

New Mexico Water Dialogue 23rd Annual Statewide Meeting

Dialogue! “Toward a More Relevant State Water Plan”

Summary by Kathy Grassel

Breakout sessions create explosion of means to make the State Water Plan relevant

This year the Dialogue dispensed with the usual afternoon panels and speakers and let the audience do the talking. The breakout sessions of this year’s Dialogue annual meeting had the distinct feel of a town hall. The theme, “Toward a More Relevant State Water Plan” was broken into 10 questions, one for each table, two rounds for each table, facilitated by board members, ISC and NM First staff, and restrained by the skilled Lucy

Moore. People dialogued their hearts out. No matter the question, similar refrains seemed to reverberate from the individual tables. Some central strands: A dire need for dedicated funding. A plea for consistent data. A reservoir of desire for a permanent and continuous planning process

and platform. A disconnect between the 16 regions and the state. A feeling that regions have been secondary to the state. Frustration that processes, projects, committees, planners, time allotted, et al. are all under-resourced. Tribal participation, yet to be determined. Public participation, minimal. Regional steering committees left on their own. Inadequate state guidance. No consistency across regions.

A need for incentives to participate. An appeal to revise regional boundaries along hydrologic lines. Update project underfunded. Regional plans too much lists of unprioritized projects. Lack of state support for regional water planning. No money for outreach. Agriculture and rural representation low. Legislators unresponsive to developing new statutes. Regional plans need teeth and directives. The water plan sits on a shelf. No clear idea what state water planning is. Regional and state plans compile information, not policy. Implementation, when and how?

If this long list sounds dire and negative, au contraire. The 10 tables tackled these pesky topics with passion and came up with sound ideas and straightforward solutions. You’ll have to go to the website to find out what they are. There you will find detailed reports from each table. It’s 27 pages, so imagine the thousands of words



and hundreds of ideas exchanged at the actual event! Go to our website <http://nmwaterdialogue.org/> and click on the “Library” tab. Scroll down to “23rd Annual Statewide Meeting - Toward a More Relevant State Water Plan.” Click on “ASM 23 – ‘Future State Water Plan: Your Ideas’ - Breakout Sessions.” Click on that. The resulting page has three choices. Or, simply type in “Breakout Sessions” in the search box on the home page.



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Report from the President

Opening remarks from Jason John, NM Water Dialogue President, at the 23rd Annual Dialogue Meeting

I want to thank everyone for coming to the 23rd meeting. Folks are here because they are involved and concerned about the water resources of New Mexico. We should not overlook the fact that this event has been going on for 23 years. A lot of that has to do with the fact that the board members who make up the dialogue and the community see water as a very important matter in the state. I want to recognize the board members because they work hard every year to put together this event. They all have a life outside of water. Some already work in water, but all take the extra time outside their jobs, because water is important to them.

We have a good lineup of speakers. We changed the format a little this year because we felt like we were getting away from the aspect of discussion within the dialogue. Even though later in the day we will have discussions with the state and open comments, we really felt like we have

a lot of expertise about water at this meeting and we really want to hear what they say. So we'll have breakout sessions that have more dialogue built into the discussion.



I've been working for the Navajo Nation on water. It's interesting that I really didn't have a background in water. My undergraduate degree was in geophysical engineering and my master's in geological sciences. I always thought I would work for a large oil

company, but there was something inside of me that grew akin to water over the years. I thought I'd work in water for a couple years and move on to something else, but over the years, I've gotten to appreciate water and water planning. In my job with the Navajo Nation, we have made great strides with our tribe. I don't know the details of everyone else's experience, but talking about water and writing regional plans means we're making progress. Even if we slide back a little bit, we are moving forward.

The Dialogue welcomes Paul Tashjian, Stacy Timmons and Katherine Yuhas as new members of the Dialogue's board of directors. It also thanks both Joaquin Baca and Virginia Necochea who are leaving the board. It has been great to have you both be part of our dialogue.

Where We Are and What the Future Holds

Relax, no apocalypse on the horizon

John Fleck led off with a welcome dose of optimism. Both today and in 2015 as keynote speaker at the annual Dialogue meetings, Fleck has been driving home his point that we in New Mexico are doing a good job conserving water. Not just New Mexico, all seven western states of the entire Colorado River Basin are doing the same good job. “Since it turns out we are using less, we have some breathing room to re-think our values,” Fleck says. Water management agencies, stakeholders, and citizens all over the West are going to meetings, sitting around tables, and lobbying their legislatures. Rather than deferring to fixed and sometimes arcane legal structures, people have become creative in their goals to satisfy everyone’s needs, all the while keeping the peace.

Ideas about water planning are diverse. John offers up a broader perspective. As a lecturer and writer, John has been spending a lot of time in Arizona---a state where water truly has been for fighting over. “There are things we don’t call planning that are planning and are going on all the time,” Fleck says. “Arizona does not have a water plan per se, but in the late 70s, Arizona approved a Groundwater Management Act after going through a politically contentious planning process that was never called planning.” It was a community discussion with all stakeholders, and directly linked to government. “And now they describe it as a plan that all their current discussion is anchored in,” Fleck concludes.

Fleck brings up another process that



isn’t described as planning, but that can be of tremendous use to planners; i.e., the federal SECURE Water Act (Science and Engineering to Comprehensively Understand and Responsibly Enhance Water Act) that Sen. Jeff Bingaman wrote and passed through Congress in 2007. It provided funding for large scale coordinated studies, which created a sophisticated framework to use in local water planning discussions. “It’s definitely not planning, and not attached to governance, but it tells us how much we have and how much we need. It’s not a plan, but it informs planning.”

Fleck says he used to be a skeptic of water planning until Dialogue’s John Brown set him straight, that planning is a function of governance, not a stand-alone, that planning disconnected from governance yields problems. In answer to an audience question about definitions, Fleck describes governance as a “super fuzzy thing.” AMAFCA, BOR, ISC, NMED, MRGCD, et al., all have particular statutory and regulatory authority over water as it’s moving down the stream. “Governance is sum of all those agencies,” Fleck says. “In addition, part of governance is what we see in this room--an informal framework of people who know how to work together at the margins. Governance is the sum

total of legal institutions and the rich informal social networks of people coming together.”

John Fleck is a reporter, writer, professor, and academic. He currently is the director of UNM’s Water Resources Program. His book is Water is for Fighting Over, and Other Myths about Water in the West.

Reclamation is here to help

The US Bureau of Reclamation is responsible for a dizzying array of programs, projects and activities covering 17 western states. Supplying water and power are the biggies, followed by flood control, recreation, and environment. This enormous bureau staffs 20 area offices in the West, one of which is Albuquerque. The Albuquerque Area Office is one of the largest in Reclamation, reaching from southern Colorado through most of New Mexico and into west Texas. Jennifer Faler is the Area Manager here.

Coordinated water operations is a first priority, moving water between reservoirs, using that water for irrigation districts, spawning season, recreation—“for as many purposes as we can.” She mentioned how the Audubon society and Sandia pueblo worked together to put water into the river for environmental purposes—water the tribe received in 2015 under an agreement with Reclamation and the MRGCD.

Another key priority for Reclamation--this one of particular interest to the Dialogue--is supporting water management planning efforts. The

federal role, she says, is collaboration. “We have a broader perspective, so we can facilitate collaboration.” Reclamation has a network of science and engineering expertise that it can provide. Decisions are made at the local level. The biggest thing is “that big pot of money.” Reclamation provides funding that assists state and local planning and implementation.

Faler brings up the perennial headache that the state water planning process is tied to political rather than hydrologic boundaries. From the federal perspective, this is not ideal. She also suggests incorporating projections of future water supply and demand, and the coordination of environmental and ESA actions among planning regions.

Basin studies, located in the 17 Western States under an umbrella called WaterSMART (Sustain and Manage America’s Resources for Tomorrow), are a big part of Reclamation’s ongoing work. These are heavily



focused on adaptation and mitigation strategies in the face of climate change. Studies are collaborative and 50-50 cost-shared with non-federal partners. Eligible applicants include states, tribes, water districts, cities, and local governmental entities with water delivery or management authority.

New Mexico has three basin studies underway—the Pecos, Santa Fe, and Middle Rio Grande. The Middle Rio Grande’s basin study is in the “Plan of Study” stage. According to Faler, basin studies result in concrete action, and have been largely successful. “The Santa Fe basin is complete and receiving funding,” Faler says. “It has become a model for other Water Smart studies.” She noted that state water planning actually could function as a cost share, causing some bewilderment in the audience. Faler’s colleague Dagmar Llewellyn answered that “...a cost share can be in-kind. Money doesn’t change hands. We just all work together.”

Jennifer Faler is Area Manager of the Albuquerque Area Office. She has also worked for the US Army Corps of Engineers and the US Department of Agriculture.

The role of New Mexico First in the State Water Plan



Heather Balas connects people and groups who, at first glance, have nothing in common. Her job with New Mexico First is to get them together and let them discover what they do have in common, and from there, offer recommendations and starting points for continuing discussions between policy makers and the public. She and her staff facilitate these get-togethers, which range from small meetings to huge statewide town halls. Events revolve around consensus and public input. There’s also a nonpartisan research and reporting component. “In between town halls, we expand research with independent contracts,” she says. “One now is with the Interstate Stream Commission as it relates to the water planning process,” Balas said. “The SWP will be re-written in 2018. New Mexico First is tasked with discovering options, improvements and potential changes to content. Thinking about lower case ‘wp’ as well as uppercase ‘WP’, we build trust every time we work on it. ‘Water is for fighting’ over is one of the least effective ways to solve problems. We should refer to our high values, fairness, trust, and collaboration, and mutual respect.”

Heather Balas is president and executive director of New Mexico First. She is a fifth-generation New Mexican and lives in Corrales. New Mexico First is a public policy organization.

Panel: Components of Good State Water Plans

A buffalo crosses a bridge



Leave it to John Leeper to add a little levity to our doomsday tendencies. One year he pulled out his guitar and led us in a song, “The New Mexico Drought Blues,” to the tune of Johnny Cash’s Folsom Prison Blues. This year we got a lesson in a water buffalo crossing a suspension bridge in Nepal. The lesson served to demonstrate two different kinds of knowledge: the generalizable and the site specific. You have a cable. You have a water buffalo. How much sag is necessary to get the water buffalo across the bridge without breaking it? The civil engineer figures it out with tested rules and formulas. You know, mass times acceleration. The small farmer, with whom the buffalo lives in very close association, knows exactly how much sag is needed, which many or may not correspond with the civil engineer’s conclusions. So... back to planning in New Mexico and the question at hand: What are the Components of a Good State Water Plan. Leeper emphatically eschews lists, settling for the obvious truism that every community is differ-

ent from the others and that you have to appreciate each region’s uniqueness when planning. The trick in planning is combining the two different kinds of knowledge: the generalizable (the State) and the site specific (each region). Leeper muses that there is “room for some introspection on the part of state on how to deal with regional planning.”

John Leeper is a Civil Engineer who is currently a Senior Project Manager at AMEC Environment and Infrastructure in Socorro. Prior to that, Mr. Leeper spent 15 years working for the Navajo Nation’s Department of Water Resources where he worked on a variety of regional water management and development issues.

Is the grass greener on the Colorado side?

It’s always useful to look at how surrounding western states have rolled their myriad water issues into a formal plan for their future. The Dialogue was fortunate to have Greg Johnson, a representative of Colorado’s Water Conservation Board (roughly equivalent to New Mexico’s Interstate Stream Commission and Water Trust Board) give us a history of his state’s efforts leading up to Colorado’s Water Plan. Johnson held up the 480-page plan, telling us half-jokingly we only need to read Chapter 10, the Critical Action Plan. “It took political will, driven by executive order by the governor,” says Johnson. “That drove the show.” It was two and half years and many iterations in the making, dating from the Governor’s 2013 executive order to the November 2015 celebration of its completion. It cost \$20 billion overall.



This product was considered a pivot away from 150 years of constant conflict to an unprecedented level of collaboration and public participation. “We went into it eyes wide open this time,” Johnson said. “The point was dialogue and implementation. There was pressure coming from many of the 30,000 public comments we received: ‘Okay it’s been a year. What have you guys done?’ Planners worked and worked, public outreach being the biggest part. A couple of drafts, done. More drafts, done. They were fortunate to already have a state outreach process. These were eight Basin Roundtables (the equivalent of New Mexico’s regions) started 10 years before in 2004 and defined by hydrologic boundaries. These were bolstered by steady participation of water providers, agricultural organizations, environmental groups, the legislature, local governments and the business community. Thousands of meetings and conversations across the state-- Talking, forging relationships among very different perspectives-- was evidence of this new way of doing water business.

“We also have good data in the state of Colorado” Johnson says. “A water

court system, diversion data, modeling tools...”, data which is consolidated into a continually document called the Statewide Water Supply Initiative, or SWSI. SWSI provides the technical foundation that describes Colorado’s current and future water demand and supply.

Johnson admits there will always be conflict among the groups, naming agriculture, municipal, irrigation districts, and environment. The plan ramps up actions and measurable objectives to conserve water, store water, reuse and recycle, forge alternative sharing options for agriculture to avoid the permanent “buy-and-dry” transfer system, and to move away from controversial diversions west to east across the mountains from the Western Slope to Front Range cities.

Greg Johnson is Program Manager for the Colorado Water Conservation Board. Greg supplies technical assistance and program management related to Colorado's water supply needs. He manages public education and outreach on Colorado's Water Supply Future, and tracks land use effects on future water supply.

Patience is a virtue ...

UNM Utton Center’s Adrian Oglesby has worn just about every hat in the store, so he is well positioned to understand the many tensions surrounding water planning these last 14 years. So Adrian Oglesby made an impassioned plea for patience. “It’s really complicated,” he says. “Changes will come depending on your input. Approach water planning with more of an open heart. We have limited resources. We must make sure that everyone understands that the planning process is beneficial.”

The Utton Center was asked by the ISC to visit other western states for

insight into how their planning process proceeded to adoption of state and regional plans, and to look for nuggets of what New Mexico could learn from their experience. First, according to Oglesby, decisions made at the appro-



priate level are the best decisions. That means partnerships and empowering polycentric governments. Second, in several states, plans were co-authored by departments of Environment, Water Quality, Game and Fish, et al. Third, larger partnerships were formed to help with funding. In Oregon, for example, money came from the Corps of Engineers and Bureau of Reclamation, and, mysteriously, the State of Oklahoma. Fourth, link with other studies; e.g. the Rio Grande Basin Study, and watershed action strategies. “The SWP should be compilations of other plans like basin studies and regional plans.” Fifth, ongoing continuous regional water planning... “even if just dripping away, and maintaining threads of relationship, even if contentious at times—it can take 10 years to get those relationships.” Sixth, generous funding. Montana and Oklahoma got \$330,000 as a one-time deal. Now they’re dumping \$34 million into implementation. “That really builds cred-

ibility for their water plan. We must do a better job of education of our legislators for the necessity of funding. People show up in Colorado because there is money. We don’t do that. We’d take this process more seriously if there was money.” Finally, consult with tribes as sovereign nations. Oglesby says that it doesn’t work to “smoosh” tribes in. There has to be a parallel process, but not wrapped into the umbrella of the SWP.

Adrian Oglesby is a water attorney who has worked for the Interstate Stream Commission, the Nature Conservancy, the New Mexico Attorney General, tribes and pueblos. He is currently Senior Water Attorney at the UNM Utton Center, and maintains a private law practice. He also represents Bernalillo County on the board of directors of the Middle Rio Grande Conservancy District.

Students Given Scholarships to Attend the Dialogue’s Annual Meeting

Again this year, a generous and thoughtful donor provided scholarships to students to attend the Dialogue’s annual statewide meeting. The students listed below applied for and received scholarships to attend. The Dialogue wishes to thank the donor for this important gift. We are excited to provide an opportunity for students to be included in the ongoing dialogue about how to best meet the state’s water needs.

List of scholarship recipients:
William Donahoo, Cyndi Freitas, Daniel Guerrero, Cara Lynch, Louis Mallette, Raymond Mondragon, Jasmine Munoz, Lauren Rust, Christal Weatherly

"What a valuable day it has been for us to be here!"

This headline, spoken by Interstate Stream Commission Director Deborah Dixon, was a perfect expression of a day that brought stakeholders, planners, region representatives, and interested parties together with the state. Dixon, flanked by ISC's water planners Lucia Sanchez and Angela Bordegaray, wrapped up the day with even more dialogue. "The timing for today's meeting is ideal," she says. "We are coming off updating our 16 regional water plans. This has been a major endeavor to update all 16 regions simultaneously. More than 100 meetings have been conducted during this period. It's been an opportunity to bring together stakeholders and interested parties."

The challenge now is the transition from regional to state. Dixon says all are striving for a more relevant State Water Plan. The task at hand becomes integration of the regional plans into the state water plan. The final product is expected in 2018.

It should be smoother sailing this time. In 2013, the governor insisted on a finished product in less than a year. Only half of regional plans were completed. Now the regional plans are

completed and based on similar assumptions. Dixon recognizes that the regions are unique and that it will be a challenge to integrate them appropriately. To that end, the state provided templates and guidelines to the regions to ease this process.

About continuity of meeting, she is clear: "We can be of most help if we have a framework for stakeholders. All agree that it was difficult to reorganize the steering committees in the regions. It took a lot of time to get them up and meeting again. Our goal is to avoid that same start-stop. We recognize that this has to be a continuous process in order for it to be meaningful."

Unlike 2003, this time around there's the benefit of more time to get it right. Dixon says the state water plan ideally will be a relevant strategic management tool with greater emphasis on implementation. "Our desire is for the SWP to have layouts easy to understand," she says. "We don't want it to sit on the shelf."

It remains a daunting task to accommodate all needs expressed in this and many other meetings, town halls, assemblies, and committees that have convened and reported out since 2003 over water planning. She expresses



many of the concerns broadly repeated in today's breakout sessions. "We have an obligation to include voices from everywhere. We want to set priorities, not just have a long list. Economic viability is dependent on water. We're all in this together. Everyone has something to offer. As we continue this comprehensive state water plan, we'll do our best to make that happen."

Deborah Dixon, P.E., has been ISC director since 2015. Before that, she was a Sr. Vice President at Bohannon Huston, Inc. where she managed operations of the Water Systems technical group. She received her BS and MS degrees in Civil Engineering from Texas Tech University.

Please Help Us by Receiving Your Newsletter Electronically

The New Mexico Water Dialogue relies entirely on memberships and the occasional larger donation to finance its work. The Dialogue has no staff and relies on its board of directors and a few wonderful people to pull together the annual meeting and occasional more focused meetings when dialogue is helpful, and to work on the bi-yearly newsletter. We keep the fees for the annual meeting as low as possible to cover costs and do not charge for the newsletter.

BUT, we need your help. We need to reduce our costs. PLEASE email john.r.brown2@gmail.com and request that you receive your newsletter electronically only and not by paper copy, which must be printed and mailed requiring postage.

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A New Direction for Water Planning

By Sharon Hausam, Dael Goodman, Bob Wessely, and John Brown, members of the Governance Study Group

Water planning in New Mexico – particularly regional water planning – is mostly disengaged from the rules that govern the use and protection of the state’s water resources. This reality became apparent to several participants in a workshop at Sevilleta NWR convened by the NM Water Dialogue in July 2015. Regional water planners from across the state discussed problems and solutions with ISC director Deborah Dixon and her staff. At the end of the day, a volunteer “governance study group” (GSG) was proposed to continue the conversation, the objective being to identify needed improvements to water planning.

Meeting a dozen times over the next several months (mostly via teleconference), the ten GSG members produced six issue papers describing serious problems and pointing toward possible solutions. During this process, the GSG met twice with the ISC director and staff to explore how these ideas might be implemented in future

iterations of the State’s water planning program. Though generally sympathetic to the GSG’s goals, the ISC was, by the spring of 2016, committed to wrapping up the regional water plan updates and designing a new state water planning process.

To call attention to the importance of the issues it had raised, the GSG asked to testify before the Legislature’s interim Water and Natural Resources Committee. At its October hearing in Socorro, Bob Wessely presented the GSG’s arguments for “Improving Water Governance and Planning in New Mexico.” Rep. Tomás Salazar asked Bob for language for a House Memorial he could introduce to encourage the ISC’s serious consideration of the GSG’s ideas.

The Memorial, which passed 44-0, requests that the ISC convene a volunteer task force to develop a proposal for improved water planning, to be submitted to the legislature no later than June 30, 2018. The task force is responsible for completing the work outlined in HM 1.

The issue papers and HM 1 can be found on the Dialogue’s website

<http://nmwaterdialogue.org/>. Click on ‘Water Governance’ in the right-hand column.

The GSG met with the ISC Director and staff in mid-April to discuss how best to initiate this project. Understanding the ISC’s fiscal and staff constraints, the GSG suggested that the ISC take on the limited role of sending an invitation to convene the Task Force, which in turn would define its own leadership, structure, and functions. At the same time, the GSG has asked the Dialogue Board to formally endorse the Task Force.

The GSG is working hard to fulfill HM 1’s mandate to, “through open invitation, include a diverse set of participants from the sixteen planning regions” in the Task Force. In April, the GSG came to the Dialogue Board asking it to support this effort. The GSG will be asking other groups to join as well, either as sponsors or simply as Task force members. Sponsorships could range from agreeing to spread the word to providing some funding. Please let one of us know if you are interested.