



Historic Victory on Santolina Case!

SANTOLINA DEVELOPMENT THWARTED AGAIN BY COMMUNITY OPPOSITION

Bernalillo County Planning Commission Votes 3-2 to Deny Santolina Level A Amended Master Plan & Level BII Master Plan

Albuquerque, NM—In an unprecedented vote on Wednesday, March 2nd, the Bernalillo County Planning Commission voted 3-2 to deny Western Albuquerque Land Holding’s Amended Level A Master Plan and 3-1 to deny the Level B.II Master Plan for the proposed Santolina development project. Despite many unanswered questions and changes, County staff had originally recommended both plans be approved. It is highly unusual for the CPC to vote against County staff recommendations.

In a historic vote, Commissioners Angela Solares, Joelle Hertel and Connie Chavez voted against the approval of the Level A Amended Master Plan. Multiple concerns were raised about where water will come from, since the developer—Western Albuquerque Land Holding (WALH)—claimed their latest plans don’t require water or sewer services from the Albuquerque Bernalillo County Water Utility Authority (ABCWUA), as well as that the amended plan seemed to be piecemeal rather than a truly planned development. Commissioner Joe Chavez, Chair, voted for approval of both the Level A Amended Master Plan and the Level B.II Master Plan.

Over 100 people joined the meeting over zoom, requiring the County to upgrade their Zoom account to accommodate the dozens of community members who wished to comment, observers noted. The numerous members of the public who spoke during public comment opposed the Santolina project, and none spoke in support. A group of a dozen community members held signs outside the County building in opposition during the hearing (see photo above).

During the hearing, New Mexico Environmental Law Center (NMELC) staff attorney **Mia Montoya Hammersley** argued that the Level A Amended Master Plan should be denied because “the proposed Santolina development is a proposal to build a planned community larger than Santa Fe on Albuquerque’s west mesa, using billions of gallons of water and millions of taxpayer dollars. This development is being proposed during a time when the Southwest is experiencing the driest conditions of the past 1,200 years due to climate change. This development would come at the expense of the water resources of farmers and irrigators in the South Valley, in addition to harming all current water users in the Middle Rio Grande who are already experiencing water scarcity. Hauling water does not negate the overall water footprint of the development, and as Commissioner Solares pointed out, we have no idea where this water is going to come from.”

“As the Planned Communities Criteria notes, the major opportunity of a planned community is to provide for the interaction and interconnection among land uses and neighborhoods within the community. In recommending approval, the County is continuing to allow for work-arounds and disregarding the fact that the developer still does not have a guaranteed water and wastewater service provider.”

Level BII should be denied, Ms. Hammersley continued, because “it would have paved the way for the Developer to utilize on-site utilities as a tactic to delay securing reliable water and wastewater services and to deviate from the originally approved Level A Master Plan. While the Planned Communities Criteria allows for some adjustment throughout the development process, allowing for drastically altered plans to supersede previously approved plans undermines the master planning process, violates the Planned Communities Criteria, and leads to piecemeal development.”

This victory shows the collective power of community working together for years to prevent a massive sprawl project that would extract precious water resources from communities and that poses many health and environmental impacts. The NMELC has been proudly representing clients since 2013 on this case and working with partners including the Contra Santolina Working Group, the SouthWest Organizing Project (SWOP), CESOSS (Center for Social Sustainable Systems), the South Valley Regional Association of Acequias, American Friends Service Committee, plus several individuals such as Santiago Maestas, Marcia Fernandez and others.

This is the first time in 8 years that the CPC has voted to deny recommendation on any part of the Santolina development. Does this mean the battle is over? No, but the CPC sent a strong message on Wednesday morning to the developers and to the public. It was an inspiring and empowering moment. When the motion to deny was made, everyone in the zoom space could feel a powerful shift. **This historic vote was courageous and marked a big win for community.** Below are some reactions from community members and NMELC staff in response to the CPC decision to deny the amended Level A and the Level BII Master Plans.

Here's how the Contra Santolina coalition responded:

Historic Vote: CPC Board Denies both Santolina Master Plan Level A Amendments and Level B.II in a 3 to 2 Vote

Sometimes we win!

Today marked a historic moment in our long battle against the Santolina Master Plan that began in 2013. In the 8 long years that the community has been battling against this massive sprawl development, we had yet to witness such a monumental vote such as we witnessed today.

We want to recognize the courageous and important vote that took place at the CPC to deny Level A amendments and Level B.II on a 3 to 2 vote. Thank you to Commissioner Joelle Hertel, Commissioner Angelica Solares, and Commissioner Connie Chavez for the important questions you raised throughout the hearing and most importantly, for your courage and for listening to your constituents.

It is important to note that this denial was in spite of the County Staff's urging for CPC members to APPROVE the Santolina amendments despite the numerous unanswered questions that remained.

We also want to thank the community for the continued support over all of these years and especially to all of the individuals who took time today to attend the hearing and to raise numerous issues and concerns related to Santolina.

We know the battle is from from over and will continue on at the Bernalillo County Commission and in the courts.

As a Contra Santolina Working Group member stated, "A win is a win!" and today after years of losses and disappointing votes, WE WON!

We will continue to keep you posted on next steps.

[#santolinascam](#) [#nowalhnosprawl](#) [#santolinasucks](#) [#bernalillo](#)

Reaction from Community Members

"Our community pulled together beautifully to point out the flaws in the Santolina applications: County staff said not all of their questions and concerns had been answered; there wasn't enough water eight years ago and there is even less now; the Master Plan has devolved into patchwork zoning. We will continue to oppose this sprawl development."

–Marcia Fernandez, South Valley farmer

“Today marked a historic moment in the long battle against the Santolina development. We want to recognize the courageous and important vote that took place at the CPC to deny Level A amendments and Level B.II on a 3 to 2 vote. This denial was despite the County Staff’s urging for CPC members to approve the Santolina amendments. We thank the community for the continued support and especially to all of the individuals who took time to raise numerous issues and concerns related to Santolina. NMELC is proud to represent clients on this important case and we will continue to stand firm alongside you on this battle to defend water and communities.”

--Virginia Necochea, Executive Director, NMELC

“The decision by the CPC to deny the request to amend level Plan A and level Plan B is not only a historical decision, but it also goes to show that our community at large, including our representatives, see Santolina for what it is, a development scheme that is not bringing real benefits to our region but rather benefits to stockholders that most likely do not live in our communities and who are not concerned about the future of our families and communities in this area. The denial today is a vote for the future sustainability of our communities, and a vote of denial to unsustainable practices by entities that do not have the best interest of our communities here in the Southwest.”

--Jorge Garcia, Director, CESOSS

“From the American Friends Service Committee, we are pleased with the decision acknowledging that this issue is not over. Thank the CPC members for thinking critically and for seeing past the convoluted attempts by the developer to circumvent sustainable planning. The Santolina Development project did not come from the community and it does not benefit the community.”

--Patrick Jaramillo, AFSC Co-director of NM Program

“Sprawl lost. WALH's proposed modifications to the governance and land uses allowed in Level A raised grave concerns. Clearly, not even WALH, with its piecemeal development schemes, is treating Santolina as a planned community. In an attempt to make it viable, WALH tried to bend the rules, again, to circumvent planning. Ongoing climate changes and water scarcity underscore that Santolina is not viable.”

--Elaine Hebard, member, Contra Santolina Working Group

"Today was a landmark day in Bernalillo County's long and tedious 8-year review of the proposed 90,000-person Santolina development. It was a breath of fresh air to witness the County Planning Commission’s decision to deny both Santolina matters that were under consideration. Today’s outcome is the direct result of the work of a highly dedicated group of individuals who continue to represent our community in this matter that will have significant impact on the future health and well-being of our community."

--David Vogel, Planning Consultant

Reactions from Attorneys

“Today we witnessed the collective power of the community that has tirelessly fought to safeguard our water resources and public health from this piecemeal development.”

--Mia Montoya Hammersley, NMELC Staff Attorney

“We need to acknowledge the tireless work of community members over many years to get to this point. This victory wouldn’t have happened without their persistent advocacy, and it’s nice to see that for the first time members of the CPC seem to understand that there isn’t water for this development, and that hauling water from some undisclosed location will still impact all water users in the Middle Rio Grande Valley. No matter where you get the water from, it will reduce the amount of water available for everyone else.”

--Maslyn Locke, NMELC Staff Attorney

"We are gratified that the majority of the County Planning Commission members recognized that the proposed amendment to the Santolina Level A Master Plan and the proposed Santolina Level B.II Master Plan constituted a piecemeal approach to development within the Santolina area."

--Douglas Meiklejohn, Co-counsel

Check out our [press release](#), plus a great [article](#) by Shaun Griswold in *Source NM*, plus coverage in [The Paper](#) and the [Albuquerque Journal](#).

Here's an excerpt from the *Source NM* article:

"...Marcia Fernandez is a farmer in the area who echoed the concerns about water and how the development could impact the environment for the community.

"I think all of us know that eventually Santolina is going to require a lot of water," she said, adding that she sat in the public planning meetings back in 2013. "We didn't have the water then, and we don't have the water now," she said. "In fact, we have even less."



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Santolina proposals get a thumbs down from BernCo planning commission

Developer talks trucking in water during construction, while South Valley farmers raise larger drought concerns

BY: SHAUN GRISWOLD - MARCH 3, 2022 5:00 AM



The proposed location for the Santolina project. (Photo courtesy Bernalillo County)

Farmers and other growers in the South Valley have been operating off shorter irrigation seasons for many years now, Fernandez said.

Her family farm is generational, she added, and her grandkids are now learning to irrigate and work with the water resources they have available. The development, Fernandez said, is a threat to her very way of life.

"Really, in my heart, I'm still worried that this is something that may die with me. Maybe there will not be an agricultural tradition in the South Valley beyond my generation. God forbid."

And here's an excerpt from the article in *The Paper*:

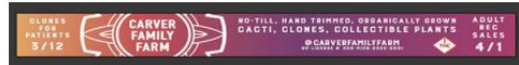
"Community groups scored a big win today. For the past eight years, it's been a back-and-forth battle with Santolina and community groups that oppose a development the size of Santa Fe on Albuquerque's west mesa. In a highly unusual move, despite the County Staff's urging to approve the Santolina amendments, the Bernalillo County Planning Commission (CPC) members voted 3-2 to deny amended Level A Master Plan and 3-1 to deny the Level B.II Master Plan for the proposed Santolina development project. ...

[Read full article.](#)

ALBUQUERQUE

Santolina Has Hit a Wall

Ignoring Staff Recommendations, CPC Tells Barclay Bank "No"



Gwynne Ann Unruh

Gwynne Ann Unruh is an award-winning reporter formerly of the Alamosa Valley Courier, an independent paper in southern Colorado. She covers the environment for The Paper.



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Community groups scored a big win today. For the past eight years, it's been a back-and-forth battle with Santolina and community groups that oppose a development the size of Santa Fe on Albuquerque's west mesa. In a highly unusual move, despite the County Staff's urging to approve the Santolina amendments, the Bernalillo County Planning Commission (CPC) members voted 3-2 to deny amended [Level A Master Plan](#) and 3-1 to deny the [Level B, II Master Plan](#) for the proposed Santolina development project.

Thanks to the dozens of community members who showed up for the hearing and who spoke during public comment against this piecemeal sprawl development project! Without your support, this victory would not have been possible.

We will keep you informed as to what happens next. Although we won this battle, we know the fight will continue.



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