



Comments from New Mexico State Water Plan Public Meeting:

Santa Fe

Morgan Hall, State Land Office

Wednesday, September 3, 2003; 7:00 – 9:00 p.m.

Following is a summary of the questions, comments and issues raised from the facilitated State Water Plan public listening session in Santa Fe. This was the 25th of 29 public meetings scheduled to gather public input on the initial phase of the State Water Plan.

Introduction:

Rhea Graham, Director of the Planning and Communications Division of the Interstate Stream Commission, welcomed approximately 50 people who attended the meeting from Santa Fe and surrounding communities. 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 public was invited to contribute thoughts and ideas on five areas for discussion:

- Stewardship
- Balancing Supply and Demand
- Drought

- Water Administration
- Funding

Stewardship

- The river itself has a right to have water in it
- I have not seen anything about measuring and metering; there is no way to tell how much water is being used – I advocate for metering of all domestic wells
- Its not only quantity of a stream but its also the quality of the stream; a river cannot be a functioning ecosystem if there is no life in the river – the river is not just a channel
- As the State Engineer evaluates a water right for beneficial use, conservation should be evaluated
- There should be transparency in water decisions; the process to make decisions about the management of water should not be so technical, so that the folks understand why they made the decision that they did
- Water delivery - quantity and quality - should mimic a natural hydrograph, the natural flow of rivers
- Water planning should include the concept of intergenerational equity; you should plan for future generations
- The right of wildlife to water is important; this requires the natural flow of water
- On our property there is no natural water; we have windmills that supply stock tanks, and they support wildlife, ranchers have to have water if people want food
- Natural flow of river is sometimes zero; we have to keep this in mind; this culture primarily in the Southwest, we do not recycle and we don't conserve; our entire infrastructure is torn apart; we are talking about band-aids
- We have a heck of a lot of water; brackish water is available; we are not using the water that we have in this state; if we took advantage of the water that we have, there would be limitless quantity

Balancing Supply and Demand:

- If you are dealing with a demand that is perpetually increasing, the supply issues that you are dealing with, are too a band-aid; when does New Mexico get to the point that growth is too large for the water that we have?
- Population growth should be managed to see that there is enough water to allow for everyone; there should be managed growth with a finite resource; transfer of water from agriculture to cities is a new use

- This plan should focus on the next ten years so that we can focus on what is important; short term, medium and long-term
- There is water everywhere, except where we want it; we pipe water from all over the world; we can pipe water to where we want it, to where we need it
- I think that desalination is impractical; I think that we need a lot more concentration on water planning and land use management
- Desalination has the need for great land area and the need for processing, it causes pollution on the ground, high cost impact on land, cost and damage of pipeline
- If you took water from the ocean for desalination, it would cost way too much
- I never count out technology; they'll make it work (desalination)
- If we look at where we can conserve and re-use our domestic waters; if there was an educational program available, there would be much more response to water conservation
- Catching rain water works when it rains
- It takes a 1,000/tons of water for one ton of corn
- The water that falls on the state from the air and that lays under the ground, we are using this at a rate that is 2.5 times what it takes to replenish, that's not sustainable
- This argument is not about taking agriculture out of the system, it's about changing the crops that we grow; we need to support the farmers to meet this call; if we set milestones to what we can accomplish, and the urbanites support the agriculture that we do have, we can get a long way towards managing our water resource
- It bothers me that we wrote off the water in the river – it's not idealistic – it is of great importance to support the ecology of our streams and watersheds; if we avoid this, we are in trouble
- This is a national issue; to build pipelines is brilliant; there is a danger of an ecological disaster if we don't have the resources in the state; also for where the water is taken from
- New Mexico is dry; we can't import different practices to this area, and expect it to change the climate; we in New Mexico are dry; we need to adjust our behaviors to this fact
- It is important to think about historical supply – we are a prior appropriation doctrine state, and that we should not forget
- Recognizing acequia water rights is important
- We should also respect the pueblo's and tribes, and that they are senior water holders
- The industrial and commercial businesses of New Mexico should conserve water; it should be mandatory; the impact would vary among regions

- Meeting the compact and Endangered Species Act requirements should be shared with other states
- Politicians and a lot of the people who lead New Mexico want more industry and more jobs; this leads to more people and a greater need for water; we need to start changing the minds of the leaders to limit this
- We can bring water anywhere we want; we are in a unique environment, however, and should respect this aspect, no matter how much water we can get; technological fixes are not the answer – we have to think about where we live; maintain the integrity of this area and climate
- Most of these comments boil down to an economic argument; here in Santa Fe we have quite an expense to get more water; the price per gallon that it costs for “Arrowhead” water, it costs near \$20 a gallon; what is water worth to us?
- There are two things that you can do: Stop making babies, I don’t think that many people would like this; I don’t think that you can regulate the population that enters the state
- People don’t seem to be seeing the difference between surface and ground water resources; there is a huge amount of water that is available, under the ground; the city and community water systems are not being managed properly; the people in Santa Fe are being hoaxed by the lack of water that is in the reservoirs; we should go after cities, before we go after domestic wells
- Adjudication should be a top priority to the state; do we know how much water we have?
- Telling people not to have babies; replacement fertility is about 2:1; a two-child family is probably a good idea if you want to come down in population
- You can’t do anything about population; by law you can’t keep them out; but you can regulate supply, and utilities, and zoning rules – it is not something that you simply dismiss as impossible
- We have to get adjudication underway, and get it done; it takes money
- Have to remember our watersheds are closely tied to our forests; we have to manage our forests; this is an important issue in water

Drought:

- We need to get into long-term drought planning now, because all indications are, a 10-20-year drought; now we’re drawing down the reservoirs; we’ve got to do a long-term, rather than year-to-year, planning
- Should a building moratorium need to be a part of the State Water Plan? In Marin, California, we had moratorium there, and it helped preserve water; it should be available

to different communities throughout the state. In Santa Fe, you can't say 'moratorium', yet you see all these buildings going up on Cerrillos Road.

- A few legislators have asked how do you define conservation so that development can continue; there are a number of definitions; maybe we need to define conservation, or 'shared use of water'
- Like to see drought defined on the basis of normal being a lot longer than what I've seen lately; decisions on the Pecos were made on a 30-year time frame as normal; yet made in the wettest 30 years – combined tree-ring and rainfall data for the last 100 years would be a better baseline for normal; look at the historical records to get some sort of baseline.
- Request for the last few meetings to be held: can you have the 1995 through 2003 graph showing the decline in wet years and beginning of the current drought? It would have a much bigger impact; or show the rainfall data for the region you're going into to bring the message home to that community you're speaking to
- It would be important to plot population increase along with water availability; Santa Fe has tripled in population in the wet years; these kinds of figures can help people evaluate what the situation is here in New Mexico, in Santa Fe; it might be useful for everyone in the state, regions, to have that kind of information (including rainfall data)
- Drought graph for each region would be good; there is a lot of variability from region to region
- There probably have to be short-term and long-term planning; when you figure out you're in a drought, you need short-term; have to do some quick planning to deal with demand; then long-term for other (non drought) planning
- Is my conservation paying off? Who benefits? They say my family can use 12,000 gallons a month; I'd like to use 500 gallons, and put the rest in the river, but I don't have any say; I'd rather pay for the 12,000 and do what I want with it; tell where it should be used
- We in New Mexico, owe Texas a lot of water; part of the 'fix' would be a good salt cedar (eradication) program; there was no salt cedar in the 1900's; it eats up a lot of water; we need an aggressive program to get rid of that
- Most of the literature shows that salt cedar doesn't use any more than any other species around here; it's exotic, it's true, but doesn't use a lot more; that's a misconception; there weren't many cottonwoods 100 years ago
- I'm alarmed that New Mexico is still so backward that we're dealing with water exchange systems within the State that's been going back 75 or 80 years; New Mexico hasn't been protecting its water rights as stringently as the states around us; California, Arizona, Texas; they use other systems to pull their water from; nothing like what we do

- New Mexico needs to get more stringent about use within state, and regulating growth, but also, need to be strict about other states that don't need our water in the first place; we should revisit all these contracts with other states; we have the kind of economy that's generating resources that the other states have; we may have more natural water than Arizona, but they have a heck of a lot more water going into their system in Phoenix and Tucson, than we could even dream to get; Texas gets a lot from the Pecos, and they have plenty of water in Texas; they developed reservoir systems 120 years ago to ensure water for their population; New Mexico is sitting on its can, expecting everything to be hunky-dory for the next 150 years

Water Administration:

- I agree with looking at the compact, but in Colorado, the Rio Grande doesn't have any dams for storage; you don't necessarily need a dam to use water; you can move it in other ways
- Priority: it's a very complicated issue and there's inherent conflict between adjudicating water rights; a lot of traditional users in northern New Mexico look at rights as community rights, and adjudication makes them private; on the other hand, you have priority system, that recognizes senior rights, which are tribes and acequias; you have this resistance, that adjudication imposes a value on water that is not necessarily the traditional value on water; there's a strong feeling in traditional communities that with water sharing that water stays in the community, within the system or basin; so the idea of transfers out of water basins is an anathema; they feel they can share equitably within the system
- Reiterate that when you privatize and put a dollar value on water, you threaten culture, and our agrarian culture in northern New Mexico; once those rights are gone, they're gone forever; we think our food source is guaranteed, but it's not – I just spent \$11,000 dollars to put in drip irrigation; that was a big dollar expense as a small farmer, to conserve water, but it's disheartening to hear Las Campanas is using 5 times the amount of water of the average user; let's start looking at household use to see who the water guzzlers are
- Two hundred-fifty thousand gallons goes to the Governor's Mansion
- Another problem is the administration of small, rural community water systems; many are inefficient, water quality is poor, and we have a multitude of inefficient systems; we need help for small communities that are having real problems
- You've got to come up with specific proposals as to how to reconcile demand with supply, or you're going to create a firestorm; this is the last thing our Governor wants,

and I wish you luck; but you're not going to get anywhere unless you get specifics – good luck

- Close the golf courses; we're in the middle of the desert
- With the idea that the river is entitled to water; as far as I know corporations own the water; could we assign water rights to the river itself?
- What are my priority uses of water? Golf Courses are not, no question about that; but important thing to ask is: What are our priority uses of water as people as a state? If we go by money, the next thing is industry; if we don't go by money, what do we go by? This is a value question; we could do a statewide poll and give people six choices: what are the highest and best uses of water?
- Jemez y Sangre did something similar – University of New Mexico Institute of Public Policy: strong preference for rivers; don't want to sacrifice agriculture; golf courses were at low end, etc.; study is good and worth going back and looking at
- Right now we have a system that values water as money; we need to re-evaluate that; this goes back to transparency: who makes that decision? How do we hold someone's feet to the fire? The main answer to transparency is the State Water Plan – this is where those kinds of decisions can be made
- But the administration of the State Water Plan is a whole other thing; after January 2004, whose feet get held to the fire? That's the vital question in my town, by the Santa Fe River; and vital on the Rio Grande, and the whole state
- No one has mentioned how important the re-charge value of the river is to the watershed
- If State Water Plan is an over-reaching policy: what comes next. Office of the State Engineer is notoriously bad at enforcing regulations on the books. Does this mean that a plan, the legislature then has to pass all the laws that say how we're going to implement policy? Maybe the State Engineer could look at historic flows in particular rivers or streams individually
- We're having difficulty enforcing the water issues now; as far as I'm concerned, I'm concerned about the regional plans being cobbled together, then the entire state working somehow with the rest of the country... we're going to end up cutting off our nose to spite our face; I hope to God you're going to get a lot more detail about effective ways to implement the laws you intend to pass; the people of the state should be allowed to vote on some of these
- Canadians are saying this: water is not a commodity; we've been saying it can go to the highest bidder; Great Lakes are playing around with this; but what if New Mexico had a general declaration of principle: that water is not a commodity? As a way of trying to de-commoditize this critical thing, just come out and say that that's what we want to do

- Friendly Amendment to above: that says, “Water is a human right” as opposed to say “water is a human need.” This is being discussed by the World Trade Organization, etc.
- Another friendly amendment: I agree that instead of just thinking of water as a human right, let’s think of it as a living presence; an ecosystem – that it has a right to exist as we found it

Funding:

- Federal government is a huge source of funding; federal agencies can do a lot as well; anything from forest thinning to rehabilitating channels, riparian areas, recharging, etc.; studies to determine how all these interact
- Incentives, tax credits, partnerships, etc. with national labs on conservation measures, and also tax credit partnerships; and incentives for agriculture conservation measures.
- Tax the guzzlers
- Measurement: if we could know how much people are deviating from what is expected, we could charge more for that
- Water pricing standards – we have to let the people know how much it costs to bring people water; a little transparency and honesty about how much the water is going to cost
- The concept of a water user fee; look at gas -- prices went up, so did sport utility vehicle purchases; people who can afford to pay for the water, are going to come up with the money; look at Las Campanas – it results in haves and have-nots
- The price of gas is the same for a poor man, as a rich man; rich would pay more for a gallon than the average person who’s conserving
- Orange County and the Dutch: saw some television programs: they used salt water and well systems to re-charge their well system; they’ve both been successful; Dutch have been successful for centuries; if some research were done on these, you could find some new funding possibilities
- Income tax is a more equitable way of paying for something, not user taxes
- It should be really expensive to NOT conserve
- It would be nice to enlist the feds, but look at the condition they’re in – it’s going to have to come out of the State; could impose a penalty that in effect would make it difficult for the rich to waste
- We’ve been hearing about where we’d obtain funding, but there’s another side to this.; and we’ve also heard that perhaps we should re-evaluate and reduce the monetary value associated with water, so it doesn’t flow uphill to money; but in consideration of that, we need to remember that water rights are private property; if we change the system that’s

in place, that would be the same thing as a taking, and the State would need to compensate for that, and we're talking many, many dollars

- Education of how water is an integral part of New Mexico as a whole – the turnout here shows here how misinformed, uneducated about how important water is to all of us; education would play into the funding question; you won't be as apprehensive to pay for this, if you understand how important this is
- We need to think about the positive side of not having much water; it does limit development, and does allow for the wildlife and scenic values that most of us appreciate; even though it's painful, we might think about how the lack of water protects open lands

Other Comments/Questions:

Question: Ask Interstate Stream Commission to comment on the recent legislation on acequias, and also tell us about the pitfalls of trying to renegotiate any of the compacts.

Answer: Rio Grande compact is a pretty good deal for the state of New Mexico. We're required to deliver the water that comes to us from Colorado, through to Texas. When we deliver water to Texas, we're delivering into Elephant Butte, and New Mexicans in the Rio Grande below Elephant Butte benefit; acequias are an example of how you can use statewide planning to make decisions. They lobbied for protection of their rights from transfer outside of the system against their will, and were able to get it passed. It reflects their understanding of their culture. The purpose of taking these comments is to elicit how would you use...what would you do to implement?

Question: Is the goal to have a plan finished by January?

Answer: Yes, that's the Governor's direction. It started in 1987 with regional planning. Wasn't until 1999 that the first regional plan was complete; three of the last regional plans have been completed in the last 12 months.

Question: How will the plan be implemented?

Answer: The SWP is a vehicle to demonstrate public support for planning.