



## **Notes**

**Monday, June 1, 2022**

**10:00am – 2:00pm**

**Rio Grande Nature Center, Albuquerque, NM**

### **Attendees**

#### **Task Force Executive Committee**

Mike Hamman, State Engineer, Office of State Engineer

Hannah Riseley-White, Deputy Director, Interstate Stream Commission

Rebecca Roose, Deputy Cabinet Secretary of Administration, NM Environment Department

Marquita Russel, CEO, NM Finance Authority

#### **Task Force Members**

AJ Forte, Executive Director, NM Municipal League

Aron Balok, Water Resource Specialist, Pecos Valley Artesian Conservancy District

Aaron Chavez, Executive Director, San Juan Water Commission

Debbie Romero, Cabinet Secretary, NM Dept. of Finance & Administration

Dr. Ladona Clayton, Executive Director, Ogallala Land and Water Conservancy

Dr. Nelia Dunbar, NM Tech Professor, Leap Ahead Analysis

Elizabeth Anderson, Chief Planning Officer, ABCWUA

Jennifer Bradfute, Senior Counsel, Marathon Oil Company

Joy Esparsen, Deputy Executive Director, New Mexico Association of Counties

Kyle Harwood, Water Rights Attorney, Santa Fe

Norm Gaume, President, MRG Water Advocates

Patrick McCarthy, Water Policy Officer, Thornburg Foundation

Paul Tashjian, Director of Freshwater Conservation, Audubon

Paula Garcia, Executive Director, NM Acequia Association

Priscilla Lucero, Executive Director, SWNMCOG; Water Trust Board

Ryan Swazo-Hinds, Environmental Biologist, Pueblo of Tesuque Department of Environment & Natural Resources

Debbie Romero, Cabinet Secretary, NM Department of Finance and Administration

Todd Leahy, Tribal Liaison, NM Energy Minerals & Natural Resources; proxy for Secretary Sarah Cottrell Propst

Lt. Governor Carleton Bowekaty, Zuni Pueblo

Lynn Trujillo, Cabinet Secretary, NM Indian Affairs Dept.; Laurie Weahkee, Proxy

Bill Conner, NM Rural Water Association

Ralph Vigil, President, NM Acequia Commission; William Gonzales, Proxy

Michael Sloane, Director, Department of Game and Fish Director

Daryl Vigil, Water Administrator, Jicarilla Apache Nation (not present)

Dr. Phil King, Retired NMSU Professor and Consultant to EBID

### **Others**

Danielle Gonzales, Executive Director, NM First

Theresa Cardenas, Civic Engagement & Policy Manager, NM First

Valerie Rangel, Civic Engagement Assistant, NM First

Corina Gomez, Recorder, NM First

Eleanor Hasenbeck, Recorder, NM First

Lynne Canning, Task Force Design and Facilitation, NM First

Adrian Oglesby, Executive Director, Utton Center

John Fleck, Utton Center

### **Welcome/Invocation/Opening Statements**

Mike Hamman, State Engineer acknowledged water issues and the devastating effect of the fires throughout the state and anticipates continued water issues as NM moves forward.

### **Executive Committee**

Introduction of the Executive Committee and support team of NM First and Utton Center.

### **Role of the Task Force**

- Over several months, the Task Force will focus on policy recommendations that ISC/OSE will take to the governor's office and legislative team. This inaugural event is a meeting to organize how the task force will function moving forward.
- As information is being discussed it will be shared with members within the Water Task Force's respective communities.
- Funding came from the Thornburg Foundation and other agencies to support the Task Force convening process which will develop recommendations for policies and procedures for the governor, ISC and OSE.
- The task force will review the environment department, water division, the protection and management of public drinking water certification, the clean water state revolving fund and supporting NMSA state water projects, and more.
- There has been a lot of effort over the years to move forward with the water issues in the state such as the health of our water sheds and public water health.
- There will be a 300% increase of federal funds for upcoming years; the first time that New Mexico has a significant amount of state and federal funding that can get some projects started and provide communities access to those dollars. Federal funding will make a significant impact toward water improvement and help the state address extremely dry and more difficult water issues that NM experiences with respect to other states.
- The most significant issues:
  - We have less surface water than any other state.
  - Climate change predictions indicate that NM will have 30% less surface water with increase in demand. –The severity of drought can be seen as an opportunity—"Now is the time to work on these issues and create an action plan".
- The 50-year water plan is the first time that the state will focus on water issues. A presentation of the 50-year water plan will be made to Governor Michelle Lujan Grisham in early August. The next Water Task Force meeting will consist of digging into the details of the current water plan

and will cover the specifics of water quality policies that need to be reviewed and changed as needed.

#### **New Mexico First**

- Is a statewide policy organization that works on civic engagement and citizen led policy working groups.
- Since the Water Task Force is not subject to Open Meetings Act requirements, task force members will discuss options for public involvement and develop a plan to meet and develop consensus on recommendations.
- The final report for the task force will be completed by NM First & the Utton Center who will also provide support in the form of background research and vital information to the Task Force as they engage and collaborate.
- Support from the Thornburg Foundation will fund the Utton Center to provide a background report on water issues for the Task Force. New Mexico First is funded by the OSE/ISC.
- The Thornburg Foundation helps organizations that contribute to water issues in the form of grants.
- The National Conference of State Legislators have been brought into the process by Thornburg.

#### **50 Year Water Plan Introduction**

- The final goal is to carry recommendations forward to the 2023 legislature.
- The role of the Task Force is to review the plan and assess what changes to New Mexico water are likely to impact the state from climate change and make policy recommendations to address them.
- The Water Plan and Task Force recommendations as well as associated information will be accessible to the public via the task force website: [nmwater.org](http://nmwater.org)

#### **Comments and Questions from Water Task Force members**

- Grateful to ISC for the Leap Ahead analysis.
- Asked if ISC could include the NM Acequia Association in the interagency review for 50 Year Water Plan? This would allow acequia members some time to review the report and determine what is feasible.
- Wants to see consideration of disaster response and considerations of how more burned landscapes will impact water supply.
- Shared her experience evacuating from wildfire. Task Force member's house was not destroyed, but the forest was devastated. She is a rancher and feels the negative change is happening now and has there been a disaster response regarding this from the state. • Impacts described in Leap Ahead analysis are here (at this time.)
- Wants to see consideration of state's roll in disaster response. Happy to share observations of how state interacts with federal agencies.
- Would like the state to "get ahead on climate change where we can", but now are in recovery mode and rebuilding in different landscape but doesn't think that the state is ready to react to the fire challenges specifically.
- Feels that the scale and severity of the wildfires were unexpected.
- Water supply assumptions might be bleaker within a post fire landscape, and worried what our landscape look like if this drought continues?
- We are seeing changes and will look at recommendations to see how emergency/disaster response are captured in them.
- Keeps thinking drought is short term, but what does landscape look like if drought continues?

- What does it mean to have 30% less water in streams? How do we prepare for that, including disaster, emergency response piece? Will look at recommendations to see how captured in recommendations.
- Complimented the use and design of graphics for recommendations listed in the plan.
- Looks very comprehensive.
- Requested a walk through the three pillars of Stewardship, Sustainability, Equity and the nine recommendations in the state water plan.
- Has seen the life of the systems are not lasting which puts challenges in the funding mechanism. Need to see the systems need to last longer. Discussion to follow regarding resilience within her own community. The ability to recover from a major shock which could be tied into this area. Testing of vulnerabilities is also starting to happen to see where the gaps are located. Discussion and investigation of our water shed issues.

### **Policy and Infrastructure Priorities (Group Discussion)**

#### **Question 1 posed by facilitator to the Task Force:**

***What are the greatest strengths of water policy and infrastructure in NM currently or the greatest advancements in NM in past decade?***

#### Responses:

- Drought is the best opportunity to improve water policy. It is a tool that enables/forces us to look at the issues better. If we all had water, no one would care.
- Has trepidation about all the funding becoming available because of community capacity to access that funding.
- NM has a huge opportunity to do transformational work. That's tempered with a challenge – there are real issues with how we fund infrastructure in the state, particularly for underserved communities.
- All the money in the world won't help if we don't reform the process to get money in the ground.
- Drought is an opportunity, but understanding is important to get public buy in. Drought an opportunity and a challenge. It forces change, which is one thing people don't like to do.
- Understanding is also important. If people have an understanding of why working toward goal, why done the way it is done, they are more likely to buy into plan.
- Doesn't think we have adequate resources to handle this amount of funding in this short of period.
- Should've been 15-year program instead of 5-year program.
- Another element of understanding is data, and accessible data. Need that to enable us to use that data to make science-based decisions.
- Planning needs to be at level of the resource. Need opportunities to implement regional planning. Can't be state level.
- Where we don't have information to do rigorous planning, need to get information, rather than acting on what we think we know.
- This is not a drought, this is permanent. What are we going to do to save what we can?
- Face the facts. Figure out the best way we can to deal with those facts and save something for generations to come.
- NM has cultural history of living with less and using only what you need. Many communities not accustomed to an abundance of water.

- NM has tools in looking at indigenous methods, legislative strategies and shortage sharing. There are mechanisms, law and cultural practice in place that give the tools we need to succeed.
- We have capacity issues in funding.
- Grants complete but can't be funded because a board didn't understand the rules. They don't know front end piece they need to do to secure the dollars, and I end up spending a lot of time doing that.
- Process needs to be improved, because if not we won't be able to get to the dollars that are available. • Make sure boxes are checked and projects are vetted before legislators look to fund.
- We have cultural traditions to live within our means and have long understanding of where surface water is and how to share it. This precedent of shortage sharing needs to be expanded to groundwater.
- Laissez faire is taking hold. If the market becomes the mechanism to allocate water, it creates equity issues. This is a serious concern. It might work in some places, but not in acequia communities.
- What does policy mean? Water scarcity, management, policy have different meanings to everyone in the room.
- Interested in municipal water reuse and recycling.

**Question 2 posed to Task Force:**

***What are the greatest challenges to water governance and management in NM in the coming decade?***

Responses:

- To home in on reuse, could make potable reuse easier in NMED regulations.
- Reuse is supply source, but also should look to other sources of supply like brackish water.
- Need to reduce cost of these technologies, because low hanging municipal water conservation fruit has been taken. Need to change processes amid challenges in the future. A lawn might be a luxury in the future.
- These are complex, layered issues. Potential solutions need to be multi layered.
- On reuse – NM has many effluent dominant streams. Decreasing wastewater would decrease streamflow to acequias, tribes, natural resources, and other downstream users.
- Solutions are not one size fits all and we need to figure out the right combinations of things.
- Planning needs to be comprehensive and go beyond boundaries.
- Only 7-8 counties have planning and zoning, so many counties are not forward thinking in how development impacts downstream communities.

Executive Committee:

- We're looking at a number of things that have policy components: water rights admin within the water trust board water right's review process for water rights reuse. This is often a challenging piece to address these while addressing concern that moving away from traditional acequia values.
- Need to look at regional, community-based way. Current water right admin policy is not the best fit in every case.
- Talked about Groundwater administration on a basin basis, some kind of change in admin policies to be more robust.

**Question 3 posed to Task Force:**

***Which principles or values do you suggest should characterize NM's water policies and priorities?***

Responses:

- The task force will be looking further into water based on a regional bases which will need to be adjusted in different areas. Need changes in some administrative policies to give more flexibility on water policies.
- Funding, national science foundation TIP (technology innovation and partnerships) focusing on regional proposals. This will be 160 million dollars.
- Partnerships between gov., labs, universities etc.
- Proposals are not due for a year but need to send a letter of intent and would like to include the groups in attendance. Appears it will be a water mission. Want to see private and state government together.

**Closing remarks:**

Discussion regarding attendance of meetings by state legislators:

- •Participation by the public, meeting recordings, and live feeds will be discussed and decided upon by the task force.
- A small group of legislators attending meetings can be part of the education process which can add value to the process.
- The task force will need to come to consensus prior to the next meeting on engagement with legislators so that the State Engineer can present that information to them.

**Next steps:**

- 3 meetings will be scheduled to address the 50-year water plan, meanwhile still work on policy issues, once completed then they will take up other matters every other week. Materials will be sent in advance.
- Website has been built and will be updated with today's information. Requesting a submission of stories from your communities and that you have an interest in your community. The public needs to see who the task force members are and what they represent.
- Task force members will review the Charter and offer new language if needed by the deadline of the next meeting.

**Adjourned at 2:00pm**