

**MINUTES OF THE
2,186th REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

APRIL 11, 2022 - 3:00 PM

Directors having been duly notified; Madam Chair Dunning called the regular meeting to order. 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	Absent
Joaquin Baca, Director	Absent
Glen Duggins, Director	Absent
Michael T. Sandoval, Director	Present

STAFF

Jason M. 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

Jeri Miller	Chuck Gabaldon
Janet Jarratt	Tricia Snyder, Wild Earth Guardians
John Fleck, Utton Center	Ray Hartwell, Summit Conservation
Lynne Carpenter	Gail Goodman
Robert Sanchez	Ashley Veihl, MRGCD
Eleanor Hasenbeck	Josh Hind, MRGCD
John Montoya	Raquel Dawson, MRGCD
Anders Lundahl, NMISC	Julian Avalos, MRGCD
Max Henkels, NMDA	Jessica Regensberg, MRGCD
Christopher Perea	Yasmeen Najmi, MRGCD
Santiago Maestas	Estella Gamboa, MRGCD
Corina Gomez	Marie VanDerGeest, MRGCD
Susan Montoya Bryan	Danielle Feygin, MRGCD
Steven Chavez	Casey Ish, MRGCD
Bernadette Sinclair	LeeAnn Corwin, MRGCD
Erica DeSmet	Mike Apodaca, MRGCD
Hank Taliaferro	Danial Clouser, MRGCD

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

Anne Marken led the Pledge of Allegiance at today's meeting.

Madam Chair Dunning declared a quorum, and the hybrid meeting was publicly noticed. She stated two members were absent, Directors Kelly and Joaquin Baca. Director Duggins was on his way at the time.

AGENDA ITEM NO. 2 – APPROVAL OF THE AGENDA

Vice Chair Russo Baca asked if Item 9(a) and (b) could be moved to before public comment, because there have been many questions by the public. Madam Chair Dunning suggested moving both items up to right after item 4(a).

Director Barbara 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 - April 11, 2022
- b. Consideration/Approval of March 2022 Invoice for Wiggins, Williams & Wiggins
- c. Consideration/Approval of March 2022 Invoice for Law and Resource Planning Associates.
- d. Consideration/Approval of the Minutes for the Regular Board Meeting - March 14, 2022
- e. Memo on MRGCD Approved Licenses for March 2022 (For Informational Purposes Only)

Vice Chair Russo Baca made the **MOTION TO APPROVE THE CONSENT AGENDA**. Seconded by Director Barbara Baca. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 4 - REPORT(S) FROM HUMAN RESOURCE DEPARTMENT**a. Introduction of MRGCD New Hires - Christine Nardi, Human Resources**

Ms. Nardi announced all of the new hires and promotions for the MRGCD. Madam Chair Dunning welcomed all the new hires.



Memorandum

To: MRGCD Chair Dunning and Board of Directors
 Through: Jason M. Casuga, Chief Engineer/CEO
 From: Human Resources
 Date: April 6, 2022
 Re: Introduction of New Hires

Albuquerque Division

WILLIAM	GARCIA	FIELD MAINTENANCE TECHNICIAN	4/18/2022
DEREK	JARNER	ABQ DIVISION MANAGER	4/25/2022
ISMAEL	JIMENEZ	LIGHT EQUIPMENT OPERATOR	4/04/2022 Promotion

General Office

RAQUEL	DAWSON	ACCOUNTANT	4/4/2022
RHETT	SPENCER	RIGHT-OF-WAY SPECIALIST	5/9/2022
TYLER	SWINT	IRRIGATION SYSTEMS OPERATOR	4/4/2022
ASHLEY	VEIHL	RIGHT-OF-WAY SPECIALIST	4/4/2022
ERIC	ZAMORA	CHIEF OPERATIONS OFFICER	5/2/2022

Belen Division

JACOB	LOPEZ	MEDIUM EQUIPMENT OPERATOR	4/18/2022
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Socorro Division

JACOB	DEHOYOS	MEDIUM EQUIPMENT OPERATOR	4/18/2022
DOMINIC	ZAMORA	MEDIUM EQUIPMENT OPERATOR	4/18/2022

AGENDA ITEM NO.5 - ITEMS FROM THE FLOOR (Comments are limited to six (6) minutes)**Erica Desmet**

Ms. Desmet congratulated Derek Jarner (for joining the District). Ms. Desmet appreciates Director Russo Baca for always being there to discuss matters. She's concerned with mix messages regarding irrigation and shut down of ditches. She also questioned Ms. Marken if she believes watering new seed every six weeks for farms in the Middle Rio Grande Valley was feasible. Jason Casuga reassured her that ditches were not getting shutdown. He stated there should be water on both sides of the Belen Division diverted from both sides. He also said it would be helpful to know the names of the ISOs.

Matt Martinez reiterated there is insufficient water to run all ditches at the same time. He said they need to allow initial zones to finish their first cycle and then give an opportunity to the other irrigators that hadn't received their first watering yet.

Gail Goodman

Ms. Goodman expressed appreciation for her ditch rider, Dominic Contreras. She expressed how nice and patient he's been and wanted to thank him for it. She stated her turnout was constantly covered with silt and low pressure. She requested MRGCD send someone to inspect her turnout and the ditch configuration. Madam Chair Dunning said someone would be sent to look at her ditch for her.

Eleanor Hasenbeck & Corina Gomez

Ms. Hasenbeck stated that she and Ms. Gomez were UNM graduates studying water resources. She stated they were on a research team and doing a project to better understand changes in how farmers and ag producers manage water, particularly in the dry years by conducting interviews with water users that want to describe their experiences with water management. She said they were going to do the interviews to help make policy recommendations.

Ms. Corina Gomez added the result of the study were going to be anonymous; the interviews takes 30 to 60 minutes, and could be done either in person, on Zoom, or over the phone. She also said they would be provided with a copy of the results once available and must be minimum of 18 years old and a farmer or ag water user in the Middle Rio Grande River Basin. She gave their contact information via telephone 505-738-5060 or via email at unmagwater@gmail.com.

Janet Jarratt

Ms. Jarratt is a 65 year old farmer of about 200 acres in Valencia County which she farms at night. She submitted written comments and addressed the Board regarding the gate policy which she felt needs reformation so as to be more compatible with farming in the MRGCD. She also stated that benefiting and developing agricultural lands requires access by farmers to best manage their land and water in the most efficient way possible. The current policy precludes farmer access to ditches unless an irrigator can convince staff that they have a physical disability or limitation, which she then gave an example, a person owns property over a mile down the ditch, does not live there but is subdividing it, has requested a gate on the ditch from which she irrigates. There was no petition submitted, but after speaking with the Mr. Padilla, maintaining access to the ditch would not be likely. She then discussed her submitted exhibits. Exhibit A is the property and gate location; exhibit B shows a photo of the Huning ditch and exhibit C is a montage of the destructive and criminal behavior that occurs on this ditch.



Jason Casuga stated he would love to talk with her further, because there should be specific exceptions to allow farmers to be permitted. He stated he would call Ms. Jarratt sometime that week.

Jeri Miller

Ms. Miller, a neighbor of Ms. Jarratt, and faced the same issues. She said they had been told the policy has changed and keys are no longer given out. She said she would have no access to start or stop irrigating at all. She's concerned that depending on where the gate is installed on Ms. Jarratt's property, she will not have access to either the check on the Huning or the big turnout. She stated if they would not be allowed access, they would put in a petition as there are many irrigators affected. She also mentioned the grader had broken the fences along what used to be her dad's property. She said they broke the bridge going across their ditch and that it shoved everything off onto private property. She asked if they could reverse the direction of the grader and build the ditch back up.

Jason Casuga said the public notice signs seem to be working, because this is what they were meant to do, bring people in to comment. He said if those signs were still up, there has been no determination by the staff that a gate would be installed. If controversial, the actual approval would come to the Board and not made by staff. He felt that there's conversations to be had and requested Francesca Shirley to follow up.

Ms. Lahiri (Unsure of correct spelling; did not sign in)

Ms. Lahiri asked who on the Board had not previously, prior to holding this position, had a friend, ancestor, or relative held a public office or similar. Madam Chair Dunning stated she had never held an official office, but stated the question was inappropriate without knowing what the point of the question was and asked Ms. Lahiri to explain.

Ms. Wiggins explained that public comment is not a Q&A session. The Board did not have to respond. Ms. Lahiri explained if there is any kind of monopoly, it is her concern. She stated no harm must be implemented to set right what wasn't right before. Ms. Lahiri also said she wanted to alert people they would need to rely on local farming and agriculture more than ever for survival. She asked the Board to do everything in their power to succeed in genuinely sustainable local food production.

Santiago Maestas

Mr. Maestas wanted to alert the Board of a statement made by County Commissioner Quesada, who's also a member of the ABCWUA Board. He stated Mr. Quesada said recent research found farmers to be the biggest wasters of water and Mr. Quesada wanted to know if there was any way to partner up and look to see how the water is being used or if there were any initiatives to help do better with water and they use it. Mr. Maestas stated he hoped the District would respond and inform the commissioner of the efforts of how to use water efficiently either by flood irrigation, or by drip irrigation.

Madam Chair Dunning stated that Mr. Casuga had written a letter to the Water Authority to educate them and will be going to speak at their next monthly meeting.

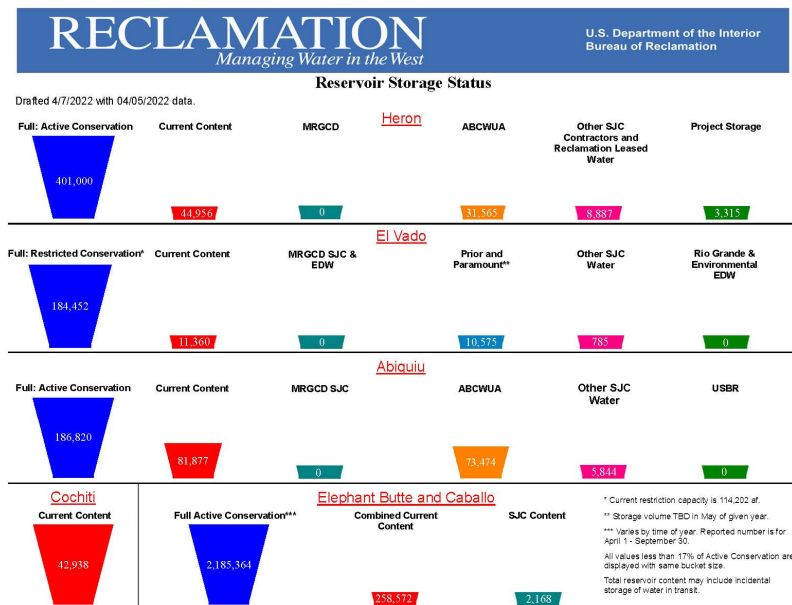
Andrew Hautzinger (given by Vice Chair Russo Baca)

Vice Chair Russo Baca was asked by Mr. Hautzinger with the Valencia County Soil and Water Conservation District to give comment. He was not present due to the fire in their area. She stated he wanted to ask everyone to save the dates for April 22nd and 23rd for the Soil and Water Conservation District's Third Annual Whitfield Wildlife Conservation Earth Day, and also the Science Fiesta Celebration and on May 7th, from 10 to 2pm, for the Rio Abajo Conservation Area, a public listening session on the future of the area.

She hoped everyone in Valencia County is staying safe as well as the first responders.

AGENDA ITEM NO. 6 - Report(s) from the Department of the Interior

a. Bureau of Reclamation - Jennifer Faler, Area Manager



MRGCD BOARD MEETING (04-11-22)

- Heron Summary
 - Content = 44,956 ac-ft (4-5)
 - Azotea tunnel: 100-150 cfs
 - Total SJC inflow year-to-date: 3,490 a.f.
 - Currently releasing 0 cfs
 - Current MRGCD storage: 0 ac-ft
 - El Vado Summary
 - A. Total storage (all contractors and natural) in El Vado as of 4-5: 11,360 ac-ft.
 - B. Native in El Vado: 0 ac-ft.
 - C. MRGCD's SJC storage in El Vado: 0 ac-ft.
 - D. P & P: 10,575 ac-ft
 - E. EDWA: 0 ac-ft
 - F. All other SJC contractors: 785 ac-ft
 - Current release is 100 cfs RG Inflow is 100-200 cfs
 - Storage in Abiquiu
 - Content = 81,877 ac-ft (4-5)
 - MRGCD's SJC storage: 0 ac-ft
- Total water released for minnow to date in 2022: 0 ac-ft
- Snowpack Data:
- As of 4/8/22 (% of median)
- | | |
|-----------------------------|------|
| Rio Chama Basin..... | 80% |
| Upper Rio Grande Basin..... | 85% |
| Rio Grande Headwaters..... | 96% |
| Jemez Basin..... | 126% |
| San Juan River Basin..... | 92% |
- April Streamflow Forecast (50%)
- | | |
|------------------------------------|---------------------|
| Rio Grande @ Del Norte CO | 375,000 ac-ft (78%) |
| El Vado Reservoir Inflow (Mar-Jul) | 150,000 ac-ft (81%) |
| Rio Grande @ Chowi | 375,000 ac-ft (60%) |
| Jemez R. below dam | 10,100 ac-ft (46%) |
| Rio Grande @ San Marcial | 151,000 ac-ft (44%) |

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

AGENDA ITEM NO. 7 - DISCUSSION/APPROVAL FOR THE AWARD FOR THE BELEN WATERSHED EA/EIS STUDY (NRCS GRANT) - Richard DeLoia, Chief Procurement Officer

Richard DeLoia presented the Request for Proposal process for the Belen Watershed Planning Documents EA/EIS, which was a joint project with MRGCD and NRCS using Grant funding. Advertisements for Request for Proposals (RFP) ran on February 26, 2021, and March 1, 2021. The RFP was posted on the MRGCD website and sent to potential offerors on February 26, 2021. Proposals were due on April 30, 2021. MRGCD received four (4) Proposals back and three (3) offerors were selected as finalists. The three (3) finalists were then scheduled for oral presentations with the evaluation committee. Wilson & Company was the highest total scoring offeror and selected as the most responsible proposal. He said MRGCD RFP Committee recommended the award go to Wilson & Company for \$665,532.10 plus NM gross receipts tax.

Director Barbara Baca made the **MOTION TO APPROVE THE AWARD FOR THE BELEN WATERSHED EA/EIS STUDY TO WILSON & COMPANY**. Director Sandoval seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

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

a. Review FY22 Third Quarter Financial Statements and Budget to Actual - Pam Fanelli, CFO

Ms. Fanelli stated the total revenues year to date equaled \$16,510,993 and total expenditures equaled \$17,337,022. She stated they currently show a deficit of \$3,624,000 with four months remaining. She stated they have another large payment of ad valorem coming in so she's cautiously optimistic. She said ad valorem revenues, including interest and penalties was \$13,000,000, the water service charge revenues year to date total \$1,953,000, and total astounding water service charges were \$971,330. She said they built \$662,000 worth of grants and \$760,000 worth of expenditures. Ms. Fanelli announced the new salary plan seem to be making an impact on recruiting and retention.

b. Discussion/Approval of Report on the Finance Committee Meeting - Chair Dunning and Director Barbara Baca

Chair reported that she and Director Barbara Baca attended. Ms. Fanelli shared her report with them. Although the state does not require the Board to approve quarterly reports, they decided that it's a good idea to have in the public record to show that it was given, and the Board accepts it.

Director Barbara Baca made the **MOTION TO ACCEPT THE THIRD QUARTER FINANCIAL STATEMENTS AND THE REPORT**. Vice Chair Russo Baca seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

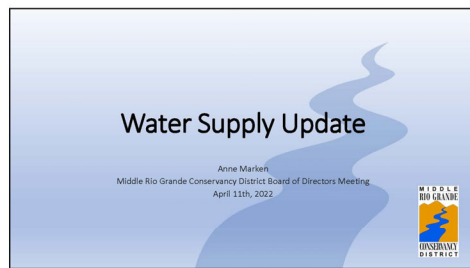
AGENDA ITEM NO. 9 - REPORT(S) FROM THE CHIEF ENGINEER/CEO - Jason M. Casuga, PE

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

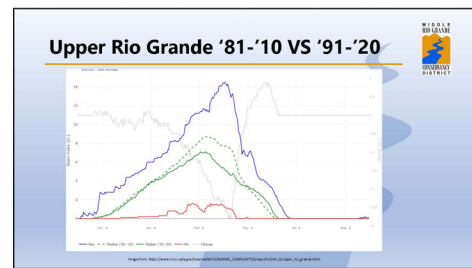
Ms. Marken gave a presentation that depicted different maps of the different basins and median conditions. She showed a hydrograph for the Upper Rio Grande Basin that compared the old calculations to the current calculations. She stated they are tracking similar to last year in the Rio Grande Headwaters, which is still below median conditions. She said they were tracking a little below in the Upper Rio Grande, as well, which was below

median conditions. Ms. Marken explained that the 90-day outlook from the National Weather Service showed warmer and drier conditions for the next three months.

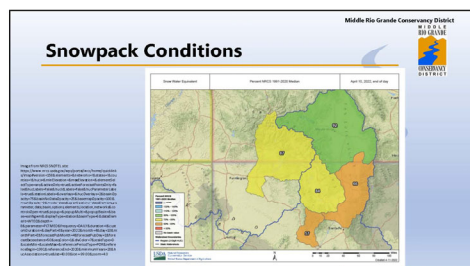
She said they were adhering to diverting no more than 50% of native inflows to the Middle Rio Grande. She said they started charging the system and there was 600 CFS of native flows at Otowi Gauge, and around 300 CFS was enough to charge the system. She said by the end of March, native inflows were above 1,000 CFS. However, she said the San Luis Valley in Colorado started to divert from the portion of the Rio Grande they're entitled to, and it significantly reduced the amount of water entering New Mexico, which started interfering with meeting irrigation demands and to keep the river whole. He said Reclamation agreed to temporarily suspend their P&P operations until they saw more significant inflows. She said there should be more water to divert by the end of the week. New Mexico is carrying an accrued Rio Grande Compact debit of 127,000 acre feet from 2021, and due to Rio Grande Compact restrictions and El Vado construction, the only storage water available for the MRGCD to augment naturally occurring low summer flow is going to be our 2022 San Juan Chama allocation, which Reclamation has projected to be about 75% of a full allocation. Irrigators should expect to receive limited irrigation deliveries after the spring runoff, which could be as early as mid-June. MRGCD will continue to take advantage of any available inflows from rain this summer, but without monsoonal storms, she felt this summer is going to be very difficult.



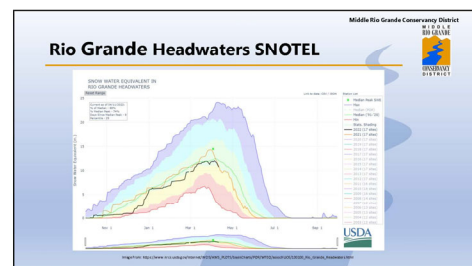
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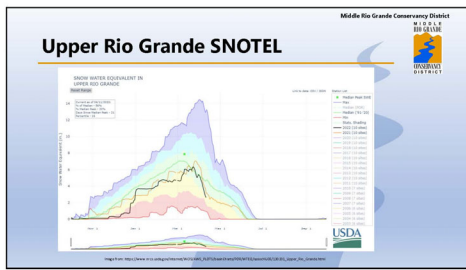
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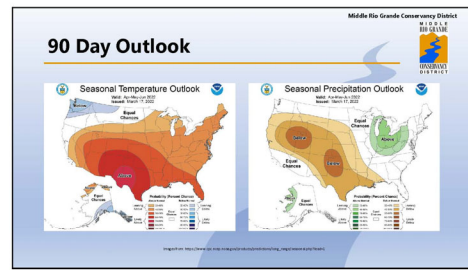
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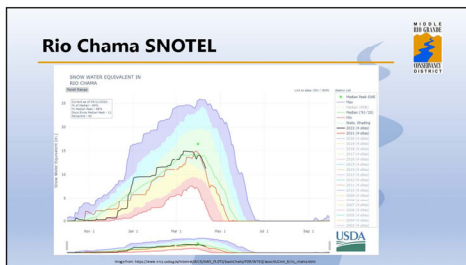
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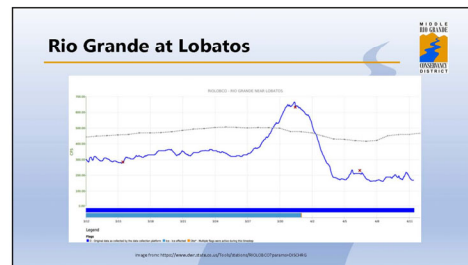
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b. Report on the Irrigation Distribution - Matt Martinez, Water Distribution Division Manager

Mr. Martinez stated that they have completed charging the systems and are scheduling and delivering in all divisions. Irrigation Systems Operators (ISO) were given a set of scheduling and delivery guidelines to follow. Staff has been communicating closely and carefully monitoring current irrigation cycles within each division. He said the supply does not allow them to deliver on all ditches at the same time. He said not every field has had its first watering, so they were making adjustments to make sure the cycle was as even as possible. He said the staggered start up proved to be very efficient. He reminded farmers to contact their ISOs to ensure water availability prior to planting and fertilizing. He reiterated the risk of planting new seed this season and said their goal was to get a second watering to new seed within 10 to 14 days, but it wasn't guaranteed. Since there were vacant ISO positions, he's reassigned staff to cover different areas. He asked everyone to be patient and to take deliveries as quick as possible to move through the cycles quicker. He also said staff would be closely monitoring irrigation to check for excessive use of water.

He reported that water was pumped into the Corrales Main Canal to charge and flush the system and Friday, they began deliveries but shut down out of precaution. He spent some time in Corrales ditch riding to find a turnout that was open only 2 inches while the farm ditch had plenty of carrying capacity to take more water. He felt that to make the pumping operation in Corrales work, we need to take irrigating deliveries as quickly as possible so the next farmer in line can get going and move through cycles quicker. They will be mindful of this but added this is not just for Corrales but all irrigators throughout the District.

On farm delivery systems should be capable on a normal irrigation conditions fully irrigating at least one acre per hour as stated within the District's water distribution policy. He's having his staff closely monitor irrigation duration and on farm systems that result in excessive use of water or prevent other irrigators from receiving water in a timely manner

will be notified and may be denied water if problems persist. He requested if farmers need help to improve their on farm efficiency to please contact their ISO, the supervisor, himself or the conservation staff.

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

Mr. Thompson reported on the one-day special session held on April 5, 2022, with the objective to pass two bills. He stated one bill was a tax rebate for all New Mexico tax filers with no income threshold, which meant every New Mexican would get \$500 or \$1,000 depending on if you filed jointly or not. He said people that didn't file taxes could apply for the \$500 tax rebate through the state. He said they also signed and passed the Junior Bill, which contained the funds that were dedicated to the District for Albuquerque gate projects.

d. Discussion/Approval of the Increase of the In-kind Contributions for the Preliminary Partnership agreement (PPA) of the Regional Conservation Partnership Program (RCPP) - Jason M. Casuga, CE/CEO

Mr. Casuga stated that after requesting approval at last Board meeting for a cap of \$1,000,000, they later realized they needed to have it increased to \$1,500,000 over five years. He said that once the staff started doing more detailed review and started talking with their partners and the amount they would put down, it was decided the District needed to step in.

Director Sandoval made the **MOTION TO APPROVE THE CHANGE IN AMOUNT OF IN-KIND CONTRIBUTIONS FOR RCPP**. Seconded by Vice Chair Russo Baca. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED UNANIMOUSLY**.

e. Discussion/Approval of the La Joya/MRGCD Agreement and 2022 Assessment Charge – Jason M. Casuga, CE/CEO and the Report from the Irrigation Committee Meeting, April 5, 2022 - Irrigation Committee Meeting, April 5, 2022 – Vice Chair Russo Baca and Directors

Vice Chair Russo Baca thanked Mr. Hank Toliver for attending. She presented the recommendations of the Irrigation Committee to the Board for a vote. She stated the first recommendation for 2022 would be to increase the price of water by \$2.00 an acre, which would bring it to \$8.00 an acre. She said the Committee would like to see LaJoya Acequia Association petition the Board to join the MRGCD benefited area no later than November 8, 2022. She said that if they didn't decide to join, in 2023, their price of water will be raised to the current price of the water service charge; as well as the county ad valorem charges just like everyone else in the benefitted area. Plus an applicable charge to the contract equivalent to operation and maintenance of El Vado.

Director Sandoval did not attend the meeting but stated he supported their recommendations.

Jason Casuga added that discussion started this year when LaJoya Acequia Association reached out to have a discussion. He said he thought the discussion was hopeful to both sides to understand some of the issues and what they paid internally to deal with O&M annually. He stated he believed they wanted to find parity with the MRGCD. He also stated he thought the right response to a request from the Acequia Association would be for the Board to direct that research.

Dr. DuMars stated the actual order that allowed them to be removed from the District had language that would put parameters on the agreement they would enter into with the District. He said one parameter was they would be obligated to pay their share of the cost and interests for the El Vado Dam. He said he committed that the District would develop a set of guidelines on how they could become a member, the rules, what it would take, etc., if they need it.

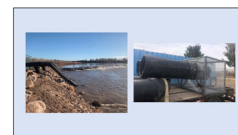
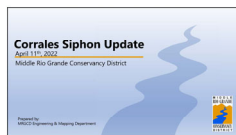
Hank Toliver, President of the LaJoya Acequia Association, expressed his appreciation for all of the thought, time and effort that's been put into this. He stated there is three commissioners who serve, Charles Gabaldon, Bernadette Sinclair and himself. It would require a majority to determine if they wanted to be part of the benefited area. He stated they would take this information back but said there would be some specifics to follow up with. He thanked them for not increasing fees too heavily, and stated he had a much better understanding of the cost with El Vado dam now.

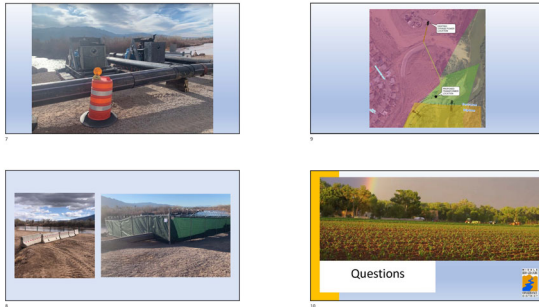
Vice Chair Russo Baca made the **MOTION TO APPROVE THE IRRIGATION COMMITTEE REPORT AND TO ALSO SET THE FY2022 ASSESSMENT CHARGE FOR LA JOYA ACEQUIA ASSOCIATION TO \$8.00 PER ACRE.** Seconded by Director Barbara Baca. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED UNANIMOUSLY.**

f. Update on the Corrales Siphon - Alicia Lopez, Engineering & Mapping Manager

She stated they did notice a sinkhole in late December on the upstream side. She said they decided to discontinue the use of the siphon while they decided on a long-term solution because of the age and condition of the pipe. She said Wilson & Company submitted a proposal to consider a design analysis to include the high-level cost estimate. She said Albuquerque Underground and Rain for Rent were awarded the contract to implement and maintain the pumping operations through the irrigation season. She stated they began running the pumps on April 3rd. Ms. Lopez said Matt and his team would be exploring pump capabilities and optimizing operations in the coming weeks. She said fish greens were placed on the intake and execution of silvery minnow egg monitoring contract with SWCA was to begin May 1st. She said she had a meeting with Rio Rancho and SSCAFCA to discuss renting power over their jurisdiction and property.

Jason Casuga stated that some irrigators on site thanked them for putting the pumps in because it also gives them irrigation water. Vice Chair Russo Baca asked about signs being placed to let people know what's there, and what it was, and the reason for it. Mr. Casuga stated that was something they could do. He also stated he was happy with the responsiveness from PNM. He said they delivered a cost estimate and signed off on the alignment. He also mentioned that he requested some sort of expedited process where MRGCD can commit to their process and get the infrastructure in the ground sooner.





g. Report on the MRG Six Pueblos Coalition Meeting, April 7, 2022 - Jason M. Casuga, CE/CEO

Jason Casuga stated the Coalition Meeting was held at the Sandia Golf Course and was well attended. He said Mike Hamman, the State Engineer, presented and provided his Rio Grande Compact Commission letter. He said Colorado and Texas Compact Commissioners had already provided a letter of support to the Corps of Engineers supporting their deviation of the storage of P&P water at Abiquiu. He said MRGCD did a report on the irrigation startup. He said they asked about the Fallowing/Leasing Program and whether P&P would qualify. Mr. Casuga said they decided there were too many unanswered questions for this year. He said that would also give the Coalition more time to meet with the BIA.

Dr. DuMars stated he thought it would be useful for Madam Chair Dunning and Jason Casuga write a letter of what they could accomplish and what the negative consequences would be if we stored water in Abiquiu. Jason Casuga added they had already booked plans to attend the Compact Commission Meeting on May 6th, and that he would run it by the State Engineer to see if that would be helpful as part of their presentation.

h. Report on the MRG Levee Task Force Meeting, April 11, 2022 - Jason M. Casuga, CE/CEO

Jason Casuga thanked the Village of Los Ranchos for their effort in holding the meeting. He said the meeting was well attended. He stated there were significant changes related to flood insurance that had the ability to impact the finances of our constituents and Albuquerque's constituents greatly, because many didn't have flood insurance. He mentioned working with the legislature on the establishment of a levee fund. He said he would be presenting MRGCD maintenance efforts at the next meeting in June or July to show the amount of effort MRGCD has put in.

i. US Army Corps of Engineers Bernalillo to Belen Project Update - Jason M. Casuga

Jason Casuga announced it was reported that the Corps of Engineers received funding of \$1.3 million, which is the 65% cost share amount for the design of the Mountain View portion of the Bernalillo to Belen Levee sections. He said the reimbursement money from the Corps from the West Levee Project is the County's and AMFCA's money, so he stated he was going to talk about steps to get authorization to move that money as part of the 35% that was on cost share to bring MRGCD's portion to about \$300,000.

j. Report(s) from the Conservation Program

1. Update on the Conservation Advisory Committee Meeting, March 17, 2022 - Casey Ish, Water Resources Specialist

Vice Chair Russo Baca attended along with Paul Tashjian, Adrian Oglesby, Christ Sichler, Santiago Maestas, Enrique LaMadrid, Kirsten Neff, Ray Hartwell, Surjit Rajpal, Quantina Martine and Yasmeen Najmi. She stated there were PCB contamination issues in the Bernardo Wildlife area, that they believe came from a bunch of transformers that were likely leaking into the water table.

Casey Ish stated Jason Casuga was working with the licensing team to communicate with PNM to figure out where these transformers were within their right of way to see about replacing them. He also said the contractor doing the NEPA review for the San Francisco Outfall Project had finished most of the field work and was compiling paperwork for Reclamation. He said the New Belen Outfall received water for the first time. He did say they were still in the process of moving through the PPA and should be tracking closer with what NRCS was looking to get from MRGCD. He added that it was a great outreach and marketing event.

Madam Chair Dunning stated that Enrique LaMadrid wrote a wonderful poem that was presented at the meeting. Vice Chair Russo Baca said she thought it would be appropriate to post it as part of the project on the MRGCD website.

2. Update on the 2022 Fallow/Leasing Program - Casey Ish, Water Resources Specialist

Casey Ish stated they now had 230 applicants enrolled in the program and estimated to be around 2200 to 2500 acres. He said they were also accepting applications from the pueblos of San D  a and several other tribes. He said the pueblos had voiced some interest in doing it as well. Madam Chair Dunning asked if he thought they would run into problems accepting pueblos because they're not landowners. Jason Casuga said he did not think that would be an issue because they would have to meet the same standard as everyone else.

3. Update on the Middle Rio Grande Community Soil Health Lab - Gabrielle Coughlin, Soil Scientist/Agroecologist

Ms. Coughlin thanked everybody who attended the grand opening of the Middle Rio Grande Community Soil Health Lab held March 26th. She stated they already had people dropping off soil samples at the lab. She's been working with IT to develop a soil lab help desk so people can submit help tickets. At the Grand Opening they had a soil blessing and did the soil your "chones" (aka undies in Spanish) challenge which is a fun way to tell how healthy the soil is. She said they were going to deploy several soil your "chones" packets across the state to their partners as well. Conversations ensued at the soil pit of why it was important to understand the stratigraphy in horizons below ground. There was food, drinks, a mariachi band, with pinatas. Coming soon will be the soil lab fee schedule on the website and were also looking at conservation equipment rentals.

Ms. Coughlin stated that with soil health and a soil health movement it depended on how we could better manage the natural land, not the manufactured land. She said

they were currently accepting online requests. Pointing out that the invoices had to be paid prior to dropping off the soil test or soil samples. She would also be at the Village of Los Ranchos doing the soil your “chones” challenge, the Valencia Soil and Water Conservation District Master Naturalist Program talking about ecohydrology and other many other events and activities. She also announced the New Mexico Envirothon Team competition which is a hands on natural resource problem solving competition where high school students from across the state and county focus on a topic every year. This years topic is waste to resources. The first NM Envirothon team comes from Valencia High School.

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

Chuck DuMars stated that after reading the solicitor's paper on settlement negotiations with Wild Earth Guardians, he wanted to add a few things regarding the District and its origins. He felt it will be a good paper when its done.

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

- a. **Report on the Conservation Advisory Committee Meeting, March 17, 2022 - Vice Chair Russo Baca.**

The Vice Chair reported with Casey Ish in Item 10.j.1.

- b. **Report on the MRG Community Soil Health Lab, March 26, 2022 - Vice Chair Russo Baca**

Vice Chair Russo Baca stated she applied for the NMDA Healthy Soil Program. She also stated that they needed to have something put in place like a fee schedule for licensing the four film crews when they come in to make sure it didn't interfere with irrigators or the bosque. She said they recommended Francesca to discuss with the film liaison to actually meet with her team to go over numbers to make sure they were in line with what the city was charging.

- c. **Report on the District Urban Committee Meeting, March 31, 2022 - Director Joaquin Baca (Chair) and Vice Chair Russo Baca**

Director Barbara Baca made the **MOTION TO APPROVE ALL THE BOARD REPORTS FOR TODAY'S MEETING**. Seconded by Vice Chair Russo Baca. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 12 - 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

Lorna Wiggins, General Counsel, stated that there was no need for an Executive Session.

With no further comments, questions, or concerns, Madam Chair Dunning adjourned the meeting at 5:53pm.

Approved to be the correct Minutes of the Board of Directors of April 11, 2022.

ATTESTED:

Pamela Fanelli, CMA, CGFM
Secretary/Treasurer

Karen Dunning, Madam Chair
MRGCD Board of Directors