cycles of Southwest boomtowns. He has won awards for his urban design projects. Among them is "best thesis" for his "Boom or Bust" study as recognized by the Harvard University urban design program.

Johnson operates Civitas, P.C., an urban design and landscape architecture firm in Denver.

He has worked extensively on riverine planning and 5 rivers in Washington, Minnesota, Utah, and Colorado.

He has worked in Cambridge, Massachusetts; Seattle, Washington; Ogden, Utah; and Edden Prairie, Minnesota.

His bachelor's degree in landscape architecture and environmental planning was won at Utah State University, and his master's degree was obtained in 1982.
ROBERT W. THORPE, AICP, is president of R.W. Thorpe and Associates Inc., in Seattle, Washington. He is a consulting urban planner, his firm specializes in land use planning, environmental and economic analysis and landscape/site planning.

With 18 years of experience in planning, including City Planner at Mercer Island, WA. Thorpe has been in charge of a wide range of his firm's planning projects and environmental studies, particularly waterfront development. The firm, 12 years old, has worked on projects in the Northwest and Alaska. Its areas of expertise include land use, comprehensive and regional planning; landscape/site and master planning; environmental impact statements; land economics; analysis of feasibility and highest and best use of land; zoning, shorelines, planned unit developments and rezoning applications; and expert witness testimony for court proceedings.

Thorpe is a guest lecturer at Washington State University, University of Alaska and University of Washington. His education includes a BS from the University of Nebraska and a MS from the University of Washington in urban planning and urban development economics, and he is a candidate for the MAI (appraisal) designation, combining expertise in land economics with design and planning.

DAVID WILCOX is vice president of Economics Research Associates in Los Angeles, California. He is an economic planner and analyst with special expertise in tourism development and recreation. He recently completed a study of the economic impact of the Albuquerque International Balloon Fiesta.

He regularly carries out organizational design and management in linking existing recreational, historic, and commercial developments.

He has recently conducted programs that coordinate several jurisdictions and operators in marketing and theme interpretation in Yuma, Arizona; Fairbanks, Alaska; and Wichita, Kansas. The assignments have involved the tying together on riverfronts or along historic paths of state parks, city monuments, national landmarks, cultural and convention facilities, and tourism promotion programs. Recent public recreation planning tasks have included citywide park plans for San Clemente, and Carlsbad, California, and the development of land and water resource management techniques on the Highland Lakes of Central Texas for the Lower Colorado River Authority.

Wilcox has a bachelor's degree in political science and a master's degree in history from the University of Michigan. He has a master of regional planning degree from the Harvard University Graduate School of Design.
MARLIN SMITH of Evanston, Ill., is an attorney who specializes in land-use and planning law.

Smith has been a partner in the Chicago law firm, Ross and Hardies since 1966. He joined the firm in 1956, the year he completed his Juris Doctor degree from the University of Chicago and was admitted to the bar, in Illinois in the same year. He was admitted to practice before the U.S. Supreme Court in 1975.

He is the national land use counsel to McDonald’s Corp., Kraft Inc., Forest Corp., Urban Investment and Development, and the U.S. Home Corp.

In recent months he has been serving on a special land-use task force for Chicago Mayor, Harold Washington. He has written extensively on land-use matters in law reviews and other journals.

Smith, in addition, has served as a consultant to cities in Kansas, Missouri, Florida, Virginia and Texas. He has served as general municipal counsel or special counsel on land-use litigation for Chicago area municipalities. He has served on three previous R/UDATs.
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Bob Lehmer ... Chairman
Barbara Byrom
Steve Clark
Max Doak
Bill Freimuth
Kathe Ives
Bob Stovall

Barbara Byrom
Steve Clark
Max Doak
Bill Freimuth
Kathe Ives
Bob Stovall

RIVERINE TASK FORCE

Participant Land Owners

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Mr. & Mrs. Bob Browning
G. O. and Mary Donald
Mr. & Mrs. David Burnham
O.L. and Bernice Burnham
Mr. & Mrs. Jerry Clayton
Larry Dinnick
Bill and Judy Cumberworth
D. Craig Foutz
Jim Gober
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Robert Horvath
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Vicki Jones
Bosko Krivokapich
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Jack Monteoya
Glenn Sill
Kermit K. Sneed
Ron Taylor
Steve L. and Janet B. Tenski
J.C. "Pat" Patterson
Agatha Garcia and Royce Jo-Bowden
Jim Baker and Jack Drake
Bob Fitz
Caroline Johnson
David Robertson
Art Jacquez

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Tom Hummell
Carlyln Rodahl
Craig Johnson
Chuck Pearson
Jeff Paterson
Bill Freimuth

Instructor, Steve Barbas
Ruth Lambert
David Dallas
Bob Paulsen
Norma Rivas
CONTRIBUTORS:

| The Inn-Best Western  | Tim Christensen |
| Aspen Airlines       | Trans Colorado  |
| Mesa Airlines        | Kathryn S. Davis |
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|                       | H. Kyne White   |
|                       | Stuart Wilson, M.D. |
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