



**Comments from New Mexico State Water Plan Public Meeting:
Gallup
Indian Code Talkers Room, Chamber of Commerce Building
103 West Highway 66
Wednesday, July 30, 2003; 7:00 – 9:00 p.m.**

Following is a summary of the questions, comments, and issues raised during the discussion that followed the formal presentation on the purpose and objectives of the facilitated listening sessions for the 2003 State Water Plan, at the public meeting in Gallup, New Mexico. This was the 10th of 29 scheduled public meetings on the State Water Plan.

Introduction:

Planning and Communications Director Rhea Graham of the Interstate Stream Commission, along with William Toribio, Tribal Liaison for the Office of the State Engineer, welcomed approximately 20 people who attended the meeting from Gallup and surrounding areas. She said the Interstate Stream Commission wants to hear from residents regarding their values around the management and stewardship of water. New Mexico is growing and needs to plan, and needs ideas on how to administer water and arrange funding for projects.

Rhea presented an overview of the State Water Plan and selected technical information to set the context for the meetings. The public meetings are “listening meetings,” since the purpose is to hear what is of concern to New Mexico communities. The Interstate Stream Commission has organized 29 meetings, four of them on Indian tribal lands.

The Interstate Stream Commission and the Office of the State Engineer identified five major topic areas that should be the primary areas of discussion during the public meetings, all seeking to determine what the public’s values are regarding them. The discussion also sought public input on mechanisms that would be possible to address the topic areas and the public’s values about them.

The five areas for discussion are:

- Stewardship
- Balancing Supply and Demand
- Drought
- Water Administration
- Funding

Stewardship:

If there were no laws governing us, what would we do to take care of the resource of water? What are the values that you have around water?

- Stewardship implies something that is wise and not shortsighted; It means taking care of and not just consuming; we need to give back life to the natural system; the earth is the matrix of life; Who would destroy the whole matrix? We have a logical and a spiritual obligation
- We need to realize that there are generations following us and that if we over consume then there is nothing left; everything is interconnected – the soil, the animal life, the water – and we need to create a future that looks at the big picture
- You have to realize that stewardship can be different from culture to culture, and society to society; the opportunities versus the needs will differ; there may be a different need if the resource is missing, cultural needs can be completely different
- It seems that water stewardship should not look the same in one area as it does in another; it is going to look different in different geographies, and depending on water availability
- Resource of water needs to be taken care of and a basic principle should be a commitment not to waste water, but to conserve and recycle water resources
- “Use it or lose it” rule of the state needs to be looked at again; New Mexico Tech (university) looks like a jungle, because they are afraid they will lose their water rights if they don’t use large amounts of water; how are we going to deal with that particular law?
- Relating all these issues...how big is this bubble that we are looking at? Is it just Gallup, the region, river basin, or the whole state? We need to look at which area we need to concentrate on for planning

- Keep in mind that we need to consider future generations while meeting the demands that are here now; When we are looking at supply and demand, we need to establish some criteria that gauge the rights of the public versus private interests

Balancing Supply and Demand:

- Instead of running uphill to money, water should run uphill to the highest public use
- The first step is to get good figures on supply and demand; We need to define what the supply is; Not sure that New Mexico really knows what the current supply is, or what the future demands will be
- We also need to consider the environmental demands; we are the only state that does not provide for the environment; in the Middle Rio Grande Basin we found that the Bosque is dry and it burns; we need to make sure we quantify and accept this as a use, a beneficial use
- Are we going to place a higher benefit to the environment than to humans, or vice versa?
- There should be a way to charge people who abuse the water by putting grass in their yard; You can have a lawn, but you'll have to pay for it
- All people who need water for basic household needs should get it; We need to make that distinction between the "haves" and "have nots", and make sure that the "have nots" get their share
- We need to think statewide; There are people in this state that have never seen a water system to their homes; We need to look to those areas that have more than they need and shift those resources to the ones that do not have running water in their homes
- To approach the supply and demand, planners should look at "full environmental accounting" or "triple bottom line accounting;" these systems would track the resource so that the full use and value, the inflow and outflow, of this resource could be quantified; Triple bottom line accounting requires an analysis of the value of the resource in three areas: economy, environment, and society; Environmental pollution needs to be quantified; We look at the quantifiable "what is the earning of this" rather than discussing the costs that are not factored in; We need to look at these factors that are not included; Supply and Demand is balancing costs and benefits, and these accounting systems can help that process; Need to look at the full lifespan of the earth rather than just the next few years
- Geographical considerations need to be looked at too; The standard for conservation might vary from one area to another; There might be impacts on one area by what another area does; We need to make these geographical distinctions based on use and quantity of resource

- Need to have buy-in from the top, if we want to get a handle on this issue of water management
- Efficiency can increase our water supply, but New Mexico is the 3rd driest state in the nation; People need to understand this before they move here; If we need to keep trying to get people to come to our state, maybe we need to be sure that developers have water infrastructure in place before they can build; Water should run uphill to the best need, not to money; In my mind if we let water run uphill to money, to the Intel's of the world, I don't think that I am going to survive on eating silicon chips; Desalination of water, and management of our upland watersheds needs to be improved; This will increase both surface and groundwater supplies; Runoff needs to be taken into consideration when watershed management is involved
- In Gallup we have thought about development; If a new building goes in, there should be xeriscaping and a gray-water system required; We need to see that this turns into law! If this was the rule then everyone knows that they cannot bring the water consuming, green "ways" of the wet eastern United States with them; We need to build the regulations to keep this from happening
- This is happening in Colorado and in New Mexico; when the small farmer cannot make a living, they try to sell their water rights to the cities; How are the laws going to protect the small farms?
- Gallup and the Navajo Nation are neighbors, and have had to work out a relationship with each other; There are inequities; although Gallup has a low per capita water use rate for a southwestern city, it is much higher than the rate of the Navajo Nation; There are pressures on those in Gallup to use their water wisely, and to work for the improved quality of life of all those in the region, not just those in Gallup; We need to realize that in our state of evolution, our purpose of life is not to perpetuate our survival as a mammal; What we should ask ourselves as a society is what are we doing to preserve the future of other beings? This is hard to quantify but we need to bring things like "think globally, act locally" into folks' vocabulary; There should be social justice in water planning; I am worried that this talk can be used against Indian people; It is not fair to make a distinction between who deserves water and who doesn't; Many Indians have no water, and they need it now; I don't want the State Water Plan to be a grab for Indian water
- Across the street from the old Navajo school there are homes that still do not have plumbing; This is not right; poor people cannot get water to their homes
- Stewardship issue should address something other than just usage; People with money need to conserve and reuse too
- How do you deal with people that do not have water and then those people that have absurd laws?

- The new Mayor made a nice speech at the graduation ceremonies at Red Rock State Park; The mayor reminded folks of past injustices; I think that these injustices can happen again; They happen everyday; The Pueblos always give this aggressive message; just because we work with these nice white water planners, we need to inform them that you cannot take our water; We have had a lot of injustices where this has happened; I would leave it to the Pueblos to make the statement in the state water plan about Indians water rights being protected; they are more fiery than I am
- The Navajo Gallup Water Supply Project has been an effort to increase the supply for this region; The City and the Navajo Nation have worked together and tried to set aside political divisiveness that threatened the project; They speak with one voice to Congress and the state, and hope that the funding will come through for the project it is an example of local control paying off
- In my mind the Navajo and Gallup pipeline is destined to get everyone water in the western New Mexico; We have gone through a lot; some has been beyond our control, especially the federal issues; The magnitude of the project is stifling, during this planning process we have received 3.6 million dollars from the state, and one million from the feds; the project costs half-a billion dollars! This is not a lot to other parts of the country, but we are in New Mexico; we don't have the population to get the big bucks; We have done a great job together; the politics on the steering committee are small; we have some great public relations work and base our decisions on good science; My concern is losing local control – I do not want a one size fits all – It won't fit Gallup, the rural area, nor the Navajo nation very well; We should plan based on hydrologic boundaries not political boundaries; We have some unique situations out here; I support agriculture and feel that they have a very valuable part in New Mexico; We cannot be all thrown into the same policy statement
- How do you encompass the state while allowing for local involvement and decision making in the state water plan?
- You cannot underestimate the new use in the state from growth and development

Drought:

- In times of drought, the choices we have to make get intensified; All policies should consider the long term; Drought should cause statewide policy to be adopted that results in sound planning
- We need to cut back on both municipal and irrigation uses in order to be sure we have enough for basic human needs; The state could create shortage sharing agreements, or

administer in favor of the municipalities, and lease water from willing irrigators, who would be compensated

- Water banking is a good tool at state and local level
- We always deal with drought like crisis management, as if we're surprised that this is happening; We need to be more realistic, and get prepared, like with the Homeland Security Plan
- It's not like there isn't a plan, it just seems like the plans have problems: I think the state needs a water/drought bureau; the past two governors have appointed drought task forces; everyone goes to Santa Fe for the meeting and they talk about it, but it is never finalized; once the folks leave the drought management task force meeting, they have to go back to their other responsibilities; We need full time staff to look at the issues of drought; It isn't a priority for anyone; We need funding and political will
- The Navajo Nation has a drought management plan, and a drought mitigation plan Navajo Nation has 90 public water systems sorted by risk; We know the cost and there is a plan; there is a difference between response and mitigation; It seems to be easier to get the government to pay to haul water in an emergency, than to get prepared before the crisis happens
- We should declare perpetual drought; Because of escalating uses it is always a drought; Drought is the rule
- We looked at public supply systems as high risk, the problem is it's not funded; Lack of resources, but we have very clear objectives

Water Administration:

- There was a request for a water master and measuring devices on the San Juan, but there was never any funding
- Adjudication is a necessity to identify and clarify water rights
- Last State Engineer said it would take 600 years to have the whole state adjudicated
- The laws dictate how water is dealt with in New Mexico; We need to reevaluate the "use it or lose it" concept; If society puts certain value on certain uses, so be it, but there has to be compensation under the Fifth Amendment; if water is shifted from one use to another, make sure that people are compensated justly
- Let's look at the two offices of the Office of the State Engineer and the Interstate Stream Commission; Are they the same thing? Do they threaten local control? It's the career staff that interprets the policy that we live with today; The public complains about the slow process in water management and this further adds to

everyone's frustration; I would like to see changes in the process; Who makes the final decision on policy for this document?

- Water rights disputes between the user and the state engineer are resolved in court; That is very expensive; I don't think it should be bogged down in a court system; Rather we need to look to some kind of mediation to solve these issues
- When rural and urban users compete, the rural users usually lose out; They need help; Being an Indian, I want to help out the people that are weaker, the underdog; Give aid to rural users; Farmers and rural users need help to fight the urban forces, and the State Water Plan needs to help level the playing field
- Intel was buying all water rights in the 90's, I don't want to see that happen again; It seems like more storage would help
- Indian water right claims must be adjudicated as fast as possible; The allocation of water between Indians and non-Indians must be clear and fair
- The Navajo Nation is in three states; People in Gallup love money flowing across state lines, but it seems they don't want the water to flow in the other direction; There needs to be some sympathy for Navajo nation being in three states, having to deal with these different jurisdictions, and compacts – which did not include Indian nations
- The administration of water resources should include careful monitoring of compact obligations

Funding:

- Need funds for monitoring compacts
- Need funds for enforcement of shortage sharing agreements – water master, equipment, monitoring
- Need funds for large supply projects, like Navajo Gallup Project
- There is a dilemma about how to justify spending large amounts of money on one part of the state; It is important to realize that the needs of all communities must be met, and balanced statewide; It is the responsibility of everyone in New Mexico to be sure that those with the least resources can have a decent quality of life; Funding should be used to provide all citizens with a secure and safe water supply, and those in the greatest need should be addressed first

Other Comments and Questions:

- What we have on paper is a sequential set of comments, not a consensus in this group; We may not fully agree with everything; If we want more efficient water

systems, we need to find the consensus, at both the local and state levels; There may be consensus in the Gallup area on the need for inter-basin transfers, the need to convert irrigation water to municipal uses, and the need to modify the Endangered Species Act

Q: Do you have an outline of the state water plan?

A: Not yet, waiting for the public meetings to generate guidance before finalizing

- There's a theme in our discussion and in the recent struggles of those in the Gallup area that reflects a shift in paradigm; We are trying to move away from fragmented, adversarial attitudes and processes that divide us against each other, and move towards a commonality and consensus; Not everyone agrees all the time, but we are cooperating and creating a unity among very diverse people; I would like to suggest that the state water plan look to our experience with the Navajo Gallup Water Supply Project for an example of a new of finding solutions to tough problems
- The difficulty is that the solution of one region, like the Navajo Gallup Project, may be a problem for a neighboring region