

**MINUTES OF THE
2,184th REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

FEBRUARY 14, 2022, 3:00 P.M.

Directors having been duly notified; Madam Chair Dunning called the regular meeting to order at 3:02 pm at the MRGCD General Office. The following Directors and Staff were present:

DIRECTORS		STAFF	
Karen Dunning, Madam Chair	Present	Jason Casuga	Chief Engineer/CEO
Stephanie Russo Baca, Vice Chair	Present	Dr. Charles DuMars	Chief Water Counsel
Barbara Baca, Director	Present	Lorna Wiggins	General Counsel
John Kelly, Director	Present	Pamela Fanelli	Secretary-Treasurer/CFO
Joaquin Baca, Director	Present	Anne Marken	Water Operations Div. Manager
Glen Duggins, Director	Present	Matt Martinez	Water Distribution Div. Manager
Michael T. Sandoval, Director	Present	DeAnna Philips	GIS / Board Liaison

The following names of individuals were interested viewers, callers and/or participants:

Jennifer Faler, USBR	Mitch Vergeer
Craig Hoover, BHI Inc.	Josh Hind, MRGCD
Adam Lauer, Farm Credit NM	Casey Ish, MRGCD
Neal Hurley, Farm Credit NM	Jessica Regensberg, MRGCD
Larissa Gordon, Ag New Mexico	Marie VanDerGeest, MRGCD
James McCook	Estella Gamboa, MRGCD
Tricia Snyder, Wild Earth Guardians	Michael R. Padilla, MRGCD
John Larson, El Defensor Chieftain	Yasmeen Najmi, MRGCD
Elaine Hebard	Jessica Howe, MRGCD
Theresa Davis, Albuquerque Journal	Anjali Bean, Western Resources
Chuck Gabaldon	Eleanor Hasenbeck
Anders Lundahl, NM ISC	Anne Stauffer
Steve Glass	Andrew Melendez, MRGCD

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

Director Duggins led the Pledge of Allegiance at today's meeting.

Madam Chair Dunning declared a quorum, and the meeting was publicly noticed. She congratulated Director Duggins on the arrival of his grandson.

AGENDA ITEM NO. 2 – APPROVAL OF THE AGENDA

Madam Chair suggested that Item 7b be removed as the Board will not approve the Village of Corrales Water Delivery Plan and Budget in this meeting but will be discussed with Item 7a.

Discussion ensued regarding the legislative committee meeting report given alongside the report from the MRGCD Lobbyist on the 2022 legislative session. Mr. Casuga stated that it was undetermined if the Lobbyist would be able to attend.

Vice Chair Russo Baca made the **MOTION TO APPROVE THE MEETING AGENDA with the above changes**. Director Sandoval seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 3 – CONSENT AGENDA

- a. Consideration/Approval of Payment Ratification - February 14, 2022
- b. Consideration/Approval of January 2022 Invoice for Wiggins, Williams & Wiggins
- c. Consideration/Approval of January 2022 Invoice for Law and Resource Planning Associates, PC
- d. Consideration/Approval of Minutes for Regular Board Meeting - January 10, 2022
- e. Consideration/Approval of Minutes for the Special Board Meeting - January 21, 2022
- f. Consideration/Approval of the Revised Retainer Agreement for Mike Hamman
- g. Memo on MRGCD Approved Licenses for January 2022 (For Informational Purposes Only)

Vice Chair Russo Baca made the **MOTION TO APPROVE THE CONSENT AGENDA**. Director Barbara Baca seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 4 – ITEMS FROM THE FLOOR (Comments are held to six (6) minutes)

Martin Haynes

Mr. Haynes asked if he could wait to make comment after he's heard the presentation regarding the Corrales siphon update in item 7a. Madam Chair Dunning agreed to that.

Mitch Vergeer

Mr. Vergeer is a Valencia County farmer who asked the Board why there are new trees and brush being put into the river when they are always talking about needing to clean the river out. He stated that the money they used to plant the brush and cottonwood trees could have been used to clean out the river and make it wider. Jason Casuga explained that NM 6 is a NMDOT project and if they're putting vegetation back in the river it probably has something to do with their commitment to their mitigation as part of the project or could be related to habitat for threatened and endangered species.

Director Duggins commented that MRGCD as well as Socorro County is having trouble retaining and attracting employees. He expressed his gratitude for the MRGCD staff. He suggested having personnel come in to lead the Pledge of Allegiance as was done in the past and give them a moment to show our appreciation for them. Madam Chair stated they will take the suggestion under consideration.

Elaine Hebard

Ms. Hebard resides within Bernalillo County. She stated electing board members to carefully fulfill the delivery task is obviously of great importance to water right owners and irrigators, as well as insuring that other specific tasks like river flood control and drainage are carried out to help property owners within the benefited area. She expressed her concerns about changing who would be eligible for the MRGCD elections and suggested the various options such as population base or acreage base should be discussed by the Board during a special workshop.

Janet Jarrett

Ms. Jarratt a farmer in Valencia County and former board member gave written comments:

She hopes to instill a sense of the responsibility the board has to the farming constituents in the district. The District absorbed more than 70 acequias. The District was created to deliver water more efficiently and equitably along the entire middle valley via four diversion structures rather than more than 70. An additional benefit of consolidating the acequia diversions was the construction of the spoil bank levee and drains that lowered the water table, thus allowing Albuquerque to develop.

She feels the purpose of the MRGCD is to deliver water, the right to which is owned by farmers and is protected by Treaty, as well as law. Stating, in the Conservancy Act: 73-14-47. The use of water. A. No sale, lease, assignment, permit or other right in the waters of the district shall be made or granted which shall infringe upon or interfere with the water rights of lands in the district.

She felt there's a strong argument to be made that the actions this board has taken in recent times definitely does "infringe" upon and interfere with our water rights.

She was disheartened that the board did not make a case for shared responsibility for compact compliance saying the District pre-dates the compact, and arguably was contemplated in the compact. The District permit is to irrigate about 123,000 acres, not the current 60,000 or so. She said she realizes that farmers generally don't have the means to really defend themselves against being the low hanging fruit for bureaucrats to tap but would hope that this board would have made some argument for additional entities to be held responsible for compact compliance. The compact places the obligation on the state, not the MRGCD. MRGCD didn't look at data it holds that demonstrates the impacts of groundwater diversions on the ditches and drains, amounting to around 70,000 acre feet per year in the Albuquerque reach. Yet Albuquerque is held harmless for the compact. Our lands were dried. Many went broke after 3 years of being shorted water. Farmers were not compensated for the water sent downstream, rights to which long predate the compact. The board apparently never even had a discussion about creative alternatives to putting farmers out of business, alternatives like using recycled water for irrigation of farms or compact deliveries instead of golf courses and parks. Alternatives like holding Albuquerque accountable for its groundwater pumping impacts to the District. Any alternatives at all. Including actually meeting and discussing with the owners of the water you took any alternatives that might be possible. Believe me, farmers are imaginative and desperate to survive, therefore highly motivated to be thoughtful and creative.

She also reported that this board was given a presentation by Senator Ivey-Soto on November 8, 2021, regarding his intent to completely restructure the MRGCD. This entailed changing the definition of the benefitted area, the definition of the purpose of the district, and to completely restructure voting in the District, eliminating property ownership as criteria, even before the last changes have been implemented. So each member of the board knew full well that the District would be a completely different creature yet failed to communicate this to constituents most affected. Only by accident did we find out what was up. Apparently the board simply chose to acquiesce to what would very likely end in the demise of agriculture in the middle valley, or at very least significant consolidation, with a complete change of culture and tradition.

She remembered Senator Ivey Soto made these same arguments back in 2010, resulting in SM 21, which looked at questions of election integrity and the constitutionality of property ownership as criteria in special districts. There is no constitutional issue regarding property ownership for special district elections. This was examined closely during the very large meetings held in compliance with SM21. MRGCD is definitely not alone. The MRGCD is not a school board as it is tasked with delivery of property to rights holders and any ancillary benefits are secondary. By changing the definition of benefitted area from the current map defined area, adding to the purpose of the District, removing property ownership criteria, and eliminating the county based board and creating a board driven solely by population, you have completely marginalized the people that actually own the property the District is tasked with protecting and delivering. It is easy to see that under that scenario, Socorro, Valencia, probably the south of Bernalillo county would all together have only one vote on the board. Those areas make up the vast majority of the farmland in the District, with Valencia county alone having more than any other county, and the Belen Division making up a solid half of the lands and ditches in the District. Yet functionally no vote regarding policies that can destroy us. She asked, why not vote according to irrigated acres in the District?

But going to population voting will result in many folks that know nothing about the District or farming making incredibly important decisions, or worse just going along without thought with whoever they want to impress. She said this is our life; feeling very sad that this board just took one man's word about issues, didn't look at the District's own history, or other examples.

Perhaps thinking about the legacy we leave is the way to address these concerns. If the District maintains this path that has marginalized and taken for granted farmers and the food we produce, we will no longer have that vaunted Ribbon of Green. The farms will continue to dry up as the next generation simply can't face the hardships we struggle with. Already there are more than six times as many primary producers aged 65 and older as primary producers 34 and younger in the US. We are losing the culture and tradition that makes this place so beautiful and unique. The farmers in the MRGCD have long been the goose that laid the golden egg. But that goose is being strangled. What will be left? The few large farms that can drill wells and buy additional rights, and patches of weeds. Small farming won't exist. Land will be dried, with the rights sold off, not leased. It just gets too hard to constantly fight economic battles, mother nature, and the District. We need advocates. We need a voice. We need to be able to believe that approaching this board is not futile.

Madam Chair Dunning expressed she did not believe any legislation changed the District boundaries. Ms. Jarrett stated that by defining the benefitted area to include those that get ancillary benefits and changing the purpose of the District to include recreational benefits, it changed the area of the benefitted area based on an assumption of benefits, not an actual physical benefit that was done through the engineer drawings. Madam Chair Dunning thanked her and said they will ask legal counsel for their opinion on that.

AGENDA ITEM NO. 5 – REPORT(S) FROM THE DEPARTMENT OF THE INTERIOR

a. Bureau of Reclamation - Jennifer Faler, Area Manager.

Ms. Faler stated that the scarcity of water is really hitting them. She stated they haven't been able to store at El Vado. Ms. Faler reiterated the importance of educating farmers about the Rio Grande Compact. She stated Reclamation's Rio Grande Project spans two states and delivers water to Mexico out of Elephant Butte. Ms. Faler also discussed the litigation risk they're facing, which started 10 years ago with New Mexico in a credit to Texas. They delivered more water than was required down to Elephant Butte. Saying since the litigation has been working its way through the Supreme Court, its gone from a credit status to a growing deficit. She highlighted the critical nature of litigation, fighting between states in the Supreme Court in a time when New Mexico cannot make its deliveries to the lower Rio Grande, their Rio Grande Project, as well as Texas. Ms. Faler also acknowledged the plight of the District's constituencies, the farmers, but also the leadership that has been shown in trying to do the best for everybody with these limited resources.

Ms. Faler stated they do have infrastructure funding, and that they are targeting an aging infrastructure right now that's a payback requirement. She said they are offering low interest loans. She also stated there will be more water smart opportunities. She stated the United States is on the side of our farmers and their commitment to deliver water to New Mexico.

b. Bureau of Indian Affairs - Sandra Lucero, BIA/SWRO/Water Resources

Ms. Lucero was not in attendance of today's meeting.

AGENDA ITEM NO. 6 – REPORT(S) FROM THE SECRETARY-TREASURER/CFO - Pamela Fanelli, CMA, CGFM

a. Discussion of Proposed MRGCD Compensation/Pay Plan & Position Classification Plan - Christine Nardi, HR Director

Ms. Nardi explained the current market conditions for early 2022. She explained that employers across the country are struggling with mass resignations, which is putting a burden on other employees who are having to work longer and harder hours. She stated that employers are having trouble finding employees to fill these open positions. She also mentioned people are seeking more flexible working hours, better conditions, better pay and benefits, and career advancement. Ms. Nardi stated that the District has 45 vacancies out of 227 positions, resulting in a vacancy rate of 20%. She stated 73% of those are coming from essential field positions, heavy and medium equipment operators, field maintenance techs, and irrigation system operators. Ms. Nardi stated that most of the employee's reasons for leaving was pay.

Ms. Nardi stated the proposed pay plan starts with a minimum hourly rate of \$15 per hour. She said the proposal would also increase salary ranges for all other positions. Ms. Nardi expressed that every employee in every position was reviewed and compared against their date of hire and pay ranges of employees in the same pay range and years of service and performance. She stated they created an ISO II position. Ms. Nardi said the proposed pay plan would increase the wages by \$643,000 per year, which is up from their usual \$400,000 per year, a 6.03% increase. She also noted that if it is adopted, the proposed increases will also replace cost-of-living or COLA adjustments, and merit increases for fiscal year 2023. She recommend that the Board approve and adopt the proposed plan. Once adopted, it will begin the pay period of April 4, 2022.

Madam Chair Dunning reported that the Personnel and the Finance Committees met. After their review, the committee felt there's money this year to do it and recommended the Board accept the proposal. Director Kelly and Vice Chair Russo Baca agreed.

Vice Chair Russo Baca made the **MOTION TO APPROVE THE COMPENSATION PAY PLAN AND POSITION CLASSIFICATION PLAN**. Director Barbara Baca seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

b. Report from the Personnel & Finance Committee Meeting, February 11, 2022 - Chair Karen Dunning, and Directors Kelly and Barbara Baca

Discussion ensued about nearby businesses making more than the District's minimum wage. Director Kelly commented on the issues in the job market. Director Barbara Baca appreciated the thorough analysis done. She felt the District is only as good as their employees and she was in favor of the proposed plan also.

Director Sandoval made the **MOTION TO APPROVE THE REPORT OF THE FINANCE AND PERSONNEL COMMITTEE**. Director Duggins seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 7 – REPORT ON INFRASTRUCTURE UPDATES

a. Corrales Siphon Update - Alicia Lopez, Mapping & Engineering Manager

Ms. Lopez gave a presentation on the Corrales siphon repair and stated that the siphon serves the west side of the river from Corrales to Montano Rd (in Albuquerque); approximately 1,000 irrigated acres. She said the pipe is 1,200 feet long and spans from the Sandia Pueblo side to the Corrales Main side of the river. Ms. Lopez stated that after a sink hole was discovered in late December last year/early January, they did exploratory excavation opening up a hole and bypass channel from the hole itself to the Atrisco feeder. She said the hope was to open a bypass channel. She stated there was approximately 5 to 30 CFS coming through that pipe to the Atrisco feeder, but they did not get a visual of the pipe. Ms. Lopez said they're coming up with short term and long-term solutions.

Corrales Siphon Repair

Middle Rio Grande Conservancy District

Prepared by:
MRGCD Engineering & Mapping Department



Corrales Siphon

- Serves ISO Zone A03
- West Side of the River from Corrales Rd. to Montano Rd.
- Approximately 1000 irrigated acres





Damage Investigation

- Late 21 - Early 22: Sink Hole
- Jan 13: Exploratory Excavation
- Traffic control
- Jan 19: Dewatering Attempt:
- Pumping & Bypass Channel






Temporary Water Supply

- Diesel Pump Supply:
 - Pump plus a backup from the river to the Corrales Main Canal
 - Part time operation, 15-20 cfs per pump
- Install Three Phase Power
- Electric Pump Setup



Pumping RFQ Documents




ITEM	DESCRIPTION	QUANTITY	UNIT
1	DIESEL PUMP WITH 200 GPM CAPACITY - 1700 RPM AND 10 HP BACKUP (PUMP AND BACKUP FROM THE RIVER TO THE CORRALES MAIN CANAL)	2	SCP (ONLY)
2	SLUICING - 100' x 4' x 12' x 12' ON OF HOSE W/ 10' RIVER	1	LS
3	SLUICING - 100' x 4' x 12' x 12' ON OF HOSE W/ 10' RIVER	400	LS
4	SLUICING - 100' x 4' x 12' x 12' ON OF HOSE W/ 10' RIVER	1	LS
5	SLUICING - 100' x 4' x 12' x 12' ON OF HOSE W/ 10' RIVER	1	LS
6	SLUICING - 100' x 4' x 12' x 12' ON OF HOSE W/ 10' RIVER	1	LS
7	SLUICING - 100' x 4' x 12' x 12' ON OF HOSE W/ 10' RIVER	1	LS
8	SLUICING - 100' x 4' x 12' x 12' ON OF HOSE W/ 10' RIVER	1	LS
9	SLUICING - 100' x 4' x 12' x 12' ON OF HOSE W/ 10' RIVER	1	LS
10	SLUICING - 100' x 4' x 12' x 12' ON OF HOSE W/ 10' RIVER	1	LS



Permanent Repair

- Obtain visual on pipe interior using submersible Lidar camera
- Repair or reinforce existing siphon, dewatering is likely needed
- Interim supply of ISO Zone A03 by pumping from the River



Questions



Jason Casuga stated as soon as the sink hole formed, they measured the water surface elevation, a tell-tale sign is what is called hydraulic head. He said they opened the channel to the Atrisco Feeder as low as they could without flowing the drain back to the siphon hole. Mr. Casuga stated that after the exploration and conversations with Alicia Lopez and the engineering consultant do not believe the Corrales Siphon is operational for this season. Therefore, he stated they have settled on a diesel pump operation at the Corrales site. He stated they will be coordinating with the Fish & Wildlife Service to make sure what the permitting requirement is. Mr. Casuga stated the pump will be located at the lower portion of the ramp near where the weir that was put across the river and said the pumps could be up around March 28th to the first week of April.

Martin Haynes commented that there's more acreage than what was stated earlier. He asked how long this will take to line, when would be the best time for lining, and how do you get the river leveled down low enough to do the lining.

Dr. DuMars asked about the quality of the water that normally goes by the siphon. Mr. Casuga stated after it is cleaned out and goes through the siphon, it's not any different quality as what's on the Sandia side. Mr. Casuga stated that he and his Engineering Department believe this solution will do the job. However, he did state to expect the pumps to be loud.

Director Baca asked how they would inform the public, and Mr. Casuga replied they ran an article in the Corrales Comment, spoke to the ISOs in the area and to pay attention to our website because there will be messaging there. Madam Chair Dunning suggested sending a press release to the television stations to get the message out. She also mentioned there will be a special meeting on February 28th, at 8 a.m., to approve the contract.

Mr. Casuga stated there are two alternatives, which are trying to salvage the current siphon by lining it or look at a more permanent pumping operation similar to Socorro's. He also stated that the best time to do this is when the water is the lowest.

Mr. Haynes asked if they're able to get the Water Utility Authority to cooperate, why not use the Cochiti Lake to stop the water entirely and line at that point. Mr. Haynes mentioned that Jason (Casuga) called him the day he realized the problem, so he thanked him and the staff for keeping irrigators aware. Jason Casuga replied to Mr. Haynes that the reason to not use Cochiti is because they believe issues with the Corps of Engineers.

~~b. Consideration/Approval of the Village of Corrales Water Delivery Plan and Budget - Jason Casuga, Acting CE/CEO (removed from the agenda)~~

c. Other infrastructure Updates - Alicia Lopez, Mapping & Engineering Manager and Marie VanDerGeest, Engineer II

Alicia Lopez gave updates on some of the large projects they're working on, such as the Peralta Main Canal Heading Re-Alignment, New Belen Wasteway Outfall Control Structure, Gabaldon Irrigation Delivery Project, San Francisco Outfall Control Structure, Atrisco Lateral Culvert Repair, Isleta Riverside Drain Repair, and GIS Infrastructure Assessment.

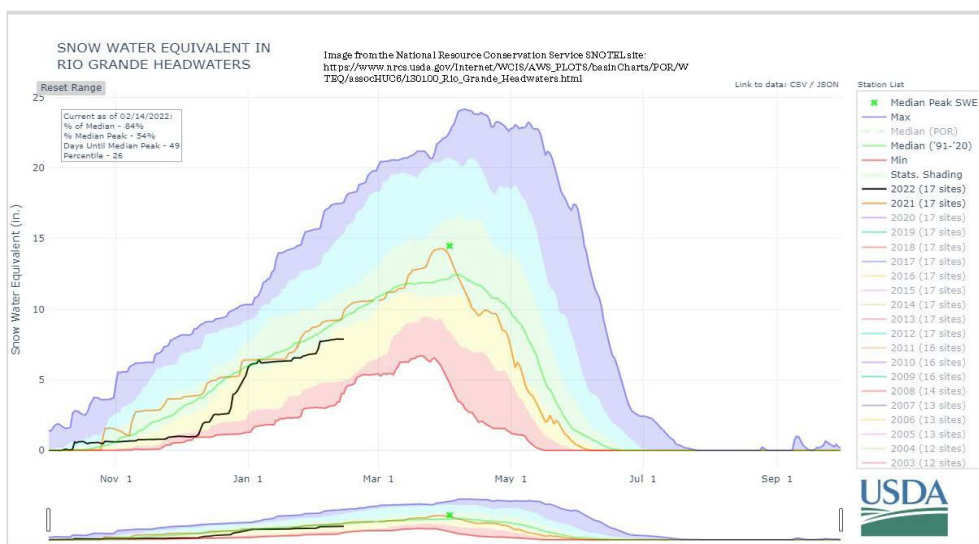
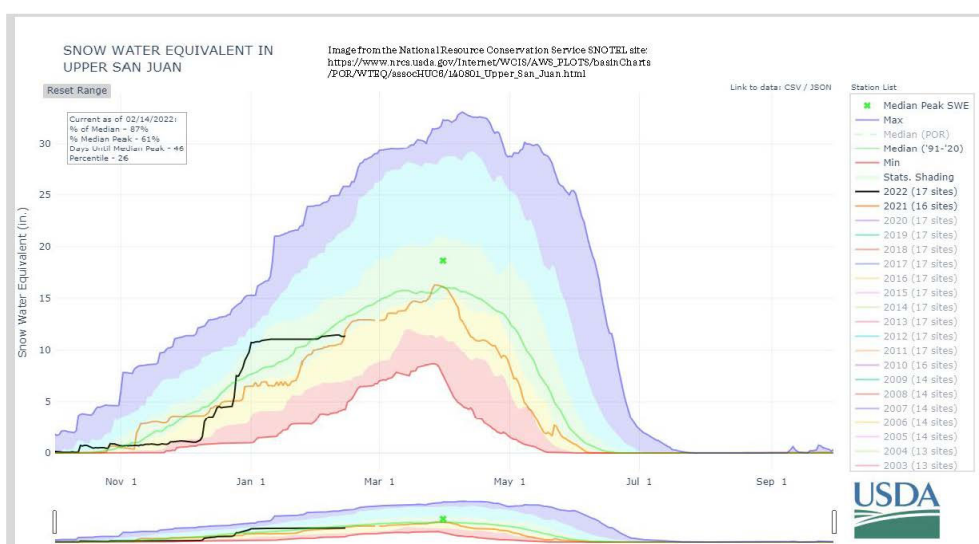
Jason Casuga commented that the Atrisco Lateral Culvert Repair Project has asphalt and pavement, which MRGCD usually does not get involved with, but it is running through a private parking lot licensed to landowner to put in a pipe. He stated it would take the landowner too long to get it fixed, so they exercised the ability and license to do the work themselves and get repaid for it. Jason Casuga also stated he has been working on the infrastructure assessment with the

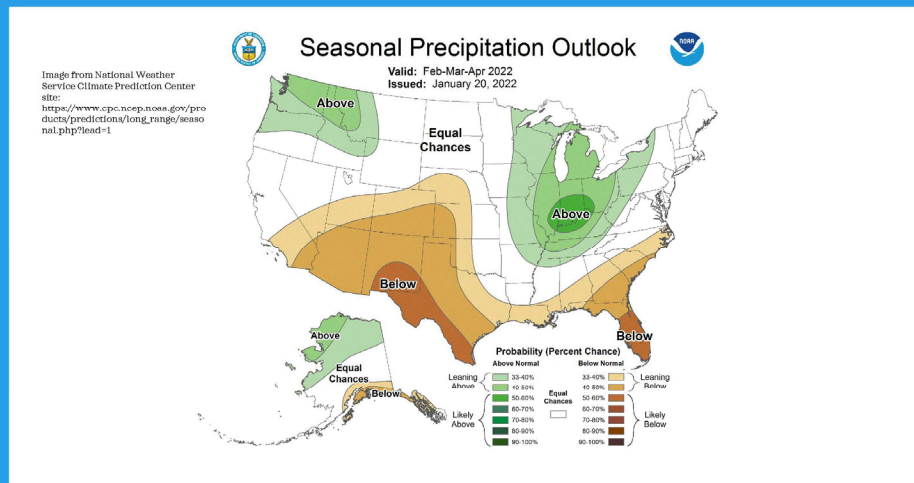
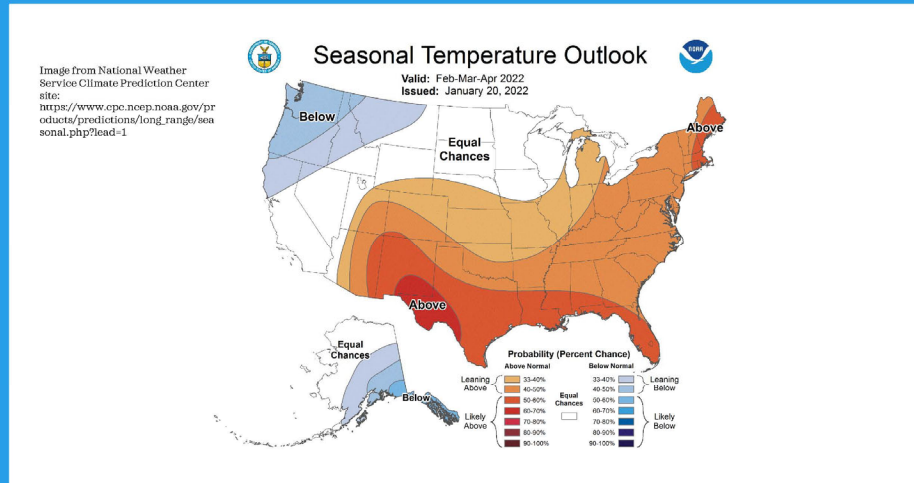
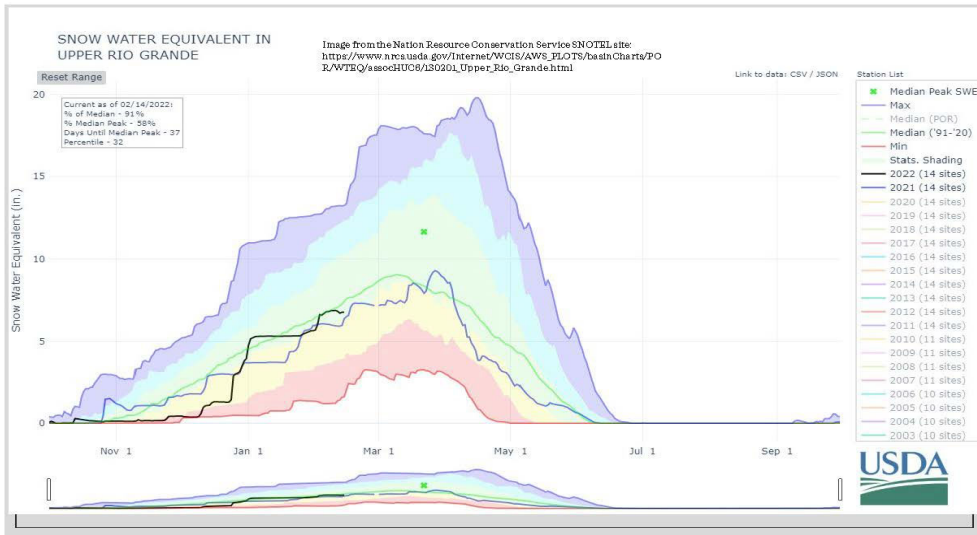
engineering department. He expressed the more they know about the system and how it is, the better they can plan.

AGENDA ITEM NO. 8 – REPORT(S) FROM THE ACTING CHIEF ENGINEER/CEO - Jason Casuga, PE

a. Report on Water Supply Conditions - Anne Marken, Water Operations Division Manager & Matt Martinez, Water Distribution Division Manger

Ms. Marken stated that despite coming off a snowstorm, snowpack conditions have worsened slightly. She demonstrated it for the Board using a SNOTEL graph. She stated they're looking forward to a 40 to 60% chance for above average temperatures for the next three months. Ms. Marken expressed they are looking at a forecast of warmer and drier conditions. She stated the accrued debit at the end of 2021 was approximately 127,000-acre feet.





Vice Chair Russo Baca asked if they have heard from the ISC (Interstate Stream Commission) about their willingness to assist with the river conveyance and maintenance for the San Acacia reach. Jason Casuga said there are conversations to be had with them about this. Dr. DuMars suggested taking a hard look at trying to figure out if they can use the low flow conveyance channel more efficiently and at least clean it out so it can be an option to use.

Director Duggins asked about the only using 50% of the river. Jason Casuga explained there is not a ton of water in the river right now, so taking more than 50% runs the risk of having issues on the river.

Mr. Martinez stated the primary focus of the Water Distribution Department has been to develop a safe and efficient startup plan to charge the system and meet delivery goals while adhering to the river commitments. He said they will have below average runoff and they're anticipating low river flows in March. He also wanted to remind irrigators that irrigation is not allowed while the canals are being charged, and notice tags will be on turnouts with scheduling details. Mr. Martinez stated water supply deliveries to irrigators with early season crop needs will start in Socorro on or about March 28th and the Albuquerque and Cochiti Divisions the first couple weeks in April. He said days to irrigate early crops will vary based on the acreage supply and area efficiencies, and then MRGCD deliveries after that. He reiterated that irrigators should expect extensive periods of no water available after spring runoff.

Mr. Martinez said during the month of January they held three more meet and greets. He stated what he learned from these meet and greets is their messaging needs to be clear, because there's been a lot of confusion and interpretation on some of the messaging. He said they've schedule two more meet and greets for February.

Director Duggins thanked Mr. Martinez and his guys coming down to Socorro last week. He also suggested not to put things in stone. Jason Casuga reiterated there is no policy on the number of days and that ISO will have a lot of flexibility. Mr. Casuga stated that when water is in your area, you need to take it.

b. Report on the 2022 Legislative Session - John Thompson MRGCD Lobbyist

John Thompson was not able to attend.

c. Review and Approval of the BIA/MRGCD Operations and Maintenance for 2022 with Two Option Years - Jason Casuga, Acting Chief Engineer/CEO

Jason Casuga discussed the amendment from Sandra Lucero at BIA. He stated this amendment kept the same amounts as prior agreement for this year. Dr. DuMars stated he's reviewed it and saw no conflicts.

Director Joaquin Baca made the **MOTION TO APPROVE the BIA/MRGCD Operations and Maintenance for 2022**. Vice Chair Russo Baca seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

d. Consideration/Approval of Resolution #M-02-14-22-180 for the MRGCD to be the Fiscal Agent for the Alamos de los Gallegos Acequia (Bernalillo County) - Jason Casuga, Acting CE/CEO & Pam Fanelli, Secretary-Treasurer/CFO

Director Barbara Baca made the **MOTION TO APPROVE RESOLUTION #M-02-14-22-180 FOR MRGCD TO BE THE FISCAL AGENT FOR ALAMOS DE LOS GALLEGOS ACEQUIA**. Director Kelly seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

- e. **Consideration/Approval of Resolution #M-02-14-22-181 regarding the Implementation of Asset Management Planning (MRGCD WTB Application) - Jason Casuga, Acting CE/CEO & Pam Fanelli, Secretary-Treasurer/CFO**

Jason Casuga stated this resolution is the next phase of the Water Trust Board application toward the Socorro Main Canal North Project. He stated one of the requirements was documentation of a commitment for asset management planning.

Director Kelly made the **MOTION TO APPROVE THE RESOLUTION #M-02-14- 22-181 REGARDING THE IMPLEMENTATION OF ASSET MANAGEMENT PLANNING (MRGCD WTB APPLICATION)**. Director Barbara Baca seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

- f. **Report on the 2022 Emergency Fallowing-Environmental Leasing Program - Casey Ish, Water Resources Specialist.**

Casey Ish stated that the 2022 program has an acreage cap of 14,000 acres based on the assumed funding. He stated if funding is not realized, they will reduce acreage cap to what they can accomplish with federal funding already in place. Mr. Ish also announced they have a new online reenrollment form available to irrigators. He said they decided to consolidate the partial season and full season they tried last year into a full season this year. Mr. Ish said they reduced the minimum acreage to one for the entire MRGCD.

Director Duggins reiterated he does not like this program or the right to take Ag water and place it in other places. He stated it would be more attractive to allow the farmer to dry up his farm in the summer and then allow plants in September for fall which would be next year's crop. Casey Ish stated the fact they don't have the ability to store water makes it hard to try to start something in the fall. He said they put some pretty stiff language in the contract that requires anyone with an active lease with a farmer to make that known when they enroll in the program.

Casey expressed that survey they did of people who participated in the program last year showed the majority were happy with the program. Jason Casuga said it is too early to celebrate on what funding may be available for the Emergency Drought Program. He said if the money is available, it will be a multiyear program with maybe an option to introduce partial years. He also stated he believes they're too late in the game to change right now.

- g. **Report on Notice on Funding Opportunity Rock Youth Corp Acequia Maintenance Program - Casey Ish, Water Resources Specialist**

Casey Ish stated they worked collaboratively last year with Bureau of Reclamation and the Rocky Mountain Youth Corps to set up a community ditch in the Acequia Maintenance Program. He stated their role is to help identify the area that required maintenance, removing undersized check structures, vegetation removal, etc. He reiterated if there is a community ditch in dire need of maintenance, please look at the website for an explanation of the guidelines for submitting a proposal. Madam Chair Dunning stated she visited the Rocky Mountain Youth Corp, and she was impressed with it and stated the community loves it.

h. Consideration/Approval of the Schedule of Fees for the Soils Lab - Gabriella Coughlin, Agronomist/Agroecologist

Ms. Coughlin presented a memo and a proposed fee schedule for the soils lab.

Memorandum



To: Middle Rio Grande Conservancy District Board of Directors
From: Gabriella Coughlin, Agronomist/Agroecologist
Date: February 11, 2022
Re: Consideration/Approval of the Schedule of Fees for the Soils Lab

Background: As interest in soil health and conservation grows in Central New Mexico, a group of dedicated partners, researchers, neighbors, and friends are leveraging their time, talents, and resources to bring soil health home to all Middle Rio Grande Valley (MRGV) residents.

Beginning March 26, 2022, MRGV residents will have access to a fee-based Community Soil Health Lab supported by a network of public and private partners who work on behalf of the communities they serve. These lab partners include the Village of Los Ranchos, the Middle Rio Grande Conservancy District, Coronado, Ciudad, Valencia, Socorro Soil and Water Conservation Districts, and New Mexico State University.

The Middle Rio Grande (MRG) Community Soil Health Lab will be located at 4920 Rio Grande Boulevard N.W., at the Larry P. Abraham Agri-Nature Center in the Village of Los Ranchos de Albuquerque. MRGCD's Agronomist/Agroecologist, Gabriella Coughlin, will manage and oversee this lab.

This memorandum includes an outline of the proposed fee schedule and services offered by MRG Community Soil Health Lab for Fiscal Year 2023-24. Once a fee schedule and services are approved, MRGCD and lab partners can complete program agreements and lab policies that will be presented during MRGCD's regular March 2022 Board of Directors meeting for approval.

Please direct questions regarding the Middle Rio Grande Community Soil Health Lab to Gabriella Coughlin, MRGCD Agronomist/Agroecologist, gabby@mrgcd.us.

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//s//

Gabriella Coughlin
 MRGCD Agronomist/Agroecologist

Attachment: Proposed FY23/24 Fee Schedule and Services for the Middle Rio Grande Community Soil Health Lab

Middle Rio Grand Community Soil Health Lab

Proposed Fee Schedule for FY2023-24

Soil Testing			
Services	Description	RUSH Pricing per sample	Price per sample for 1-15 samples
Soil Fertility Testing			
Routine Soil Test	pH, buffer pH, sum of cations (CEC), base saturation (%), soluble salts, organic matter, nitrate-nitrogen, phosphorus, potassium, calcium, magnesium, sodium, sulfur, zinc, iron, manganese and copper.	\$70	\$50
Soil Health Testing			
In-field soil health assessment	Site visit and soil health assessment	\$150	\$75
Basic Soil Health Testing + In-Field Assessment	Site visit, pH, texture, total C and N, organic matter estimate, wet aggregate stability, respiration	\$300	\$150
Comprehensive Soil Health Assessment	2 Site Visits, pH, EC, organic matter estimate, total C and N, ammonium-N, nitrate-N, P, K, Mg, Ca, texture, potentially mineralizable nitrogen, active carbon, wet aggregate stability, respiration	\$450	\$250

Physical Soil Testing			
Bulk Density	Requires submission of sample with known volume	\$3	\$3
Gravimetric water content	Measure of soil water content		
Texture by Hydrometer	% sand, silt, clay	\$30	\$20
Texture by Sieve & Pipette	More sand + silt fractions that hydrometer method	\$50	\$45
Water Stable Aggregates	Aggregate stability after rain simulation	\$50	\$35
Effective Cation Exchange Capacity	Exchangeable base cations	\$86	\$25
Chemical Soil Testing			
pH	Acidity or alkalinity of soil	\$15	\$10
EC	conductivity of soil salts in solution	\$15	\$10
pH + EC		\$25	\$15
Salinity (Saturated paste extract)	Dissolved salts	\$30	\$20
Sodium Adsorption Ratio + EC	Dissolved salts and electrical conductivity	\$35	\$25
Biological Soil Testing			
Organic matter	Loss-on-ignition	\$15	\$10
Active Carbon	Involved in nutrient cycling and defense	\$30	\$20
Mineralizable soil nitrogen	N mineralization after 7-day incubation	NA	\$25
Microbial respiration	CO ₂ release over 96-hour incubation	NA	\$16
PFLA	Phospholipid fatty acids	\$100	\$90
Water Testing			
Services	Description	RUSH Pricing per sample	Price per sample for 1-15 samples
pH	Probe or colorimetry	\$20	\$10
EC	Probe	\$20	\$10
Total dissolved solids	Evaporative	\$20	\$10
Cations/Anions	Test kits or spectrophotometry	\$75	\$50

Hardness and/or alkalinity	Colorimetric titration with an EDTA solution.	\$20	\$10
Fecal coliform (#/100mL)	Membrane filter or MPN	\$75	\$50
NPK	Test kits or spectrophotometry	\$50	\$25
Compost Testing			
Services	Description	RUSH Pricing per sample	Price per sample for 1-15 samples
Compost/manure maturity test	Probe test and analysis	\$405	\$305
Total solids (%)	Evaporative	\$50	\$35
EC	1:5 soil extract	\$25	\$15
Total organic carbon	Ignition	\$25	\$15
Fecal coliform (#/gdw)	MPN	\$75	\$50
Marigold germination	NMDOOT specification test	\$200	\$100
Sodium absorption ratio (SAR)	Saturated paste extract	\$75	\$50
Conservation Equipment Rental			
Services	Description	Price per kit rental	
Soil Sampling Kit	Sampling kit for Routine Soil Test collection	\$10	
Soil Health Assessment Kit	Assessment kit for Routine Soil Test collection and In-Field Soil Health Assessment	\$50	
Pasture/weed inventory kit	Field inventory kit to measure % cover of vegetation	\$40	
Backpack seeder (20 lb)	Seeding tool for small acreage planting	\$10	
Irrigation Water Management Plan	Site visit, soil auger description, soil moisture reading, field pH, EC	\$50	
Soil moisture data logger installation	Installation of sub-surface soil monitoring sensors and data logger system	\$500	

She said that beginning March 26, 2022, middle Rio Grande residents will have access to a fee-based community Soil Health Lab. She expressed the community soil lab is not only to be a local instruction for soils collection and analysis, but where people can conduct their own soil health assessments and collect their own soil samples. Ms. Coughlin said the conservation program is working with landowners to develop conservation practices to help offset water use or input use.

She stated the Soils Lab would empower people with data to help them better manage their properties. Ms. Coughlin asked the Board to consider the rates. She said the fee schedule was developed by a team of Soil and Water Conservation District staff. She stated she needs charge fees to get this program up and off the ground. She also invited everyone to the Soils Lab launch on Saturday, March 26th, at the village of Los Ranchos.

Director Kelly made the **MOTION TO APPROVE THE SCHEDULE OF FEES FOR THE SOILS LAB**. Director Barbara Baca seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

i. Report on the Discussion with Coalition of the Six Middle Rio Grande Pueblos - Jason Casuga, Acting Chief Engineer, CEO

Jason Casuga stated he attended the meeting in February, and it went really well. He said he got questions about the startup plan. He noted there is some new administration. Mr. Casuga stated letters to the pueblos will be going out this week.

j. Announcements for Upcoming Events

1. Family Farm Alliance Annual Conference, Reno, NV, February 24-25, 2022

Dr. DuMars stated he helped put together the agenda for the Family Farm Alliance Annual Conference and requested they have an economist talk about the dollar values of not having water in the produce, to which they did, so he recommended everyone go.

2. Land & Water Summit, Albuquerque, NM, March 2, 3 & 4, 2022
3. Middle Rio Grande Flood Control Association Annual Breakfast Meeting, Albuquerque County Club, March 8

AGENDA ITEM NO. 9 - REPORT(S) FROM THE MRGCD ATTORNEY(S) - Chief Water Counsel or General Counsel

Dr. DuMars stated that he, Pamela (Fanelli), and Jason (Casuga) have been meeting and discussing various issues. He said it's been very helpful to make the transition from Mike Hamman to this group. He felt they are able to handle virtually everything that is going on.

AGENDA ITEM NO. 10 - REPORT(S) FROM THE BOARD

a. Report on the NM Water Dialogue Annual Meeting, January 12-13, 2022 - Vice Chair Russo Baca and Director Sandoval

Vice Chair Russo Baca said one of the biggest issues discussed at the meetings was the drought. She stated they had a lot of breakout sessions discussing it. She expressed they could use more farmers attending the dialogue meetings.

Director Barbara Baca made the **MOTION TO APPROVE THE REPORT ON THE NM WATER DIALOGUE ANNUAL MEETING**. Director Kelly seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

b. Report on the Mid-Region Council of Governments Executive Board Meeting, January 13, 2022 - Director Barbara Baca

Director Barbara Baca stated there was minimal discussion relating to the District, but she still feels it's valuable we are sitting at the table.

Director Kelly made the **MOTION TO APPROVE THE REPORT ON THE MID-REGION COUNCIL OF GOVERNMENTS EXECUTIVE BOARD MEETING**. Director Barbara Baca seconded the motion. **The MOTION CARRIED UNANIMOUSLY.**

c. Report from the District Urban Issue Committee - Chair Joaquin Baca, and Directors Russo Baca and Barbara Baca

1. Meeting regarding Hawke Morgan's request for Mountain Bike Race, January 14, 2022

Mr. Hawke Morgan stated that since he originally applied for this a couple of years ago, this place has become even a better place to do the bike race, because they cleared the brush under the bridge so that it's now possible to ride from Riverside Park to the Bosque area. He expressed that he put two course options on the email he sent out but explained that he would prefer the longer course.

Jason Casuga stated they did meet with the Urban Committee and reviewed the request and some of the work we were doing. He expressed that Licensing Staff and Planning staff do not believe having a bicycle race with multiple riders in the bosque is consistent with what MRGCD has been trying to do to protect those areas. Mr. Casuga said they have allowed Mr. Morgan to conduct races on the irrigation ditch banks during the off season.

Yasmeen (Najmi) stated the primary concern was the use of the primitive trails and what damage it would cause to have multiple bicycles riding up and down the levee for several hours. She said they offered other opportunities to Mr. Morgan, such as some of the managed trails. Director Barbara Baca stated they did accept the recommendation by the staff not to approve that particular event. Director Joaquin Baca commented that this may not always be the case, because Los Lunas is urbanizing all the time, and he personally would like to see more bike rides in the bosque.

Director Barbara Baca made the **MOTION TO APPROVE THE REPORT FROM THE DISTRICT URBAN ISSUE COMMITTEE**. Director Joaquin Baca seconded the motion. **The MOTION CARRIED UNANIMOUSLY.**

2. Meeting with City of Albuquerque Film Liaison, Cyndy McCrossen, January 31, 2022 - Director Joaquin Baca

Director Joaquin Baca stated he had a meeting the Cyndy McCrossen, the film liaison with Albuquerque and they had a really great discussion.

Vice Chair Russo Baca made the **MOTION TO APPROVE THE REPORT ON THE MEETING WITH CITY OF ALBUQUERQUE FILM LIAISON**. Director Kelly seconded the motion. **The MOTION CARRIED UNANIMOUSLY.**

d. Report on the Legislative Committee Meeting, January 26, 2022 - Director Barbara Baca, Vice Chair Russo Baca and Director Joaquin Baca

Director Barbara Baca stated that Senators Ortiz y Pino, Senator Linda Lopez, and Michael Padilla all felt the local election act issue and how the Board is elected is a really important functioning of our voting in New Mexico and want us to pursue a separate bill. She stated John

Thompson can give a more detailed report at the March meeting. Director Barbara Baca expressed they felt it was very important to have this information in the packet and for it to be public, so people can look at it and see that while they were working with a senator, they weren't aware of all the nuances in the bill. She said that it is now moot because it was taken out of the SB 6.

Dr. DuMars stated that when you start to reapportion things, that's a different question from whether it is property or non-property voters. He stated it is incumbent on us to understand and realize the implications to decide if there are suggestions of bad faith in the process. He stated he does not think legislature knew about this. Dr. DuMars said if the next result is to disenfranchise public communities and others, that will be a more complicated question.

Director Russo Baca stated that if the MRGCD is to make a statement on legislation, the Board needs adequate time to make that statement, so they do not violate the Open Meetings Act.

Madam Chair Dunning made the **MOTION TO APPROVE THE REPORT ON THE LEGISLATIVE COMMITTEE MEETING, JANUARY 26, 2022.** Director Kelly seconded the motion. **The MOTION CARRIED UNANIMOUSLY.**

e. Report on the Local Farmers Meet & Greet at the Belen Division Office, January 28, 2022 - Vice Chair Russo Baca

Vice Chair Russo Baca stated they had great attendance by farmers and ISOs. She stated that the farmers and irrigators are still very frustrated with the lack of communication. She stated there were a few tools that could help, such as the following emergency program, new fee schedule, agronomist, and one hour per acre.

Director Joaquin Baca made the **MOTION TO APPROVE THE REPORT ON THE LOCAL FARMERS MEET & GREET AT THE BELEN DIVISION OFFICE, JANUARY 28, 2022.** Madam Chair Dunning seconded the motion. **THE MOTION CARRIED UNANIMOUSLY.**

AGENDA ITEM NO. 11 – EXECUTIVE SESSION

- a. NMSA 1978 Open Meetings Act, Section 10-15-1(H)2**
 - 1. Limited Personnel Matters
- b. NMSA 1978 Open Meetings Act, Section 10-15-1(H)7**
 - 1. Threatened or Pending Litigation

Vice Chair Russo Baca requested a motion to move into Executive Session at 6:18 p.m..

Director Kelly made the **MOTION TO GO TO INTO EXECUTIVE SESSION TO DISCUSS LIMITED PERSONNEL MATTERS AND THREATENED OR PENDING LITIGATION.** Madam Chair Dunning seconded the motion. Rollcall vote was administered. **The MOTION CARRIED.**

Director Barbara Baca	Yes	Vice Chair Russo Baca	Yes
Director Sandoval	Absent	Director Duggins	Absent
Director Kelly	Yes	Director Joaquin Baca	Yes
Madam Chairwoman	Yes		

During Executive Session, updates were given on threatened or pending litigation.

Madam Chair Dunning reconvened the meeting at 6:48 p.m. and requested a motion to move back into the regular board meeting.

Vice Chair Russo Baca made the **MOTION TO RECONVENE BACK INTO REGULAR SESSION**. Director Russo Baca seconded the motion. Rollcall vote was administered with all members voting yes. **The MOTION CARRIED.**

Director Kelly made the **MOTION THAT THE BOARD OF DIRECTORS APPOINT JASON CASUGA AS OUR CHIEF EXECUTIVE OFFICER AND CHIEF ENGINEER**. Director Baca seconded the motion. Rollcall vote was administered with all members voting yes. **The MOTION CARRIED.**

Director Barbara Baca	Yes	Vice Chair Russo Baca	Yes
Director Sandoval	Absent	Director Duggins	Absent
Director Kelly	Yes	Director Joaquin Baca	Yes
Madam Chairwoman	Yes		

During Executive Session, the Board discussed the matter of appointing Jason Casuga as the new Chief Engineer/Chief Executive Officer effective February 14, 2022. Madam Chair Dunning stated she polled the two absent members before they left, and they were also in favor with this decision.

Director Kelly also requested that the Chair and legal counsel work with Mr. Casuga to bring a contract for the board to ratify at the March meeting.

With no further comments, questions or concerns, Madam Chair Dunning adjourned the meeting at .

Approved to be the correct Minutes of the Board of Directors of February 14, 2022.

ATTESTED:

Pamela Fanelli, CMA, CGFM
Secretary-Treasurer/CFO

Karen Dunning, Madam Chair
MRGCD Board of Directors