

**WATER
CHALLENGES
ON THE
LOWER RIO
GRANDE**

Regional Water
Planning
Update



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State University in 1960 with a B.S. in civil engineering. In 1984 he was elected to the NM House of Representatives and was re-elected in 1986, 1988 and 1990. During his tenure he served on the Agriculture and Water Resources Committee and currently is the chairman of the New Mexico Interstate Stream Commission.

**Mary Helen
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joined the New
Mexico Interstate
Stream Commission
staff to manage the
state's Regional
Water Planning
program in 1997.
Prior to joining the
ISC, Mary Helen
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as a community planner. She earned a master's degree from the University of New Mexico in community and regional planning in 1986 and is a member of the American Institute of Certified Planners.

Regional Water Planning Update

Richard P. Cheney, Chair New Mexico Interstate Stream Commission

The Endangered Species Act is one element that makes it extremely important that we do water planning. For years, the Interstate Stream Commission (ISC) has had a program for planning. The legislature has not seen fit to fund it as much as it needs to be funded, but this year they were fairly generous. We have several new members on the ISC, and we have changed the planning process somewhat. There has been a lot of discussion and we are very serious about the planning process at this time. We want to get on with it and we want it completed. We think that it is essential for the regions if they are to be able to protect their water. It is nice to be in southern New Mexico where you do not have the water supply problems that we do in San Juan County. You only have Texas that wants your water. Arizona, Utah, Nevada and California want ours.

But it is the same situation in every part of the state. The planning process is one of the ways in which we can protect our water and our water rights. Mary Helen Follingstad is in charge of planning at the ISC and Office of the State Engineer. It is a joint venture between the two agencies. We have an agreement with the Office of the State Engineer to continue the planning process through the ISC.

A regional water planning handbook was developed a few years ago and we feel it is a very good guide. We did feel some people were dragging their feet a bit on the planning process, and we did not have any real accountability on when the planning was going to be done or the work product that we expected. This year we announced a request for proposals to the regions asking them to show us how they are going to complete their planning process. We were very clear in the RFP about the work product we want. There were five questions that had to be answered. We feel a lot of the data are out there and it simply needs to be compiled.

The questions asked on the RFP were as follows:

- *What is the water supply?*
- *What is the current and projected demand? We know how much water is being used for agriculture and how much water is being used by municipalities. We need a compilation of those amounts. We need to know how much water currently is being used, what is available, and what is the projected demand, which will be based on projected population growth.*

- *What alternatives are available to meet the demand?* Regions do not have to state whether alternatives will require legislative changes, but we need to know what alternatives exist. If alternatives require legislative changes, then we are going to have to ask for those changes.
- *What are the advantages and disadvantages of each alternative?* Again, legislation action may be necessary to allow regions to justify the alternatives they develop.
- *What are the best alternatives and how will they be implemented?*

We feel it is a rather straightforward process as well as an expensive process. We understand that it requires time. But the planning process is so important. If we are taken to court, you must be able to show that you are going to need your water 40 years down the road. It is extremely important that we complete this process.

We had a good response to the RFP. There are 16 planning regions and of those 16 regions, we received 14 responses and they were very professionally done. We have not reviewed them yet, but at the next ISC meeting we are going to consider some recommendations from staff. The Commission will review those recommendations so that we are able to go back to the legislature next year and tell them about the progress we have made and we hope to be able to show them some completed plans. If I continue to be the ISC chairman, we are not going to go back before the legislature and tell them that we do not have any plans completed. This process has been in the works for at least ten years and we have not had any accountability. We are going to hold the recipients of the grants accountable. We are going to insist that their work product be done in a timely fashion and that they answer the five questions in the RFP.

There was ample discussion about this new process within the ISC. We wanted to send a message that things are not like they used to be. This ISC is going to be much more proactive. We are charged with protecting and conserving the waters of New Mexico and we are going to make every effort within our power and the tools available to us to protect and conserve those waters, even if that means we have to take on the Endangered Species Act.

In the San Juan River, there is a bill in Congress right now that authorizes the expenditure of the \$172 million over a 12-year period to recover the Colorado squawfish. To me that is outrageous! We can grow the squawfish in the hatcheries over in Dexter by the thousands and we can put them in the river. Insufficient squawfish exist in the river right now to allow us to determine if we can recover them. It was not the dam that killed the squawfish, it was

the poison. In 1961-1962, they poisoned the river with rotenone in order to kill squawfish to create quality fishing waters. The San Juan has some of the finest trout fishing waters in the world, and people come from all over the world to fish there. They poisoned the waters to kill the fish to create quality waters and now we have the same agencies wanting to recover the fish and spend \$172 million to do so. Now the agencies are saying that they do not know for sure if \$172 million is going to be the exact cost, maybe it will be more. I bet it is probably going to be double that because of the involvement of the federal government, the Environmental Protection Agency, the U.S. Fish and Wildlife Service and the New Mexico Department of Game and Fish. The Endangered Species Act is going to cause you a lot of trouble, so you had better have your planning done.

The San Juan Generating Station leases water from

Navajo Dam through the New Mexico Department of Game and Fish. They must make an application to renew that lease. The Department of Game and Fish has written a letter indicating they were not sure if they want to renew the lease just yet because there may be some endangered species up along the river, including the willow flycatcher, bald eagle, and Colorado squawfish. The willow flycatcher makes its home in the woodlands along the river, and areas with salt cedar and Russian olives may be habitats for the willow flycatcher. Folks, salt cedar and Russian olives are not native to the United States yet they have become habitats to the endangered species.

I am not against the recovery or protection of endangered species, but we must do it with sound science and accountability. We must decide whether or not it is economically feasible and in the best interest of the people of the United States, not just the people of New Mexico. If it is incumbent to recover the Colorado squawfish, it should not be New Mexico's sole responsibility—it should be as much the responsibility of people in other states as it is ours. It is blackmail and extortion if we have to

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continue with the program. New Mexico will have to participate and furnish part of that \$172 million. Our share at this point is only \$2 million. If we do not participate, it could mean the shutting down of the San Juan Generating Station, the Bloomfield refinery, the Navajo Indian Irrigation Project, and the San Juan-Chama diversion, which is going to supply water for Albuquerque.

My advice is to make your regional plans complete, know what water is available, have some idea about how you are going to put your water to use for the needs you have, and be prepared to fight the Endangered Species Act as well as others who want your water. The Endangered Species Act will be after your water as much as the state of Texas, or the state of Arizona, or whoever is downstream from you.

The planning process is never complete and that is why it is called planning. It requires continual updates because circumstances change. So a plan, although we want to produce them and have them as complete as possible, needs to be reviewed every 1-5 years. You must keep abreast of changes as they take place. It is a never-ending process and is something that will require continued funding. I hope local entities will understand the importance of the planning process and participate in furnishing the funds required and not just depend totally on the state legislature to provide needed funds. You need to talk to your city councils, your county commission, and any other local agencies that can provide funding because it is in the best interest of local governments to see to it that local waters are protected. The ISC will be an advocate for New Mexico water to the best of our ability.

Mary Helen Follingstad, Staff New Mexico Interstate Stream Commission

The Big Picture

- Water planning is becoming important
- In recognition of this, there is more substantial new funding
- Completion of regional water plans and establishment of a state water plan is the Interstate Stream Commission's (ISC) current mandate
- Status of the regional water planning program and a vision of the state water plan follows

Regional Water Planning Program Update

- Recent changes in the Regional Water Planning Program include:
- An emphasis on completion of the water plans

- A renewed emphasis on documenting unappropriated groundwater
- Development of additional guidance to augment the ISC Water Planning Handbook

Water Planning Funding

- \$1.75 million were appropriated to the New Mexico State Engineer for water planning
- A Memorandum of Understanding between the State Engineer and the ISC for use of the funds was approved in August 1998
- \$1 million of the funds are set aside for continuation of the Regional Water Planning Program
- \$750,000 of the funds will be used for the Framework State Water Plan

Water Planning Funding

- Up to \$800,000 may be used to contract with water planning regions for regional water plans
- \$100,000 has been set aside for contingencies
- \$100,000 of these funds have been earmarked for use by tribes to participate in the program.

Water Planning Regions

The 1998 Request for Proposals (RFP)

- The 1998 RFP for the use of these funds was issued by the ISC in August 1998
- Fourteen of the existing sixteen regions have responded with proposals
- Funding requests total about \$3,237,450

1998 RFP

- The 1998 RFP asked regions to:
- **self evaluate** existing documents prepared under the Regional Water Planning Program
- **propose work tasks** that would **complete** the regional water plan in the spirit of
- the five questions
- the 1987 statutory criteria

Why develop a State Water Plan?

- To create a forum for working with federal and tribal agencies in water resources planning
- To establish an inventory of New Mexico's water resources
- To provide a structure for economic and public policy related to conserving, reserving, developing, and managing New Mexico's water resources

State Water Plan

- How will it be approached?
- Substantial funding has been appropriated
- Substantial funding to continue the project will be requested
- A Framework State Water Plan will be developed to set the course of the plan
- Public involvement will be mandated

**Relationship Between Water Planning Programs
Funding**

- Phase One of the Framework State Water Plan will be funded with \$750,000
- Requests for funding Phase Two of the Framework State Water Plan will be based on completion of Phase One products

Framework State Water Plan

- The Framework State Water Plan will establish a technical basis for a New Mexico State Water Plan
- The exact scope of the project is now being developed
- The program has the following elements:

Framework . . .

- An update of the 1976 *New Mexico Water Resources Assessment for Planning Purposes*
- Development of river basin and major groundwater aquifer/basin water resources
- A plan for adequate measuring and monitoring of New Mexico's water resources
- Articulate (for discussion) policy questions and issues

Framework . . .

- An evaluation of the Regional Water Plan reports and documents
- Preparation of a Capital Improvements Plan for water resources
- An examination of evidence of deteriorating watershed conditions
- Public involvement

Who will be involved?

- A team of staff and consulting hydrologists, engineers, water resources economists, public involvement coordinators, biologists, environmental law and other experts will be assembled
- An RFP for the consulting experts will be issued in the near future
- The ISC will oversee the project

Update of the Assessment

- An update of the 1976 *New Mexico Water Resources Assessment for Water Planning Purposes* is a key component of the Framework State Water Plan
- The update will add substantial information on groundwater resources in New Mexico with a view toward a better understanding of our unappropriated groundwater

**Other Related Water Resources Planning
Activities**

- A long-term strategy for Pecos River Compact Compliance
- An appraisal of opportunities and needs for developing the 18,000 acre-feet allocated to New Mexico on the Gila River

**Public involvement will continue to be an essential
element of water planning**

- Public involvement to assure the alternatives chosen have grassroots support
- Extraordinary efforts will be made to assure public education and involvement are integral to water planning activities

The Big Picture

- Water planning is becoming more important; the ISC complete regional water plans will bring about a state water plan for New Mexico