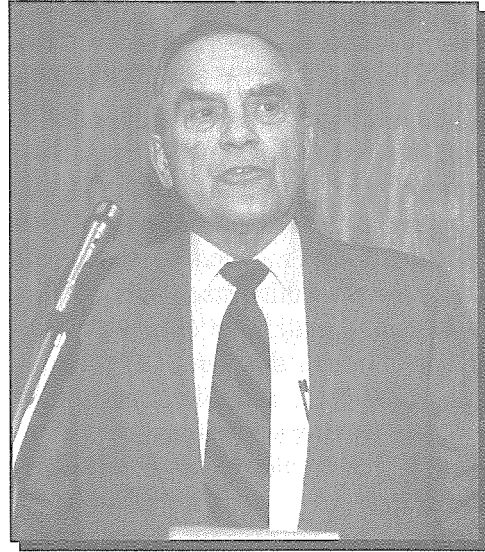


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THE BOSQUE AND THE RIO GRANDE

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I don't really know why I am here since the basic work of the Rio Grande Bosque Management Task Force did not deal with water, it dealt with the bosque, but, of course, the bosque and the Rio Grande are inseparable as the bosque exists because of the Rio Grande.

Several years ago Senator Domenici decided that the bosque was in trouble and something ought to be done about it. He set up a task force chaired by Bill deBuys of Santa Fe called the Rio Grande Bosque Conservation Committee to make recommendations as to what could be done to save the bosque. This committee included a recommendation to the New Mexico State Legislature to set up a task force on how to manage the bosque.

This is the usual approach to any essentially insolvable problem. You create a task force,

which creates more problems. This task force, in order to have a chance of success, consisted primarily of interested people, well connected politically. The task force was appointed by the Governor and the legislative leadership of both parties in both chambers, and consisted of nine people. I was the only technical person on it, being a geologist and engineer, and the rest were citizens of various persuasions. Several of them were very active in trying to help the bosque, and they were not technical people, which was good, because the problem we dealt with was not technical, it was essentially political.

The major problem affecting the management of the bosque is that it falls under the jurisdiction of more individual groups than you can shake a stick at. When you sum up all the councils, committees and task forces in New Mexico

concerned with the bosque, there is about one for every tree. I am talking about federal agencies of which the three primary ones are the U.S. Army Corps of Engineers, the U.S. Bureau of Reclamation and the U.S. Fish and Wildlife Service. A whole group of state agencies from the soil and water conservation districts through the state park system are involved. The State Engineer certainly has something to say about the Rio Grande. Large numbers of municipalities of all sizes have something to say about the bosque and the Rio Grande, particularly the bosque where it goes through their areas of jurisdiction between Cochiti Dam and Elephant Butte, the area in which we were interested. Six pueblos have absolute jurisdiction over the bosque on their reservations.

It became obvious as soon as we began that we had to deal with the "geopolitik" of water. It was obvious to us that the engineers may work and plan and the scientists may theorize, but in the end the decisions would probably be political. Therefore we had to seek a political solution.

So we sat down and began first to gather information. We realized that we had to have our resolution ready for the 1995 legislative session and that meant that we had to have it in the mail in October for committee deliberation before the legislative session. We started on the first of February and thus we had about 8 or 9 months to do our job. We received very helpful information from the three primary federal agencies I have mentioned and from several state agencies. They came to our meetings in Albuquerque and made very useful presentations.

But, it became more and more obvious that there was no direct and simple solution to the problem of the Rio Grande and its interaction with the bosque. The bosque north of Albuquerque suffers from the cottonwoods going primarily to Russian olive and south of Albuquerque, the cottonwoods are being replaced by salt cedar.

The bosque faced three major problems. One was all the agencies that had jurisdiction over it. Each was deeply concerned that we would come up with a recommendation that

would somehow or another not infringe on their jurisdiction and therefore have budgetary implications.

Another one was the fact that every group using the bosque had the absolute and simple solution. These groups ranged from the motorcycle clubs, the archery clubs, the rifle and target shooters, the bicycle clubs, the hikers, the campers and the homeless, all of whom wanted total access to the bosque for their use. Opposing them were the conservation groups which ranged from "let's have some kind of a balanced use of the bosque" to "put a chain link fence all the way around the bosque and don't let anything in or out."

The third group, of course, were the private landowners in and along the bosque who wanted nothing we said to affect the value of their land by circumscribing its use.

Faced with these three formidable groups, the task force did what any reputable task force would do, it sought compromise. It did that by creating a coordinating council. We held five public meetings, three before the "final" draft of our resolution to the legislature and two afterward. We held meetings in Alameda, Socorro, Valencia County, and at Isleta Pueblo. There was a recurrent theme at these meetings which was "keep all of the government agencies out and let the private landowners be unaffected." This feeling was very, very strong.

Under the aegis of the U.S. Fish and Wildlife Service, a biological management report of the bosque had been previously prepared. Professor Clifford Crawford of the University of New Mexico's Biology Department headed the report team. It came up with about 28 recommendations to be looked at as a means of saving the bosque. It was an excellent report written by highly skilled scientists who did a dedicated job and essentially laid out the solution. But like any such scientific report, it left out the politics of how you implement it. That was our job.

We decided to establish a small council to coordinate the work on the bosque with some state authority behind it. When we were done, the council had 34 members and at least another dozen persons were complaining because they

The Bosque and the Rio Grande

were not on the council. All agencies on the council are governmental units. That is, they are federal agencies such as those I just enumerated, along with county government, city government, on down to the smallest village. The six pueblos, because they informed us that no one pueblo spoke for any other pueblo, were all on the council as were the soil and water conservation districts. Everybody who had anything to do with the bosque between Cochiti Dam and Elephant Butte was on the council. Several groups with out-of-state jurisdiction were not put on the council. The reason they weren't is that we are going to ask for money from the New Mexico State Legislature and we felt that the organizations that could vote should be totally New Mexico organizations or the legislature would complain about New Mexico money being spent by a vote from someone from out of state, for example, the Texas Water Commission.

This council would coordinate the efforts to manage the bosque. It would have two major responsibilities. One, it would be a place where John or Jane Q. frustrated citizen could go and address every single organization that had something to do with the bosque. Why? Because at every public meeting we held, people stood up and said, "I had such and such a problem so I called this agency and they said, 'That's not in our jurisdiction. Try that agency,' and I went around and around and came back to the agency that I started with." The frustration of these citizens led to their feeling that a massive group is trying to run the bosque. So we said, "Good. We'll line all of these targets up in one spot and you can go to that one meeting and get them all at the same time. If they pass the buck there, you can watch the buck being passed."

This was very important. The people of this country, of this state, have to be able to get answers to questions. I don't know how many of you have attempted to get answers to complex questions about a natural resource. It's a very painful business, especially when you are put on hold for 8-12 minutes and then told the person is out for two weeks. The point is the council meetings will be open to its citizens.

We realized that a 34-person council is an unwieldy group, so we created a seven-person executive committee that would actually do most of the work. Its recommendations would have to go back to the council, which is the governing group, for approval. But the day-to-day operations will be done by an executive committee.

How do you appoint that executive committee without stepping on toes? You don't. You let the council elect the executive committee. This is the coward's way out, which we were pleased to take. For the chair of the committee, we picked as an initial person, the Secretary of Energy, Minerals and Natural Resources for the State of New Mexico, because under that secretary's jurisdiction is the state parks system, which is probably as close as we could get to the bosque. However again, the private landowners resented this idea of a state official running the committee as chair and so we finally decided—as we were compromising every step of the way—that the Secretary would chair the committee until the by-laws were drawn up and the council was operational, and then the council's members would elect their own chair.

In essence we came up with a massive compromise trying to satisfy everyone and therefore we have satisfied no one. That's standard. The only great advantage of such a compromise is you get everybody angry at you but they are not absolutely furious at you. If you take a strong stand you get a smaller number of people angry, but those who are angry will hate you.

I have already received three letters from agencies to whom a copy of our report was sent. It went out on October 12 to the state legislature and others. These agencies stated, "We will be very happy to cooperate with this council provided we are the lead agency." I tell these people, pointlessly, that the prefix "co" means equal, and how do you set up a coordinating council that has a lead agency which says, "You coordinate with me, or else!"

We must go to the state legislature and recommend this council. Now, of course, comes the politics of trying to lobby our proposal through the legislature against opposition from people who feel they are somehow or other

threatened by it. I don't think it is a threat to anybody. It's not a council that has any strong or authoritative position. It is an attempt to have people sit down and talk, to cooperate, to exchange information at levels from the federal down to the smallest municipality and to the pueblos. We hope to get people to talk and understand the problems involved in the bosque and application of, for example, a biological management plan. This is needed because the biological management plan is not too popular as it made some recommendations which concerned certain people. The plan seeks to restore the health of the bosque, and one of its recommendations is to consider not channeling the Rio Grande and to let it return to its natural course. Well, if you let the Rio Grande go back to what it would like to be, which is essentially a free, meandering river, you are going to have problems of a political nature that you can't believe. Most people want the river controlled and trained in such a way that it doesn't flood. If we leave it alone and it floods, there will be anger.

We are advancing to the legislature the concept of this council. We know that there are several ways, essentially two or three, to obtain cooperation. One way is to threaten with massive authority behind you. This council doesn't have that authority. The other is cajolery; you can wheedle and beg for cooperation. That will likely be fruitless in this case. The third method is bluntly out-and-out bribery, and that is the method we chose. We are asking the legislature to fund this organization to the tune of \$250,000 per year so that the council can give out matching fund seed money for cooperative programs to help the bosque. These could include such things as studies to determine the importance of the annual flood to the propagation of the cottonwood. There is a feeling by some people that without the annual flood, the cottonwoods cannot propagate. Others say on the contrary, if you periodically or annually flood you have a more beneficial effect on the salt cedar than you do on the cottonwoods. We need studies to answer questions of this type. If this council had matching funds, and we say matching funds because the legislature likes to get dimes for

nickels, the council could then vote to provide these funds to various groups including federal groups. Thus, we hope the council could be an effective coordinating group.

Is there any chance that such a council can succeed? There are two in the United States, one in Wisconsin and one in Washington. They are river basin councils, which deal not only with the hydrology of the river basin, but also its vegetation, which in both cases is intimately tied to the water. So it is possible, particularly if you get people together of reasonably good will. Right now if you have been watching ads for politicians on television, you may doubt that good will exists anywhere. It really does. There are people of good will. There are dedicated, sincere people. With them, a council could succeed.

Almost more important, if the council works it is a bellwether for what can be done with immensely complex political problems in the future. These political problems, you know as well as I, ladies and gentlemen, are far more difficult to solve than technical problems. You can produce the world's greatest scientific report, but if it is not politically acceptable, nothing will happen. We hope this council will help the bosque, but more, we hope it will set a pattern for helping New Mexico deal with a tremendous variety of problems. If so, we will have accomplished something.