



## Mid-Region Council of Governments

### WATER RESOURCES BOARD

Wednesday, January 6, 2016

10:00 a.m. - Noon

MRCOG Board Room, 809 Copper Ave. N.W., Albuquerque, NM 87102

Adrian Oglesby, Chair

Bruce Thomson, Vice Chair

#### AGENDA

**Call to Order:**

*The presence of a quorum will be noted.*

**Approval of Agenda for January 6, 2016**

Tab 1 **Approval of Action Summary of October 7, 2015**

#### COMMENTS AND REPORTS

Tab 2 **Public Comments** *[ANYONE WHO WISHES TO ADDRESS THE WRB MUST REGISTER WITH THE SECRETARY OF THE BOARD]*

Tab 3 **Board Questions and Comments**

#### ACTION ITEMS

Tab 4 **2016 Legislative Priorities**

Tab 5 **Approval of 2016 Water Resources Board Meeting Schedule**

Tab 6 **East Mountain Area Map Compilation – Sara Chudnoff, Bernalillo County**

#### DISCUSSION AND INFORMATION ITEMS

Tab 7 **MS4 Permitting – Kevin Daggett, City of Albuquerque**  
**Adjournment**

#### NOTES

**Next Meeting:**

**2016 Meetings To be Announced**  
**10:00 a.m. to Noon**  
**MRCOG Board Room**

*Anyone requiring special accommodations must notify the MRCOG office (724-3616)  
at least seven days prior to the meeting.*



## Mid-Region Council of Governments

### Middle Rio Grande Water Resources Board Wednesday, October 7, 2015 10:00 a.m. - 12:00 p.m.

MRCOG Board Room, 809 Copper Ave. N.W. Albuquerque, NM 87102

**Donald T. Lopez, Chair**

**Art Swenka, Vice Chair**

	ORGANIZATION	PRESENT	MEMBER	PRESENT	ALTERNATE
1	City of Belen		<b>Dale Tafoya</b>		David Carter
2	City of Moriarty	X	<b>Art Swenka</b>		Ted Hart
3	Valencia County		<b>Jacobo Martinez</b>		Pedro G. Rael
4	AMAFCA	X	<b>Bruce Thomson, Vice-Chair</b>		Vacant
5	Town of Bernalillo	X	<b>Jack Torres, Mayor</b>		Maria Rinaldi
6	Bernalillo County		<b>Wayne Johnson, Commissioner</b>	X	Dan McGregor Sara Chudnoff, Carlos Bustos
	Village of Bosque Farms		<b>Vacant</b>		Wayne Ake, Councilor
7	Village of Corrales	X	<b>Pat Clauser, Councilor</b>		
	Village of Los Lunas		<b>Vacant</b>		Vacant
8	Village of Los Ranchos de Albuquerque		<b>Larry Abraham, Mayor</b>		Don Lopez
9	Middle Rio Grande Conservancy District		<b>Adrian Oglesby, Chair</b>		Karen Dunning
10	City of Rio Rancho		<b>Larry Webb</b>		Steve Gallegos Marian Wrage
11	Sandoval County		<b>Darryl Madalena, Commissioner</b>		Michael Springfield
12	SSCAFCA		<b>James Fahey</b>		Vacant
13	ABCWUA		<b>Mark Sanchez</b>	X	Frank Roth
14	Town of Edgewood		<b>Rita-Loy Simmons</b>		Sherry Abraham
	Torrance County		<b>Vacant</b>		Joy Ansley
	Town of Estancia		<b>Vacant</b>		Sylvia Chavez
15	City of Albuquerque		<b>Bart Faris</b>		Ken Ziegler
16	Ciudad Soil & Water	X	<b>Steve Glass</b>		
17	Coronado Soil & Water	X	<b>Lynn Montgomery</b>		Marvin Mendelow
18	Edgewood Soil & Water	X	<b>Brenda Smythe</b>		
19	ESCAFCA		<b>Sal Reyes</b>		

<b>EX-OFFICIO MEMBERS</b>					
	<b>ORGANIZATION</b>	<b>PRESENT</b>	<b>MEMBER</b>	<b>PRESENT</b>	<b>ALTERNATE</b>
	Middle Rio Grande Water Assembly		<b>Bob Wessley</b>	<b>X</b>	Elaine Hebard John Brown
<b>ELIGIBLE VOTING GOVERNMENTS NOT REPRESENTED</b>					
	<b>ORGANIZATION</b>	<b>PRESENT</b>	<b>MEMBER</b>	<b>PRESENT</b>	<b>ALTERNATE</b>
	Cochiti Pueblo		Vacant		Vacant
	Isleta Pueblo		Vacant		Vacant
	Sandia Pueblo		Vacant		Vacant
	San Felipe Pueblo		Vacant		Vacant
	Santa Ana Pueblo		Vacant		Vacant
	Santo Domingo Pueblo		Vacant		Vacant
	Village of Cuba		Vacant		Vacant
	Village of Jemez Springs		Vacant		Vacant
	Village of San Ysidro		Vacant		
	Village of Tijeras		Vacant		
<b>MRCOG STAFF AND OTHERS ATTENDING</b>					
	Sandy Gaiser, Barbara Thomas, Maida Rubin, Larry Horan				

## AGENDA

### Call to Order

The October 7, 2015 meeting of the Mid-Region Water Resources Board (MRWRB) was called to order by Vice Chair Bruce Thomson, Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA), at 10:08 a.m. and the presence of a quorum was noted.

### Agenda for October 7, 2015

#### Action Taken:

Patricia Clauser, Village of Corrales, made a motion to:

#### **APPROVE THE AGENDA OF OCTOBER 7, 2015 AS PRESENTED**

The motion was seconded by Art Swenka, City of Moriarty, and passed unanimously.

#### Tab 1 **Approval of Action Summary of June 10, 2015**

Dan McGregor noted that at the top of page 4 of the June 10<sup>th</sup> summary, it should read "...Dan McGregor, Bernalillo County ..."

#### Action Taken:

Dan McGregor, Bernalillo County, made a motion to:

#### **APPROVE THE ACTION SUMMARY OF JUNE 10, 2015 AS CORRECTED**

The motion was seconded by Steve Glass, Ciudad Soil and Water Conservation District, and passed unanimously.

## PUBLIC COMMENT AND REPORTS

#### Tab 2 **Public Comments**

There were no requests for public comment.

#### Tab 3 **Board Questions and Comments**

There were no questions or comments from the board members present.

## ACTION ITEMS

#### Tab 4 **Discussion and Approval of 2016 Legislative Priorities**

Sandy Gaiser, MRCOG Regional Planning, opened the discussion of the 2016 legislative priorities noting that the MRCOG cannot lobby for specific communities or organizations.

Ms. Gaiser introduced Larry Horan, MRCOG Counsel and lobbyist who explained this year is a short session for the legislature and that, as it is an election year, much focus will be in that area.

A lengthy discussion took place regarding the regional water plans and last year's water priorities. Mr. McGregor said he believes that since this is a short session, the list of priorities should be left as they were.

Each of the four policies outlined in the 2015 priorities for water were reviewed and discussed. The priorities from last year were re-affirmed with a few editorial changes.

**Policy #1: Support dedicated and ongoing State funding assistance for the implementation and update of Regional Water Plans**

Bart Faris, City of Albuquerque, suggested increasing the \$400,000 to \$700,000. Noting this is merely a suggestion, Mr. McGregor seconded.

**Policy #2: Support State funding to capitalize the Water Trust Fund in order to build a significant permanent fund for ongoing water projects of regional significance**

Mr. Glass made a motion to support the policy with a second by Mr. Swenka.

Elaine Hebard, Water Assembly, said it is her belief that small projects should be considered as well as those having regional significance. Jack Torres, Town of Bernalillo, noted that some smaller communities do have projects that are regionally significant. He suggested dropping the words “regionally significant”. Mr. McGregor agreed. Mr. Torres made a motion to do so and the motion was seconded by Ms. Clauser. The vote was unanimously in favor.

**Policy #3: Establish and Maintain an Aquifer Measurement and Monitoring Program**

This priority was left the same, however, there was discussion about the New Mexico Environment Department overseeing the Program as it is not a water resource agency. Mr. Faris requested clarification regarding who would be in charge of the program.

**Policy #4: Support Statewide Water Conservation Strategies**

It was explained that this Policy was initiated by the Nature Conservancy. Mr. McGregor made a motion to support this Policy and Mr. Swenka seconded. There was unanimous support.

There was further discussion about storm water management, the Forest and Watershed Restoration fund, and support of funding for levees and flood protection. As well, Ms. Hebard stressed the need for the support of the Water Resources Board for adjudication.

**DISCUSSION AND INFORMATION ITEMS**

**Tab 5 Discussion – Water, Law & Policy Impacts on Rural Economic Development**

It was explained that this is a project of the Utton Center at the University of New Mexico and that Chair Adrian Oglesby would like to have input from the Water Resources Board. The handout explained that New Mexico has the largest gap in the nation between rich and poor. The more prosperous households are concentrated in urban areas. This project will focus on improving economic development in our underserved rural communities by identifying water law and policy improvements that will facilitate rural economic development. Three questions were posed: 1) What area of water development is most important to you?, 2) What areas of water infrastructure require your greatest attention? and 3) What areas of water law most concern you? Choices were listed under each heading and a brief discussion followed.

The meeting adjourned at 11:45 a.m.

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Adrian Oglesby, Chair  
Mid-Region Water Resources Board

ATTEST:

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Dewey V. Cave, Executive Director

THE ORIGINAL RECORDING OF THE MEETING IS ON FILE IN THE MRCOG OFFICE)

**MRCOG LEGISLATIVE PRIORITIES  
Relating to Water for the  
2016 LEGISLATIVE SESSION UPDATE**

**Summary of Water Policy Recommendations:**  
[not in order of priority]

- ***Support State funding assistance for the implementation and update of Regional Water Plans.***
- ***Support State funding to capitalize the Water Trust Fund in order to build a significant permanent fund for ongoing water projects of regional significance.***
- ***Establish and maintain an aquifer measurement and monitoring program.***
- ***Support statewide water conservation strategies.***
- ***Support the creation of the Forest and Watershed Restoration Fund***

**WATER POLICIES:**

**Policy: Support dedicated and ongoing State funding assistance for the implementation and update of Regional Water Plans.**

**Background:** Since 1988, the Legislature has provided funding on an annual basis for the development of Regional Water Plans. Two Regional Water Plans have been completed in the MRCOG planning district: the Middle Rio Grande and the Estancia Basin. All of the 16 Regional Water Plans are currently in the process of being updated. To date, however, very little funding has been appropriated to carry out the implementation of Regional Water Plans. Significant changes have occurred since the regional water plans were accepted, such as new regulatory requirements, more recent hydrologic and geohydrologic studies, increasing population and urbanization, water quality degradation, and diminishing sources of water supply. The MRCOG recommends that an annually recurring budget item of at least \$400,000 be made available for implementing and updating the Regional Water Plans throughout the State.

**Update:** Senate Bill 400 was introduced at the 2015 Regular Session of the NM State Legislature. SB 400 proposed a \$700 thousand appropriation to ISC to update state and regional water plans in fiscal year 2016. The bill died in committee. According to the Fiscal Impact Report for SB 400, the New Mexico Legislature authorized the ISC to grant funding and technical support to form 16 water planning regions to ensure New Mexico an adequate supply of water in 1987 (NMSA 72-14-4). The state has invested almost \$5 million to develop 16 regional water plans over the past twenty years. The Legislature appropriated a total of \$965 thousand for state and regional water planning in FY14, with \$565 thousand going to OSE/ISC and \$400 thousand to the New Mexico Finance Authority (NMFA). In FY14, the ISC/OSE received a grant from NMFA's Local Government Planning Fund. In 2015, ISC/OSE received a Special Appropriation for \$75,000.

**Policy: Support State funding to capitalize the Water Trust Fund in order to build a significant permanent fund for ongoing water projects of regional significance.**

**Background:** The Water Project Finance Act created a Water Trust Fund in 2001, to provide a recurring funding source for water resource protection and improvement projects. The intent of the Water Trust Fund was to establish a permanent fund to generate interest that would be used as a continuing source of funding for water projects. To date, the Water Trust Fund has not been capitalized to build the permanent fund intended by the Act. The MRCOG recommends that the Legislature continue to appropriate funds to capitalize the Water Trust Fund to sustain a minimum of \$125 million corpus in the Fund.

**Update:** Continued funding

**Policy: Establish and Maintain an Aquifer Measurement and Monitoring Program.**

Background: Planning for affordable water supplies for the future is heavily dependent upon a sound technical understanding of the State's aquifers. Particular information needed about the aquifers is their actual or potential productivity, their need for water treatment prior to use, and their rates of recovery or depletion. While some growing areas within the State have excellent information on these topics, many do not. New Mexico universities as well as private entities within New Mexico have the skills to obtain such information. A program for obtaining sound information about the State's aquifers should be established by the legislature and should be funded at an initial annual level of \$20 million. A primary requirement for implementing Regional Water Plans is the ability to monitor, measure, and model the use of water throughout the Water Planning Regions.

***Update:** 2015 House Joint Memorial 6 law created New Mexico Water Awareness Week. The memorial requests the interstate stream commission, in connection with other nonprofit organizations to consider the development of a future forum or policy briefing comparing the water planning process in New Mexico to that of other states to enable lawmakers and community members to learn from best practices. It further requests the Department of the Environment to research the development of a uniform application for water funding to align information gathering for multiple sources. The memorial encourages legal and scientific research for aquifer storage and recovery of storm water in New Mexico and research and development of habitat preservation strategies.*

**Policy: Support Statewide Water Conservation Strategies.**

Background: Most of New Mexico today is characterized by a semi-arid climate where precipitation is limited and water resources are being depleted. The effects of population growth, industrial and agricultural water use, and endangered species compliance have increased competition for diminishing water supplies, and thus demand the conservation and efficient use of available water resources. The MRCOG recommends that the Legislature encourage and support water conservation strategies, standards, and programs on a statewide basis.

**Policy: Support the creation of the Forest and Watershed Restoration Fund**

**House Bill 38** created a Forest and Watershed Restoration Board attached to the Energy, Minerals and Natural Resources Department and a Forest and Watershed Restoration Fund. This bill was introduced to address the growing concern of large forest fire and watershed devastation in the state and threats to the state's water supply resulting from such fires.

***Update:** House Bill 38 - The Forest and Watershed Restoration Act, was enacted by the legislature, but vetoed by the governor in the 2015 Session.*

**Proposed Water Resources Board  
Meeting Schedule 2016**

Wednesday, January 6, 2016      10:00 a.m.  
(next year, will be in February)

Wednesday, May 4, 2016      10:00 a.m.

Wednesday, August 3, 2016      10:00 a.m.

Wednesday, November 2, 2016      10:00 a.m.