Facilitator's Notes on Public Comments – January 2004 Community Conversations

Comments from Bernalillo County Open House -- January 27, 2004

Lucy Moore – Facilitator
Alexis Kerschner – Recorder

Corrine Brooks – Agricultural, Historical, Cultural Users Constituency Group – Agriculture has strong support from all sectors of the community and specifically in the Regional Water Plan. The current trends reflected in the plan indicate a reduction in irrigated farm acreage from 50,000 acres to 36,000 acres. The plan recommends upgrading water conveyance systems, leveling irrigated fields, establishing a local marketing infrastructure for locally grown crops, education and support for irrigators on best water management practices,

Danny Hernandez – Environmental Constituency Group – There is great resistance on the part of the development community and their supporters to the idea that growth needs to be linked to the availability of water. We have a serious water crisis in our region. We won't make compact deliveries even if the Sandia model is only half right. If we can't make compact deliveries, the feds will make us purchase rights from agriculture, and there goes 50 percent of agriculture whether we choose it or not. There are many alternatives, but they mean nothing unless we implement them. Bosque restoration specifically benefits the environment.

Martin Zehr – UUEDA – Common interests, justice and fairness in who carries the burden. Urban users have diverse interests. Regional planning, openness in decision-making is the only way to avoid water wars and catastrophic consequences. Water coordination of industry and agriculture. We haven't touched the surface of how much water we can save. There's no evaluation or audits of commercial users. Among the unknown factors: River water includes pharmaceuticals, nucleotides not found in the groundwater. What does it mean for urban users to depend on Rio Grande for drinking water? Will it affect subsidence and flows into the Rio Grande, hence affecting the compact?

Bob Simon – UUEDA/DEVELOPMENT – Urban and Industrial users create $17 worth of gross product per every gallon used. Agricultural creates about $1 of gross product per every gallon used. Most efficient users will have greatest access to a resource. Agricultural users must become more efficient or the water will flow to those who can use it more efficiently – law of economics. Only reason we are out of balance is Elephant Butte evaporation numbers are factored into our deficit.

Public Questions and Comments

Tribal Water Rights and Compact Obligations
How can planning be done with two significant unknowns –the yet to be adjudicated rights of tribes and the future compact delivery obligations. This is not a plan, but a suggestion on allocation of water, without consideration of rights.

Water Distribution / Water Quality
There are three kinds of water in terms of delivery – river water, potable groundwater and non-potable groundwater. The potable groundwater is the most valuable, and should be saved for human consumption. Intel should not be using drinking water for computer chips. A dual delivery and return system for potable and non-potable water makes sense.
Contaminated water is not useful, and we need to preserve every drop of water. How will LANL's new bioweapons program affect our San Juan Chama water? Participants were urged to attend Feb. 24 and 25, Triennial Review of State Surface Water Quality Standards in Santa Fe.

Funding
Funding for irrigation improvements must be streamlined, to make funds more accessible for irrigators. USDA Natural Resources and Conservation Service is a small federal program that is competitive, but streamlines the grant process. In 12 months, fields can be leveled.

Subsidence
Is subsidence really happening? Maps based on 1935 aerial photography predicted subsidence, and some say there is hydrology that shows it is happening. USGS maps also address subsidence.

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Food Production
Local farmers need more support. For every dollar that farmers pay in taxes, they receive only sixteen cents in services. Most other taxpayers receive up to three dollars in services. Two acres of fruit trees can produce a lot of food that can be frozen or canned, sold at local markets.

Appreciation for Hard Work
Several speakers congratulated the Water Assembly, the Mid Region COG and all the volunteers who worked so hard on this regional water plan. There was understanding that it is a huge challenge to balance water needs and supplies for the future.

Concern about Implementation
The plan seems to be a series of recommendations, with no plan for implementation. The chance of local governments adopting the recommendations may be slim. The plan needs to be more precise and prescriptive in order to protect this common resource. [Planners responded that the implementation chapter of the plan is not yet complete, but it anticipates implementation teams helping local government to implement parts of the plan as appropriate.]

Water Supplies
The San Juan-Chama water cannot be counted on in the future, given the rulings on endangered species.

Watersheds: The plan should focus on watersheds, including the foothills of Albuquerque. There should be guidance for people to organize by watersheds and manage surface water to meet their needs. If we will eventually be relying on surface water, we need to be organizing now by watersheds.

Growth and Water Non-Agreement
Why did the Water Resources Board refuse to approve recommendations relating to balancing water availability and growth?

Appropriate Economic Development
This is a very poor state. Our major industries are military. Is this the way we want to make our money in this state? It is a moral question.

Well Metering and Monitoring
There may be serious financial impacts to those who will be required to install meters and monitor their wells. Monitoring wells are recommended to measure flows and understand better our water availability. Depending on political will, it could be done in a few years or never.

Public Education and Awareness
Every citizen must be informed about the political process and their piece of the plan. The key to a good plan and successful implementation lies in understanding how Mother Nature works. Some

local governments seem to be criminally negligent when it comes to educating the public and making wise decisions.

The Sandia model is a tool for raising public awareness, if it is used properly and made understandable to the lay person. The results the Sandia model show are very close to the previous Papadopoulos model, and the proponents of each model need to stop arguing over the small differences.

People need to know that it is possible to live on much less water. A participant explained that he lives on seven gallons per day, including laundry. He suggested that most people are spoiled rotten, and turn on the faucet without thinking.
It is possible to look at other lifestyles, from hundreds of years ago, and adopt old ways which conserve resources. Changing people's habits is difficult, but can be done with stories, honest testimonials from those who have changed habits through self-discipline and accountability, or who live according to other values. A broad diversity of people from different ethnic groups, different occupations, different ages, etc., telling their stories about water use and conservation, could have a great impact. Newspapers and television and radio should regularly feature interviews with these people, so that the public can realize they have choices about how they use and value water. Effective public education requires concrete examples and stories, not endless abstractions.

Shortfall Reality
The plan shows the impact of implementation over the next 50 years on groundwater resources and compact deliveries. The challenge was to find was to balance the budget and not violate the compact, which is a legal contract. Over time we will comply, but for the next 10-20 years there will be a shortfall.

Criteria for Decision-making
The plan should begin with a clear set of rules for making decision on water use. In 20 or 30 years we will reach an irresolvable conflict between availability of water and economic development needs. We need to know how to handle tough decisions when we are truly running out of water.

Comments from Sandoval County Open House -- January 29, 2004

Ed Moreno, Facilitator
Alexis Kerschner, Recorder

Panelists:
Danny Hernandez, Environment – We have a serious water crisis in our region. We won't make compact deliveries if the Sandia model is only half right. If we can't make compact deliveries, the feds will make us purchase rights from agriculture, and there goes 50 percent of agriculture. Many alternatives, but they mean nothing unless we implement them. Resistance of development community and supporters to the idea that growth needs to be linked to reliable long-term water source. Bosque restoration specifically benefits the environment.

Glenn Young, Agriculture – Developers would like to reallocate all the water from agriculture. Even if reallocate it all, doesn't create any new water. Agriculture can grow crops more efficiently, such as laser level, drip irrigate, metering, but agriculture provides other benefits. It helps the environment and recharges the aquifer. Important to protect property rights – we can if we meter and keep track of what we are using.

Martin Zehr, UEDA – Common interests, justice and fairness for those who carry the burden for balancing water use. Regional planning, openness in decision-making is the only way to avoid catastrophic consequences. Coordinate industrial development with farming. We haven't touched the surface of how much water we can save. There's no evaluation of commercial users. What does it mean for urban users to depend on Rio Grande for drinking water? River water will include pharmaceuticals, nucleotides not found in the groundwater. Will affect subsidence and flow into the Rio Grande, affecting the compact.

Public Questions and Comments

Development Pressures
Development interests have affected the plan. The disagreement on Goal K was a heavy debate. The people who felt that economic interests should dominate were not interested and the goal was not accepted by the MRCOG / WRB.

Pueblos Participation
Did you ever get the pueblos to the table? The pueblos have prior and paramount water rights. [Planners' response: Six pueblos in the region chose not to participate in the development of the plan for legal reasons.]

Agriculture Water Rights / Measuring
Farmers have their techniques, but farming is always sacrificed like when the new bridge went in and people lost their ditches. We have paper rights, how are we going to compete with Intel? [Planners' response: If you're not tracking how much water you use, the state engineer could say you can't prove beneficial use and you don't have a leg to stand on. It's up to farmers to protect themselves.]

Funding for Projects
Where do small communities get funding to do small projects? Must come from somewhere, where do we get it? Where does small farmer get money? Need to know how to get that? We ran out of water, we approached the state and were turned down because we didn't meet criteria. We ran out of water, how much more criteria than that do you need? Need emergency funding. Water Trust

Board process, projects need to be listed, acequias might ask for support from the county commission. Can you get funding for watershed studies through the Water Trust Board?

Implementation
All of these recommendations are great, but the plan doesn't put teeth into what needs to be done. When you have deficit water spending, and a 25 percent cut across the board is necessary, pricing will take care of it. With metering everyone has to be part of it.

Funding for Agriculture Efficiencies
If farmers are going to be able to efficiently participate in conservation of water, they will need financial assistance to implement water conserving devices and strategies known worldwide. There can be very high costs, a significant portion of the yearly income off any given acre of land. Even though entities are available – anecdotal experience, when farmers have applied to entities, they have not received the kind of reception that moves the process forward. Need ways to support lay people to get access to programs, such as a clearinghouse, or some method to expedite entry into the programs. There are many ways to get financial assistance: Water Trust Board, to assist political subdivisions of the state related to water and wastewater. National Resource and Conservation Service – mechanism of funding through farm bill for improvements. Farm Bill – acequias are now eligible for it. Soil and Water Conservation District – a state entity.
Not appropriate to place these in the plan, but there should be a listing of groups that provide assistance to private landowners, farmers, etc. Maybe on the web? Many farmers need to support their habits by working. We need an ombudsman who facilitates – not just a list, but how to get through.

Non-native Species
We irrigate, clean ditches, laser level, hoping water goes back in to aquifer, but it's not going back in – it's going to the elms. The farmers have to pay the price for the farmers that don't do as they should. There are people who have rights but they let the Chinese elms grow in riparian areas; they're as much trouble as salt cedar and Russian olive. Elms use 500-650 gallons a day and are crowded in at 25 to 50 per acre.

Importation
If all of these plans get implemented and there's zero population growth, how much conservation will we have? Why not talk about importing? Elsewhere in the country there are billions of dollars of damage due to flooding. We pipe petroleum and natural gas, why not water?
Agriculture in the Middle Rio Grande region uses more than the rest of the state, but the consumptive use is 22 percent on 55 acres of irrigated land. What happens if it's developed and we're no longer recharging the aquifer or cleaning water?
It seems like federal government would pay for a study on importation. It would save big bucks if we got water from elsewhere here. Importing from Columbia River, Canada.

Evaporation
Elephant Butte water should be relocated rather than considering importation of water. It loses more water than we use. It's a big project, but not as big as importation.

Rio Puerco
The Regional Water Plan circles Albuquerque area. I come from Rio Puerco, the water comes from the west and doesn't come into the Albuquerque area, why is it included in the plan? [Planners' response: The Puerco and Jemez river valleys are preparing separate plans that will be part of this plan.]

Rainwater Harvesting

By using rainwater harvesting the seven inches of water that falls results in 10,000 gallons from my roof. That's three months of not pulling water from the aquifer. If 1,000 houses do it that it means a lot. It's mentioned in plan – but the impact is not mentioned.

Domestic Wells
Does the plan recommend reducing the amount of water (3afy) that can be reduced from a domestic well? There are bills in front of legislature that do different things, restrict use for outdoor but allow unlimited use inside the home, and charging fees.
I'm on a shared well system and I hope the recommendations in the plan don't go as far as the bills that are being presented in the legislature.
Part of the domestic well issue is the tendency of farmer to sell off water rights, then subdivide the land and sink private wells. That defeats the point of a water rights transfer. There has to be a way to retire a sold water right. The state engineer says the main purpose of denying wells is that New Mexico must deliver water to Texas. We should consider that if a farmer subdivides his land and sells the rights that the land should go barren, not be given water again. We're all double-dipping and fooling ourselves.

Fees for Water Users
Do the fees being considered in the legislature have any relation in the plan? Charging a fee to agriculture and domestic water users. The problem is no permanent funding mechanism. Everyone pays to fund water and wastewater projects. There is a political dimension to the decisions that have to be made. We need to work together to address these political question. We need to make decisions based on where the savings are going to go, what are the qualifications to be made on industry. We can't continue to ask farmers to carry the burden of this responsibility.
The burden of conservation and producing wet water lies on the farms and ranches. They want to take my water and my neighbor's water. They want to charge me to take my water from my well or ditch. Heard nothing about other people beside agriculture. Urban residents get water bills, too.

Depletion of Aquifer
Depletion is occurring. Models substantiate that the hydrologic cone of depression is a giant sink and it's not going to fill up. The riparian areas are not being fed by the aquifer; they're fed by the river and irrigation systems. Water goes under the river to the west. When the city wells turn on, instruments can see the pressure wave that is created underground. The U.S. Geological Survey was an important report. Water has been there for thousands of years and we can't recharge it like a gas tank. The Rio Grande is a losing river. Cuba's water is being sucked from Rio Rancho.

Comments from Valencia County Open House -- January 28, 2004

Ed Moreno, Facilitator
Alexis Kerschner, Recorder

Panel:
Lora Lucero – UUEDA – One representative can't speak for the entire group because of its diverse interests. I'm concerned about the future, my family. I have taken for granted that I can turn on a faucet or take a shower whenever. Now I have realized there is a problem. We are all in this together and we have to share. We are going to grow, we are going to develop. If we conserve, need to believe it is being used responsibly. Education is the most important thing.

Richard Barrish – Environmental – The plan focuses on how to save and use water efficiently for any use. There is not a great environmental component in the plan such as a strong river restoration component, which would genuinely benefit the environment. I'm disappointed that there is no vision on how region should look on 25 or 50 years. I'm surprised at the trouble we might have to meet compact obligations. Tying growth to the availability of water supply is common sense, but some in the Water Assembly and Water Resource Board didn't agree to it. We can't take it on faith that we will have water. I'm pleased that environmental and agricultural advocates worked well together.

Janet Jarratt – Agricultural, Historical, Cultural – Agriculture is not just about economics and farming. It has a culture and history and is really important. The planning process has been educational, people don't understand how agricultural works. Assumptions were made on growth rates. Nowhere is there a clear vision of citizen's desires of where they want to live and how they want to look. You can't separate agriculture and the ecosystem because of diversions and recharge. Agriculture improves water quality because we irrigate with 50 percent effluent surface water and return it cleaner to the river.

Public Questions and Comments

Congratulations
Congratulations offered to Janet Jarrett and the Water Assembly from various participants.

Development Pressures
What are missing here are the politicians and the people who are pushing development. Los Lunas is paying developers tax dollars to cut our throats. Need to stop subsidizing developers, and then we can stop the growth. If want to continue to grow – developers can pay for desalinization. People who live here now are totally neglected.
Is there any tie of growth to this plan? Goal K is to balance growth with renewable supply. It was not adopted by MRCOG but it was included in the plan.

Subdivisions from Farmland
Subdividing land contributes to growth. When you sell or subdivide, you're adding to problem. If you own 100 acres, you are a land millionaire – that puts pressure on your family to sell your water rights. They never put a number on growth: unlimited growth and finite water? Is sustainability like voodoo economics? What is sustainable growth? Don't see any type of growth as sustainable for ever and ever.

Agriculture
Without agriculture, the quality of life will go down. You can't live in world without water and food. Farmers take care of soil, we want to share – but that means we get together.

It's a matter of national security, to have a reliable, local, dependable supply of food. Too many people are out there trying to get us off the farm, and it feels like they're winning.

Urban and Agricultural Comparisons
In cities like Albuquerque, it takes as much water to feed residents of a city per acre as it takes to grow something on a farm. One acre out of farm production provides water for one acre of residences. Also, we have known for a long time that if we use all the water we have rights to that we have no water. [Planners' response: Density is related to use because homes closer together have smaller lawns, and less water is lost from pipes because of shorter distances between houses.

River Administration
The people that let the bosque get in bad shape and burned should be answerable. Valencia County is subject to floods and we're losing our chile business. Bureau of Reclamation brought the salt cedar and they're not taking responsibility. Reclamation just says farmers can't have water because of the minnow. The district used to be run well, it was clean, no fires.

Paper Water, Wet Water
We have to reconcile water rights with available wet water. There is four times more water on paper than wet water. It's just a lot of IOU's. They should not allow punching a well in city limits except to water your lawn. Once you're on city water, you don't need water from anywhere else. If a municipality thinks your water is valuable they can condemn you rights. As long as a subdivision of state has power of condemnation of rights including water, planning is moot.

Politics and Moving Forward
We should come up with a vision of where we want to live now and in the future. In New Mexico government only works in crisis mode. We're used to doing nothing, and usually the rains come. A lot has been done to get to this point. Local citizens will have to pick up the ball. [Planners' response: The real vision is not real … that everyone gets to keep everything, without having to make tough choices.]
This is a good time to talk to councilors and commissions, because MRCOG is presenting the plan to ask them to accept and adopt. This is the time to talk to elected officials. There are only two elected officials here. Officials won't listen and they'll do whatever they want. It's really frustrating to spend all this time working but the people who should be here are not. The News-Bulletin is here, we want to know where the elected officials are.

Private Rights
There's nothing in the plan about privately-owned water rights. It talks about the compact and tribal rights. Nothing about farmers owning rights, nothing about negotiating for them. You're making plans about something that is not public. These public meetings are about something that's not public, that's communism.

Water Banking
Banking would have to be focused on wet water. If you move paper around there's plenty of water, but in reality there could be triple-dipping – selling your rights and then using your land for houses with water wells on it. Water banking should be restricted – all on an individual basis, property rights recognized, for periods of fewer than five years, based on short-term leases, so you can give it to your neighbor, leave it in the river, or lease it for urban uses or compact compliance.

Concerns

Concern was expressed about a pumping project near Socorro- large wells pumping a lot of water, taking water from farmers in the area. (An explanation was provided subsequently during the meeting.) Legislation is pending to charge municipal dwellers and farmers for using water.

Metering and Measuring

One of the problems we have is that we don't know how much is going where, for what purposes, and we can't plan. Metering is the only way of guaranteeing our allotment, and the only way to do priority administration.

Politicians made me meter my mobile home park. Meters cost $200 and don't last. You should stay in the shower, the water goes through pipes, through septic tanks and into the aquifer. If you do conservation practices, it goes into a black hole, you don't keep your rights to it. What about meter maintenance? A commercial meter costs $300.

It's a double edged sword – metering and efficiency. Metering has a benefit to see that everyone gets a fair share. Good farmers try to improve how they do things. But if a farmer wants to subdivide, they want to move the water around, and every time we turn a corner, there's a large inefficiency. Instead of just laser leveling, when we have subdivisions let's have water conveyance be part of the subdivision review.