

**MINUTES OF THE
REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

MARCH 14, 2022 - 3:00 PM

Directors having been duly notified; Madam Chair Dunning called the regular meeting to order at 3:04 p.m. The following Directors and Staff were present:

DIRECTORS

| | |
|----------------------------------|---------|
| Karen Dunning, Madam Chair | Present |
| Stephanie Russo Baca, Vice Chair | Present |
| Barbara Baca, Director | Present |
| John Kelly, Director | Present |
| Joaquin Baca, Director | Present |
| Glen Duggins, Director | Present |
| Michael T. Sandoval, Director | Present |

STAFF

| | |
|-----------------|----------------------------------|
| Jason Casuga | Chief Engineer/CEO |
| Chuck T. DuMars | Chief Water Counsel |
| Lorna Wiggins | General Counsel |
| Pamela Fanelli | Secretary-Treasurer/CFO |
| Anne Marken | Water Operations Division Mgr. |
| Matt Martinez | Water Distribution Division Mgr. |

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

| | |
|---------------------------------------|--------------------------------|
| Rachelle Casuga | John Ryan, South Western Power |
| Nolan Meadows, McFarms | Neal Hurley, Farm Credit NM |
| Tricia Snyder, Wild Earth Guardians | Adam Lauer, Farm Credit NM |
| Sandra Lucero, BIA | Kenneth (no surname given) |
| Viola Sanchez, BIA Consultant | Raymond Torres |
| Martin Haynes | Kevin Calabaza, MRGCD |
| Larissa Gordon, Ag New Mexico | Phillip Guston, MRGCD |
| Anders Lundahl, NM ISC | Josh Hind, MRGCD |
| Ray Hartwell, Summit Conservation | Danial Clouser, MRGCD |
| Anthony Martinez, Village of Corrales | Judith McSweeney, MRGCD |
| Theresa Davis, Albuquerque Journal | Doug Stretch, MRGCD |
| Andrew Hautzinger, Valencia SWCD | Estella Gamboa, MRGCD |
| Cecil Rosales, Lemitar | April Ash, MRGCD |
| Elaine Hebard | Casey Ish, MRGCD |
| Chance Atwood | Arturo Rios, MRGCD |

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

Phillip Guston, MRGCD HAZMAT driver, led the Pledge of Allegiance at today's meeting.

Director Duggins thanked Mr. Guston for his hard work and told him he was proud of him and the other workers. Jason Casuga expressed that he's a hard worker and does a great job. Director Kelly also thanked him for his hard work and putting in extra hours.

Madam Chair Dunning declared a quorum, and the meeting was publicly noticed. This meeting was a hybrid meeting with Vice Chair attending virtually and rollcall votes were taken. She then welcomed and introduced Rachelle Casuga, the new Chief Engineer's wife.

AGENDA ITEM NO. 2 – APPROVAL OF THE AGENDA

There were no changes. The Chair confirmed with Ms. Wiggins, Legal Counsel, since one member attended virtually she should call on her first to get her verbal acquisition although not everything will need a roll call vote. Ms. Wiggins concurred. The Chair requested a motion to approve the Agenda.

Director Joaquin Baca made the **MOTION TO APPROVE THE MEETING AGENDA**. Director Barbara Baca seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 3 - CONSENT AGENDA

- a. Consideration/Approval of Payment Ratification - March 14, 2022
- b. Consideration/Approval of February 2022 Invoice for Wiggins, Williams & Wiggins
- c. Consideration/Approval of February 2022 Invoice for Law and Resource Planning Associates.
- d. Consideration/Approval of the Minutes for the Special Water Bank Meeting - February 14, 2022
- e. Consideration/Approval of the Minutes for the Regular Board Meeting - February 14, 2022
- f. Consideration/Approval of the Minutes for the Special Board Meeting regarding the Corrales Siphon Bids - February 28, 2022
- g. Memo on MRGCD Approved Licenses for February 2022 (For Informational Purposes Only)

Director Sandoval made the **MOTION TO APPROVE THE CONSENT AGENDA**. Seconded by Director Duggins. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 4 - RATIFICATION OF THE EMPLOYMENT AGREEMENT FOR JASON M. CASUGA, CHIEF ENGINEER/CEO

No questions or concerns were had regarding the ratification as authority was previously given by the Board effective February 14, 2022.

Director Kelly made the **MOTION TO RATIFY THE EMPLOYMENT AGREEMENT FOR JASON CASUGA AS OUR CHIEF ENGINEER/CEO**. Seconded by Director Barbara Baca. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO.5 - ANNOUNCEMENTS

a. Introductions of MRGCD New Hires - Christine Nardi, Human Resources

Christine Nardi announced the Belen Division's new hires: Joseph Garley and Eva Marie Romero. Marcus Baca and Jesus Melero Estrada at the Albuquerque Division office. Arturo Rios is the newest GIS/Mapping Technician, Kevin Calabaza is the new Budget Analyst, Francesca Shirley promoted to be the Licensing & Land Sales Supervisor, the newest Irrigation Systems Operators: John Casias, Isaiah Romero and Dominic Contreras, Matt Martinez promoted to the Water Distribution Division Manager, and Jason Casuga promoted to be the Chief Engineer/CEO.

She explained they've gotten positive feedback about the new pay plan. She stated they also have two interviews for new Right of Way Specialists. Director Kelly asked if they've received any good applicants for the senior level engineering position, and she said they had gotten two; however, one was retired and did not want to further his application after learning he would have to suspend his pension.

b. Grand Opening of Middle Rio Grande Community Soil Heath Lab, March 26, 2022

Jason Casuga explained it's important that MRGCD is helping partner in this with our farmers to provide them better information to make informed decisions on fields and how to improve them. He mentioned a flyer has been posted on the MRGCD website.

**THE VILLAGE OF LOS RANCHOS and
THE MIDDLE RIO GRANDE
CONSERVANCY DISTRICT PRESENTS
THE GRAND OPENING OF
THE MIDDLE RIO GRANDE
COMMUNITY SOIL HEALTH LAB**




**SATURDAY, MARCH 26TH
11:00 am - 4:00 pm**



CONTACT US:
4920 Rio Grande Blvd. NW
Los Ranchos, NM 87107 (505)
344-6582
johalloran@losranchosnm.gov

To schedule a soil test or
RSVP for the event, email:
soilhealth@mrgcd.us

Join us for the following events:

All Day Community Garden Tour: Explore our new community garden and find out how to get involved!

11:00 am Opening Ceremony
Mayor of Los Ranchos, Donald T. Lopez,
Karen Dunning, MRGCD Chairwoman
Jason Casuga, MRGCD CEO/Chief Engineer
Gabriella Coughlin, MRGCD Agronomist/Soil Lab Manager
Joshua O'Halloran, Agri-Nature Center Manager

11:30 am Soil Blessing/Primer Tierra
by Lorenzo Candelaria, Cornelio Candelaria Organics and
Mayordomo for the Primera Acequia de Atrisco.

12:00 pm Catered Lunch Event
Traditional New Mexico Mariachi Music by Trio Jalisciense
Food and Drink by: Yapopop and Picnic Catering
Piñatas and giveaways provided by Rio Grande growers,
vendors, and artists.

2:00 pm Soil Testing Lab Tour & Demonstrations
Meet and Greet with Your Local Conservation Partners

4:00 pm Closing Ceremony

For more information on soil testing services and to RSVP for
this event, visit: www.mrgcd.com.

Yasmeen Najmi confirmed the soil lab will be held on March 26th at the Agronature Center in Los Ranchos. She also announced the Primera Agua Event - First Water to celebrate the beginning of the irrigation season. She stated it would be a community based event held on Saturday, April 2nd, at 9:00 am at Central Ave NW and Sunset Blvd SW for the acequia blessing, walk & talk. Madam Chair Dunning added that Los Ranchos should have their blessing of the water on May 14th.

AGENDA ITEM NO. 6 - ITEMS FROM THE FLOOR (Comments are limited to six (6) minutes)

Cecil Rosales

Cecil Rosales, from Lemitar, stated he and his wife are trying to buy land, but have no legal access to the property. Mr. Rosales stated he's been working with MRGCD for legal access through MRGCD land to this particular property as the title company wasn't accepting different options.

Jason Casuga stated he was familiar with Mr. Rosales' case and invited him to call in. He stated there are a number of title companies that are no longer recognizing their licensing as a form of insurance on access. He said they're in the process of filing their deed they received from the Department of Interior to get back MRGCD facilities. Mr. Casuga explained the new process as the District considers disposal of land, there may be excess right of way that could be used to either be sold or easement given.

Dr. DuMars explained that in New Mexico, you have the right of private, imminent domain and gave a case example. He said if it's irrigated land, you can get a temporary easement, and that he and Lorna (Wiggins) could work on that and come up with a way to get access for people.

Chair Dunning requested that legal counsel come up with something, especially in Bernalillo and Sandoval County where there are no agreement with the federal governments, to turn over the facilities to the District.

Director Kelly asked the premise been that license agreements for utilities to private land owners for crossing agreements at a minimal charge, an application fee of \$250. He stated if they're heading towards granting permanent right of access, they have to seek reasonable compensation from the private owner in case they're not irrigating. Jason Casuga stated that is correct, if the District goes through a process of entering into an easement, there will have to be fair compensation tied to an appraisal of the property for the establishment of an easement.

Raymond Torres

Mr. Torres stated he was looking for any information they might have about the coordinated effort between Valencia county and Belen and the canal breaches. He stated the one at New Belen has broken six times since 1969 where it dead ends.

Jason Casuga stated that flood protection efforts in greater Valencia County and Belen are ongoing. He stated the City of Belen is investing in an infrastructure on the west side of I-25 in terms of ponds that would slow the flow down and control discharge into MRGCD right of way. He believed the City of Belen will be under construction under one pond and they were successful in receiving money from the legislature on the second pond project.

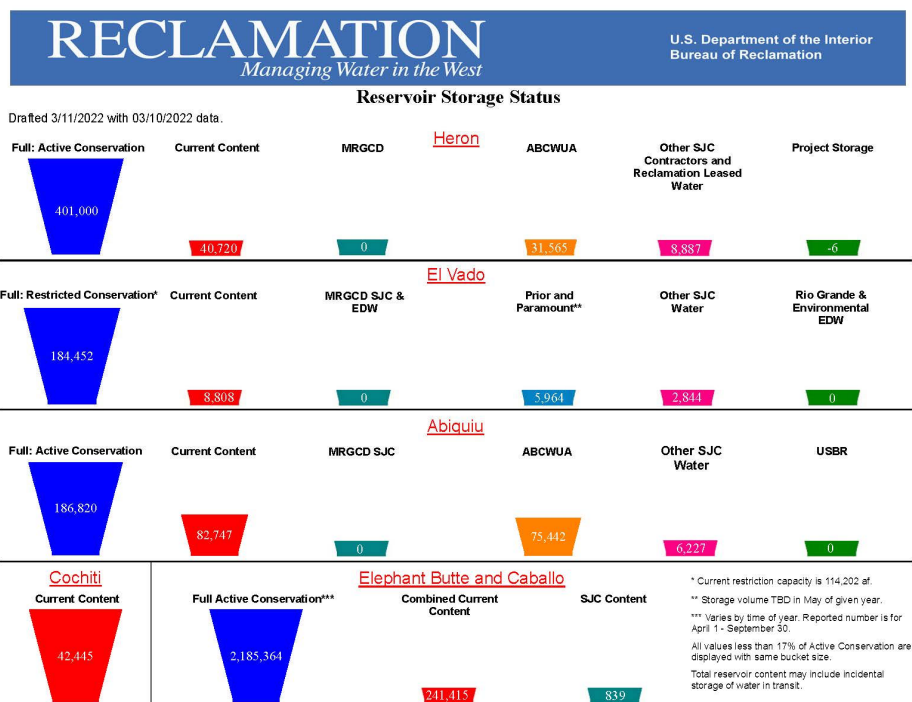
Glen Duggins

Director Duggins stated one of their Socorro farmers, Albert Bustamante, passed away, and then his son, Richard, passed away also within a months' time. He stated these were the farmers that took care of the small farms that were once large farms. Director Duggins said that in Socorro County they had seven dairies but are now down to three. He stated he went to Walmart a few weeks ago and there wasn't any milk and believes this fall there will be more empty shelves.

AGENDA ITEM NO. 7 - Report(s) from the Department of the Interior

a. Bureau of Reclamation - Jennifer Faler, Area Manager

Ms. Faler was not in attendance for the meeting, but the reservoir storage status is below:



MRGCD BOARD MEETING (03-14-22)

1. Heron Summary
 Content = 40,720 ac-ft (03/10)
 Azotea tunnel: <10 cfs
 Total SJC inflow year-to-date: 155 a.f.
 Currently releasing 0 cfs
 Current MRGCD storage: 0 ac-ft
2. El Vado Summary
 - A. Total storage (all contractors and natural) in El Vado as of 03/10:
8,808 ac-ft.
 - B. Native in El Vado
0 ac-ft.
 - C. MRGCD's SJ-C storage in El Vado
0 ac-ft.
 - D. P & P: 5,964 ac-ft
 - E. EDWA: 0 ac-ft
 - F. All other SJ-C contractors: 2,844 ac-ft
 Current release is 100 cfs RG Inflow is 50-70 cfs
3. Storage in Abiquiu
 Content = 82,747 ac-ft (03/10)
 MRGCD's SJ-C storage = 0 ac-ft

Total water released for minnow to date in 2022: 0 ac-ft

Snowpack Data:

As of 3/11/22 (% of median)

| | |
|-----------------------------|------|
| Rio Chama Basin..... | 107% |
| Upper Rio Grande Basin..... | 91% |
| Rio Grande Headwaters..... | 97% |
| Jemez Basin..... | 86% |
| San Juan River Basin..... | 102% |

March Streamflow Forecast

| | |
|------------------------------------|---------------------|
| Rio Grande @ Del Norte CO | 395,000 ac-ft (82%) |
| El Vado Reservoir Inflow (Mar-Jul) | 164,000 ac-ft (88%) |
| Rio Grande @ Otowi | 390,000 ac-ft (69%) |
| Jemez R. below dam | 11,200 ac-ft (51%) |
| Rio Grande @ San Marcial | 158,000 ac-ft (46%) |

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

Ms. Lucero introduced herself as the acting trust resources and protection manager for the BIA Southwest Region Branch of Water Resources and acting Branch Chief. She stated the BIA has separated the branch position into two positions, the administrative portion with branch chief and then water rights coordinator. She mentioned there is still a DE (Designated Engineer) vacancy. They were able to bring Viola Sanchez back as a consultant.

She touched on O&M topics, such as they were able to extend the current O&M agreement and able to continue services into the new irrigation season. She reported they were able to get final payment made to District for O&M services for last irrigation season, and that the new agreement amount is \$757,987.86 going into the 2022 irrigation season. She expressed that \$354,130.60 of that was obligated to the agreement, and the rest will be coming in FY22 funding. She mentioned the agreement expires February 2023. Ms. Lucero also stated that the pueblos will continue to work directly with the District using DropBox to schedule O&M services.

Viola Sanchez reported on the 2021 water operations and stated after evaporation losses, what remained was released to Elephant Butte at the end of November/early December. As for 2022 P&P storage, the March 1 P&P storage target is 28,181 ac-ft. The total usually drops from the March 1 to the May 1 forecast. The storage based on the May 1 storage forecast will be the final official storage target. El Vado will be under construction and P&P storage cannot take place there for the 2022 irrigation season and possibly the 2023 irrigation season. Reclamation began P&P storage in El Vado on or about January 1. She said roughly 5,900 ac-ft had been stored so far in the hopes that it can be moved to Abiquiu Reservoir prior to May 15, or when required for construction. If it cannot be moved to El Vado by then, it will be released to Elephant Butte prior to May 15. There are two possible options for P&P storage in 2022 and possibly 2023, neither of which is definite. One, P&P storage can take place in Abiquiu based on the proposed deviation in Abiquiu water operations for storage of native water during El Vado construction. Having this option available for P&P storage requires, according to the Corps of Engineers, Rio Grande Compact Commission unanimous consent. TX and CO Commissioners have thus far given consent via letters to the Corps of Engineers for up to 20,000 ac-ft of P&P storage under the proposed deviation. NM has verbally indicated their support for P&P storage in Abiquiu during construction in the past, but a letter has not yet been received. A Rio Grande Compact Commission resolution might still be required. Having this option available for P&P storage also requires that the deviation be approved early enough during the spring runoff to be able to capture the required storage amount. Two, Reclamation might have access to a limited amount of native water in Abiquiu using water accounting methods. She said there are problems with this approach, and it probably won't happen.

Because any potential P&P storage will almost certainly be done during Article VII restrictions, P&P releases can only take place when irrigation to non-P&P lands is shut off. The 2022 irrigation season will likely be similar to the 2021 irrigation season, provided there are monsoons similar to or greater than those in 2021. Provided the Rio Grande provides enough water, the entire District will be able to irrigate from direct diversion of the Rio Grande during spring runoff as long as the flows are greater than total District demand. As flows in the Rio Grande drop below total District demand, deliveries to non-P&P demands will be partially curtailed while P&P lands will continue to receive a full supply. If Rio Grande flows drop below P&P demand, then irrigation to non-P&P lands will be totally curtailed, and releases from storage, if available, will be made to supplement the native flow of the Rio Grande to meet P&P demand. Non-P&P lands may continue to make use of a limited amount of return flows, especially below Isleta, as long as P&P demand is being met, even when releases from P&P storage take place.

Jason Casuga stated MRGCD applied for temporary change of diversion for storage and received approval from the Office of the State Engineer to store P&P water and native water in Abiquiu, but still have to wait for federal processes to finish the deviation. Dr. DuMars added that he thinks it would be good idea to follow up since we have received the letter from the State Engineer's indicating they would like to get this done to be able to start that storage now, so it doesn't bypass the flow down to Texas. He stated that he could work with Jason to write a letter for this.

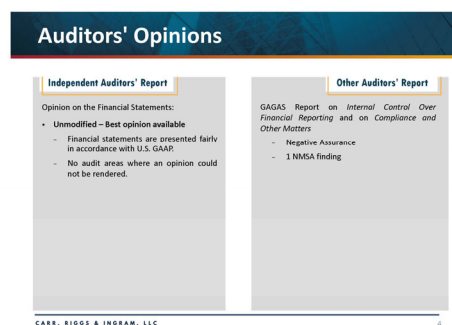
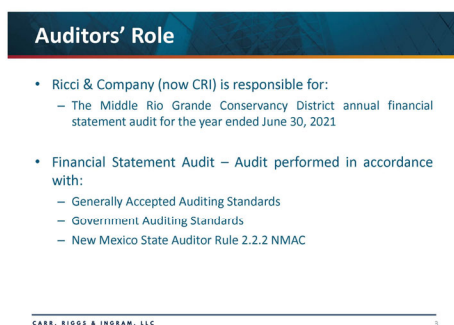
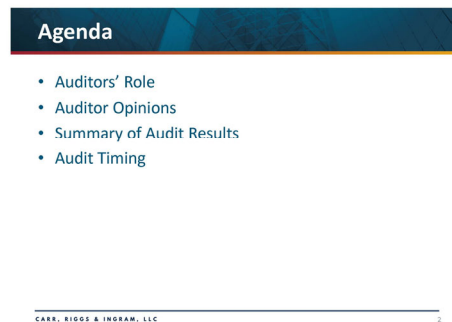
Jason Casuga expressed that no meeting has been set for next Compact meeting. He said NEPA is being done by Corps and is being done on P&P volume and additional volume. He requested having updates on the Corps deviation process and Compact Commission Approval, and meeting date to keep the Board posted.

AGENDA ITEM NO. - 8 - REPORT(S) FROM THE SECRETARY-TREASURER/CFO - Pamela Fanelli, CMA, CGFM

a. FY20-21 MRGCD Audit Report - Corrine Zajac-Clarkson, CPA, Carr Riggs & Ingram (CRI)

Ms. Clarkson presented and gave a report regarding the FY20-21 audit. She stated the District was issued an unmodified or clean opinion, which means the financial statements prepared were materially correct in all regards. She did note one finding under the State Audit Rule , 2021-001 Domicile to Duty Vehicle which involved an individual taking a vehicle home that was not taxed for personal use. It has already been corrected. She stated they received no comments from the State Auditor's office, which is very impressive. She also announced there will be a single audit next year.

Director Kelly felt that's a ploy by the IRS and did not agree with the State, saying the District had a once in a generation event with the pandemic and that such an insignificant finding should be left out of the report. However, he did mention this was the best audit he had seen since he started on the Board eleven years ago. Congratulated Pam and her team.



Summary of Audit Results

- **Prior Year Audit Findings**
 - 2020-001 Deposits under-collateralized - Resolved
- **Current Year Audit Findings**
 - 2021-001 Domicile to Duty Vehicle (other non-compliance)
- **Uncorrected Misstatements**
 - None
- **Disagreements with Management**
 - None
- **Difficulties in Performing the Audit**
 - None

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Audit Timing

- **Audit submission to State Auditors' Office**
 - On Time – Date received December 10, 2021
- **Exit Conference with the District**
 - December 10, 2021
- **Release Letter Received from the State Auditors' Office**
 - February 7, 2022

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Value-Added Suggestions

- **Treat CRI as a year round resource**
- **GASB Training and Guidance**
 - The governmental financial reporting standards are changing at a rapid pace; we are available to the District for questions and are to provide training, if needed
- **Grant Management**
 - The District will have a single audit in FY22. Firm wide, we have dealt with a large variety of grant programs and are happy to share knowledge, if needed

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Concluding Comments

- The CFO/Treasurer/Secretary, and Finance Staff of the District; and all the District team members were very helpful and great to work with
- Thank you for the opportunity to serve the District
- We value our relationship and hope to continue to build on it

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b. Report on the Ad Valorem Revenues Year to Date

Ms. Fanelli stated through January, the ad valorem revenues were trending about 7% higher than fiscal year 2021 revenues. Encouraging news but some time to go.

Middle Rio Grande Conservancy District

Ad Valorem Revenue Received through February for July through January (7 months) FY2018-FY2022

| Fiscal Year | Sandoval | % change | Bernalillo | % change | Valencia | % change | Socorro | % change | Total | % change |
|-------------|-----------|----------|------------|----------|-----------|----------|---------|----------|------------|----------|
| FY2018 | 947,087 | | 7,085,879 | | 2,170,304 | | 302,824 | | 10,506,094 | |
| FY2019 | 998,230 | 5.4% | 7,637,781 | 7.8% | 2,218,095 | 2.2% | 324,378 | 7.1% | 11,178,484 | 6.4% |
| FY2020 | 1,090,695 | 9.3% | 7,708,043 | 0.9% | 2,377,502 | 7.2% | 337,899 | 4.2% | 11,514,139 | 3.0% |
| FY2021 | 1,096,337 | 0.5% | 7,991,281 | 3.7% | 2,451,268 | 3.1% | 335,883 | -0.6% | 11,874,769 | 3.1% |
| FY2022 | 1,219,390 | 11.2% | 8,513,841 | 6.5% | 2,651,576 | 8.2% | 338,798 | 0.9% | 12,723,605 | 7.1% |

c. Report on the Meeting with Bernalillo County Deputy Assessor, February 16, 2022

Ms. Fanelli stated she and Jason (Casuga) met with members from AMAFCA and the Bernalillo County Deputy Assessor and asked why nonresidential properties within MRGCD boundaries have not increased. She said the Assessor stated that it is because they don't have large volume of sales to document values and the cost tables are not up to date. She also mentioned that commercial properties are not required to report sales, so there was not much database information.

Ms. Fanelli added that Bernalillo County was the first visit and said there are plans to visit with the other three counties in the future.

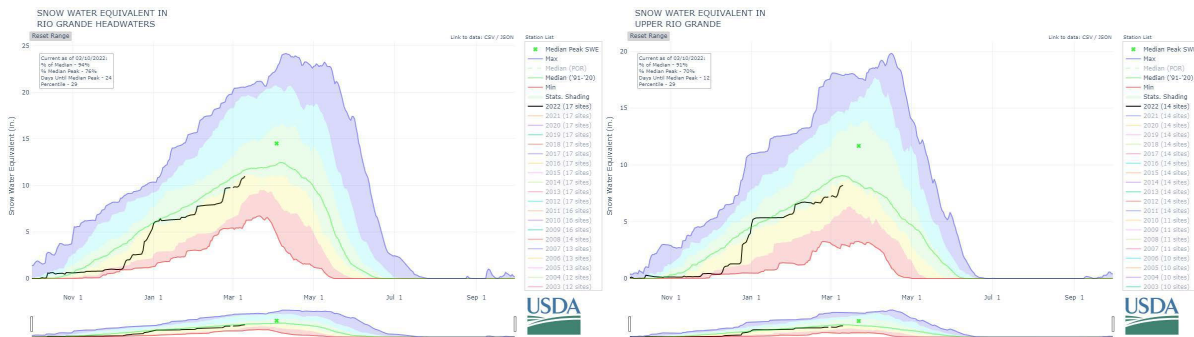
d. Report on the San Juan-Chama Project Annual Contractors' O&M Involvement Meeting, March 3, 2022

Ms. Fanelli stated the District's portion of O&M cost related to San Juan-Chama is going from \$509,000 in FY21 to \$699,000 in FY22. She said the increase was primarily related to projects planned with the BOR related to the San Juan-Chama District and also going to purchase some outdated equipment.

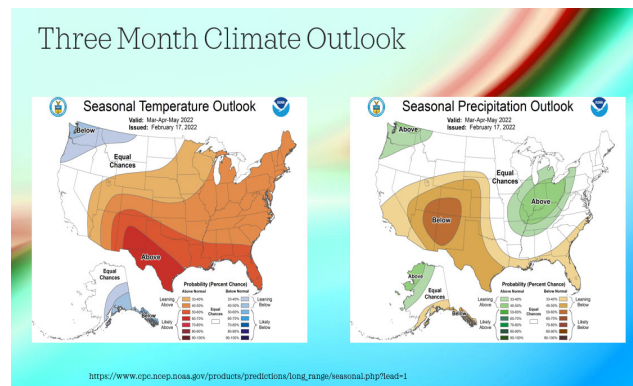
AGENDA ITEM NO. 9 - REPORT(S) FROM THE CHIEF ENGINEER/CEO - Jason M. Casuga, PE

a. Report on the Water Supply Conditions - Anne Marken, Water Operations Division Manager

Anne Marken stated this was the first year the NRCS changed the years that they used to calculate median conditions for climate data, using the most recent 30 years period which are updated every 10 years. She stated the 80s were relatively wet period and 2010s were drier, so they resulted in a new lower median snowpack graph. Therefore, 90% of the median last year would have meant more snow/water in inches than 90% of median this year, so it depends on what date you look at. Ms. Marken explained the SNOTEL graph and what each line meant. She stated snowpack in the basin is 99% of median and slightly above where it was this time last year.



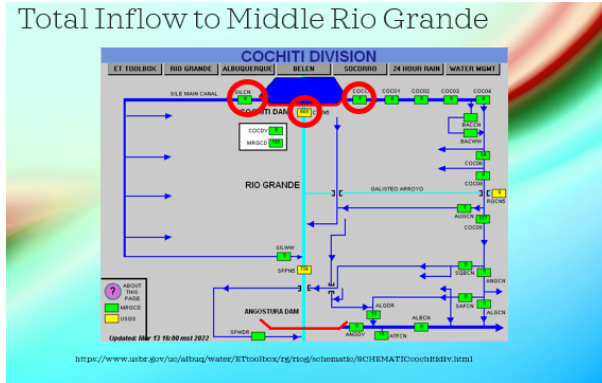
Ms. Marken also stated the National Weather Service three month outlook is showing 30 to 60% chance for warmer and drier conditions through May. She said they will be limited in the amount of water they are able to release to augment those low base flows when spring runoff ends and we're only getting base flows into the middle valley. She stated San Juan-Chama project allocation is expected to be about 60% of full allocation. Due to size of compact debt, the MRGCD committed to only divert 50% of total inflows to the Middle Rio Grande for the duration of spring runoff. She expressed that this year only, MRGCD has committed to work to control the river recession and then revert to diverting available flows for its constituents.



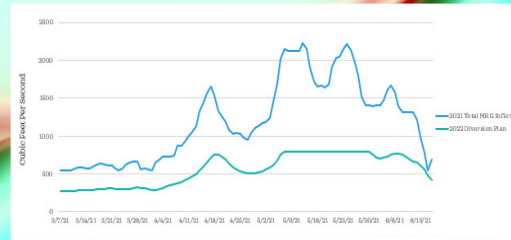
Ms. Marken gave a brief summary of how MRGCD plans to track and manage the 50% diversion. She explained that the sum of the three gauges that compromise the inflows to MRG are the total inflow into MRG. She stated that MRGCD staff will calculate three day rolling average of inflows into the Middle Rio Grande in cubic feet per second and then divide that number in half. Ms. Marken stated the entire space between the two graphs will be delivered to Elephant Butte. She also said MRGCD irrigators expect limited deliveries after spring runoff if monsoons are not significant this year.

Director Duggins stated he thinks they need to send the Bosque out, because it's very unhealthy and that would produce much more water.

Total Inflow to Middle Rio Grande



Potential 2022 MRGCD Total Diversions



b. Report on the Irrigation Distribution - Matt Martinez, Water Distribution Division Manager

Matt Martinez announced the 2022 irrigation season has started and running water in both Belen and Socorro Divisions. He stated if there are no setbacks, they should start delivering water earlier than planned. He said Socorro Division has good flow for startup and anticipated charging will be complete within a week or earlier, so they are on track to begin deliveries to early season crops in Socorro on or about March 21st. He said Albuquerque and Cochiti Divisions will begin charging later this month to begin deliveries first few weeks of April. He also mentioned that Irrigation demand is high. Mr. Martinez reiterated that farmers with early season crops in Socorro and Belen Division should contact their ISOs if they haven't already.

Mr. Martinez gave a special thanks to the District's Assistant Division Manager, Danial Clouser, who has been instrumental in developing, organizing, and implementing the Belen Division startup plan, Mike Apodaca, the Belen Supervisor, and Sloan Washburn, Belen Division Manager, for their support and his team of dedicated workers and operators. He also thanked Thomas Padilla and Julian Avalos for getting us off to a good start in Socorro and the ISOs working long days.

He did caution all irrigators to expect significant limitations to water deliveries. He said water bank leases won't be offered this season except for alternate curtailment locations. He also stated that irrigators should use caution when making farming plans this year and carefully consider lack of control on water supply. He said there is no guarantee of the number or frequency of irrigation deliveries.

c. Report on the 2022 Legislative Session - John Thompson MRGCD Lobbyist and the Report on the Legislative Committee Meeting, March 1, 2022 - Director Barbara Baca (Chair), Vice Chair Russo Baca and Director Joaquin Baca

John Thompson stated there were a low amount of bills this Session, with 450 total bills, only 65 passed, but then later vetoed four, so 61 were signed. He stated that MRGCD is beneficiary to Loretta Project, so they got fully funded for that on Alameda. He said they received some funding for gates via Capital Outlay but lost some funding for gates via the Junior Bill. He stated the District was beneficiary to 15 million dollars of funding in the General Appropriations act, which will go to Office of the State Engineer. He mentioned there was some talk of an extraordinary session, but that only happens once every 110 years of statehood, so he stated he did not think it's a realistic possibility. Mr. Thompson did state he expects very busy interim process. He also explained the Election Bill was filibustered on the last day.

Director Barbara Baca stated the Legislative Committee had a very busy session, and she thanked John Thompson for all his hard work and keep in touch throughout. She stated as a result of the recent Election Reform Legislation and to make MRGCD more reflective and representative of our District, the Legislative Committee recommends contracting with the firm that can conduct an analysis based on their 2020 population data. She stated that will prepare us to move forward next year and allow us to hold listening sessions and outreach to our communities. She also mentioned that some legislation included proposing redistricting. Madam Chair Dunning added that, for example, Valencia County has

really grown a lot, so redistricting will help them get data, look at it, and make informed decisions so we can share what that data is.

Director Kelly made the **MOTION TO APPROVE THE LEGISLATIVE COMMITTEE REPORT.** Seconded by Director Sandoval. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED UNANIMOUSLY.**

d. Report on the City of Belen MOU regarding Property Acquisition - Jason M. Casuga CE/CEO

Doug Strech, the District's Systems and Data Integration Program Manager explained that back in the 1960s and '70s, members of the Board acquired property in Belen where the Belen Division Office is located. He said they have a quitclaim deed to the Town of Belen for disposal of property for public purposes which included a reversion clause that states if the properties are not used for public purposes, the title will revert back to MRGCD. The District wants to utilize an additional five (5) acres north of the Belen Division Yard. He said the city is requesting to remove the reversion clause, but the District says we will remove it if we can expand our division office's yard.

e. Consideration/Approval of the Resolution #M-03-14-22-182 to Adopt the Bernalillo County Hazard Mitigation Plan Updates - Jason M. Casuga, CE/CEO and Yasmeen Najmi, Planner

f. Consideration/Approval of the Resolution #M-03-14-22-183 to Adopt the Valencia County Hazard Mitigation Plan Updates – Jason M. Casuga, CE/CEO and Yasmeen Najmi, Planner

Madam Chair Dunning stated these are plans that if we didn't adopt these plans, Valencia would not be eligible for FEMA money. Ms. Najmi stated the plans have to be approved by FEMA and involves setting out a planning process, and asking local jurisdictions if they want to participate, and assess capabilities.

Director Kelly made the **MOTION TO ADOPT BOTH THE BERNALILLO COUNTY 2021 HAZARD MITIGATION PLAN RESOLUTION AS WELL AS VALENCIA COUNTY 2022 HAZARD MITIGATION PLAN RESOLUTION.** Seconded by Director Sandoval. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED UNANIMOUSLY.**

g. Consideration/Approval of the Natural Resources Conservation Service (NRCS) Regional Conservation Partnership Program (RCPP) AFA (Alternative Funding Arrangement) –Jason M. Casuga, CE/CEO and Gabriella Coughlin, Agronomist/Soil Scientist

Mr. Casuga stated they have to enter into a PPA, so it requires approval. He said the agreement won't be ready until around 26th of March, and the Amendment will come to Board and present at that point in time. He stated that move forward in the RCPP process, he or Madam Chair would need to be delegated to sign that before the next board meeting to keep us moving forward in the process. He expressed this would be a million dollars over five years, so could be \$200,000 split up every five years, or 3 one year and 1 another. He said viewing the RCPP program was an opportunity to get the On-Farm Program off the ground. He said they would be committing to over a 5 year period of a million dollars of either in-kind service or some level of cash, depending what they decide.

Director Barbara Baca suggested adding getting updates of the process regularly to the motion. Gabriella Coughlin stated a stipulation of this agreement is there are at least annual reports to the partner, but internally they look forward to communicating regularly. Therefore, no amendment necessary.

Director Kelly made the **MOTION THAT THE CHAIR BE AUTHORIZED TO APPROVE A RETIONAL CONSERVATION PARTNERSHIP PROGRAM AND THE ALTERNATIVE FUNDING ARRANGEMENT GIVEN THAT WE WILL CONTRIBUTE UP TO A MILLIION DOLLARS OVER A FIVE-YEAR PERIOD THAT WILL BE A COMBINATION OF IN-KIND SERVICES AND CASH WHERE APPROPRIATE.** Seconded by Director Barbara Baca. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED UNANIMOUSLY.**

h. Report on the Conservation Advisory Committee Meeting, February 17, 2022 – Casey Ish, Water Resources Specialist and Vice Chair Russo Baca

Director Russo Baca reiterated that if you look on page 2 of 5 of the report, CAC would like to come up with a Plan of Recommendation for MRGCD Board, so they have a more active role. She stated they want her to make the reports and bring those recommendations here on a regular basis.

Casey Ish stated this offseason was extremely productive for the Conservation Program. He said they accomplished all the infrastructure project they had planned to complete that includes three outfall control structure projects. He said Gabaldon Lateral is complete and pending telemetry. He also mentioned that farm projects are on the way to being put out for bid when done going through Engineering Department.

He stated the Water Leasing Program updates in the last meeting we're at 1700 acres and 100 irrigators approximately. He said they talked about extending deadline for enrollment, which is currently March 25th to April 15th, because they've seen a significant uptick in enrollment since the last precipitation projection came out.

Jason Casuga stated House Bill 2 was approved, so he's been in discussion with the Officer of the State Engineer to have meetings going forward to help them understand the process. He said they proposed the process that was successful for our Environmental Leasing Program last year. He also stated he was asked by Governor Paisano to extend that. Mr. Casuga said they had a discussion that the intention of the MRGCD program is for the money to go to the producers, and they believe with their own resources and mapping, they would be able to comply with the District's processes. He said they would put a process in place that allows one irrigation properties to come on with a prorated payment if they took something prior to April 15th.

Casey stated they made some progress on strategic outfall habitat and said additional wetland plant plug planting needs to be part of the project. He stated they will try to get the habitat work schedule on the New Belen that they will get done later this year. He expressed that CAC is very interested in more directly engaging and working with the Board.

Director Joaquin Baca made the **MOTION TO APPROVE THE REPORT ON THE CONSERVATION ADVISORY COMMITTEE MEETING.** Seconded by Director John Kelly. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED UNANIMOUSLY.**

i. Report on the Agreement Between the Bureau of Reclamation and MRGCD for 2022 Southwestern Willow Flycatcher Surveys – Anne Marken, Water Operations Division Manager.

Anne Marken stated they Board received a copy of the agreement. She said the Bureau of Reclamation, ISC, and MRGCD came together and started funding these surveys. She said the agreement is for MRGCD to pay \$50,000, the same amount ISC contributes, and Reclamation takes the rest, which is much more than the other two pay.

j. Report on the Corrales Levee Vegetation Removal by the Village of Corrales – Jason M. Casuga, CE/CEO and Yasmeen Najmi, Planner

Yasmeen Najmi stated some people are happy with it and some are not. She stated Chief Martinez was concerned about not being able to get access for emergency response because of the dense vegetation along the levee, so they decided to do this project together. She said they took it to Village Council for approval, but they had questions and asked for more time to make an assessment of the project area and come back with recommendations. She stated there were a lot of concerns about the Russian olives. She stated they went back for a second council meeting and spoke and explained the District's position. She said they decided they would leave the Russian olives because they're a people favorite and good bird habitat. She said they decided to proceed with a unanimous vote. Madam Chair Dunning adds that she made a commitment to have a public meeting before we start the second phase for next year's cleaning.

k. Report on the Middle Rio Grande Flood Control Association Annual Breakfast, March 8, 2022 – Jason M. Casuga, CE/CEO and Chair Dunning, Directors Kelly and Russo Baca

Madam Chair Dunning stated Jason did a very good job, and that it was really stressed at this meeting that we all need to work together on these projects.

Director Joaquin Baca made the **MOTION TO APPROVE THE REPORT ON THE MIDDLE RIO GRANDE FLOOD CONTROL ASSOCIATION ANNUAL BREAKFAST, MARCH 8, 2022**. Seconded by Director Duggins Rollcall vote was administered with all members voting yes. The **MOTION CARRIED UNANIMOUSLY**.

l. Report on the MRG Pueblos Coalition Meeting, March 3, 2022 - Jason M. Casuga, CE/CEO and Director Barbara Baca

Director Kelly made the **MOTION TO APPROVE THE REPORT ON THE MRG PUEBLOS COALITION MEETING, MARCH 3, 2022**. Seconded by Director Joaquin Baca. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 10 - REPORT(S) FROM THE MRGCD ATTORNEYS - Chief Water Counsel or General Counsel

AGENDA ITEM NO. 11 - REPORT(S) FROM THE BOARD

a. Report on the 2022 Land and Water Summit, March 3-4, 2022 – Vice Chair Russo Baca

Vice Chair Russo Baca stated this was a diverse group of stakeholders talking about conservation planning, storm water, soil conservation. She stated they had an interesting talk about Harvey Jones Outlet Reconfiguration Project, including lowering the ground service election to provide complete drainage of the Harvey Jones Channel.

b. Report on the Irrigation Committee Meeting, March 8, 2022 – Vice Chair Russo Baca (Chair) and Directors Sandoval and Duggins

Vice Chair Russo Baca talked about what it would look like if an irrigator decided to irrigate and what could happen if they decided to enroll after one irrigation even if not available. She said they are still waiting to discuss this.

c. Report on the Mid-Region Council of Governments Executive Board Meeting, March 10, 2022– Director Barbara Baca

Director Barbara Baca stated she chaired the committee meeting, filling in for the chairman, and they discussed budget, our audit, and goals and objectives for the year.

d. **Report on the FarmRaise Retreat, Albuquerque Biosciences Center, March 10, 2022 – Vice Chair Russo Baca**

Vice Chair Russo Baca said they are working to help make a compilation of all the steps that you need in order to go through the NRCS or any funding for your farm. She said they are also trying to get a perspective of more information about MRGCD and the rural issues farmers face.

Director Kelly made the **MOTION TO APPROVE THE BOARD REPORTS FOR TODAY**. Seconded by Director Barbara Baca. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED UNANIMOUSLY**.

Madam Chair Dunning requested a motion to move into Executive Session.

Director Barbara Baca made the **MOTION TO GO TO INTO EXECUTIVE SESSION TO DISCUSS LIMITED PERSONNEL MATTERS AND THREATENED OR PENDING LITIGATION**. Director Kelly 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 | | |

AGENDA ITEM NO. 12 - Executive Session

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

Director Barbara Baca made the **MOTION TO GO TO INTO REGULAR SESSION**. Director Kelly seconded the motion. The **MOTION CARRIED**.

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

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

ATTESTED:

Pamela Fanelli, CMA, CGFM
Secretary/Treasurer

Karen Dunning, Madam Chair
MRGCD Board of Directors