

**MINUTES OF THE
2,187th REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

MAY 9, 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		STAFF	
Karen Dunning, Madam Chair	Present	Jason Casuga	Chief Engineer/CEO
Stephanie Russo Baca, Vice Chair	Present	Chuck T. DuMars	Chief Water Counsel
Barbara Baca, Director	Present	Lorna Wiggins	General Counsel
John Kelly, Director	Present	Eric Zamora	Chief Operating Officer
Joaquin Baca, Director	Present	Pamela Fanelli	Secretary-Treasurer/CFO
Glen Duggins, Director	Present	Anne Marken	Water Operations Division Mgr.
Michael T. Sandoval, Director	Present	Matt Martinez	Water Distribution Division Mgr.

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

Liz Anderson, ABCWUA	John Thompson, MRGCD Lobbyist
Lillie Chacon	Derek Jarner, MRGCD
John Fleck, Utton Center	Kevin Calabaza, MRGCD
Mitchell Vergeer	Ashley Veihl, MRGCD
Larissa Gordon, Ag New Mexico	Judith McSweeney, MRGCD
Joe Craig	Steven Chavez, MRGCD
Ray Hartwell	Yasmeen Najmi, MRGCD
Anders Lundahl, NMISC	Jessica Regensberg, MRGCD
Adam Lauer, Farm Credit NM	LeeAnn Corwin, MRGCD
Tricia Snyder, Wild Earth Guardians	Francesca Shirley, MRGCD
Andrew Hautzinger, VSWCD	Marie VanDerGeest, MRGCD
Alandren Etlantus, BHI	Casey Ish, MRGCD
Annalise Porter, SNWA	Danielle Feygin, MRGCD
Kathryn Romero, Fab Tech NM	Christine Nardi, MRGCD
Joseph Moya	Mitch Georgina, MRGCD
L. Cordova	Mike Apodaca, MRGCD

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

Derek Jarner, the new Albuquerque Division Manager, led the Pledge of Allegiance at today's meeting and introduced himself.

Madam Chair Dunning declared a quorum, and the meeting was publicly noticed. This meeting was a hybrid meeting with Directors Russo Baca and Duggins attended virtually.

AGENDA ITEM NO. 2 – APPROVAL OF THE AGENDA

Madam Chair Dunning said agenda items 9.d. and 9.e. should only be discussion items and both items would be approved at the next month's meeting. Jason Casuga stated he wanted to discuss scheduling of upcoming farmer's meetings at the end of item 10.

Director John Kelly 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 - May 09, 2022**
- b. **Consideration/Approval of April 2022 Invoice for Wiggins, Williams & Wiggins**
- c. **Consideration/Approval of April 2022 Invoice for Law and Resource Planning Associates.**
- d. **Consideration/Approval of the Minutes for the Regular Board Meeting - April 11, 2022**
- e. **Consideration/Approval for Resolution M-05-09-22-186 Disposal of Obsolete Items - Andrew Melendez, ER&T Assistant Manager.**
- f. **Memo on MRGCD Approved Licenses for April 2022 (For Informational Purposes Only)**

Director Kelly asked for confirmation that all the computer towers being disposed of had been wiped and deleted. Pam Fanelli confirmed this.

Director Barbara Baca made the **MOTION TO APPROVE THE CONSENT AGENDA**. Seconded by Director Kelly. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 4 - REPORT(S) FROM HUMAN RESOURCES DEPARTMENT

- a. **Introduction of MRGCD New Hires - Christine L. Nardi, MBA**

Ms. Nardi announced the new hires at the Albuquerque Division office, Steven Otero, as the new Field Maintenance Tech and at the General Office, Mitch Georgina, the newest GIS Tech, Jason Garcia and Jerry Sanchez, both Irrigation Systems Operators for the Belen Division.

Director Kelly asked how the vacant FTs (full timers) were looking, to which Ms. Nardi replied the vacancy rate was down to approximately 15%, which came down from the previous 27%. Director Kelly also asked if they should put out a sign stating the new hourly wage, since surrounding businesses had been. Christine Nardi said that was an option, but they had other recruiting methods that had been working.

- b. **Discussion/Approval of the Proposed Performance Award Guidelines - Christine L. Nardi, MBA**

Ms. Nardi presented the performance awards guidelines which would be assigned to award employees and perform short term one time quality acts or service in an exceptional manner. This specific level of performance should be addressed by means of a merit increase or promotion. She felt that these not only would help motivate other employees to work harder, but would also help to increase employee engagement, motivation, loyalty, etc.

Director Kelly said the Finance Committee was briefed on the performance award guidelines and suggested a few changes. He said the Finance Committee recommended they move forward with the program.

Director Joaquin Baca made the **MOTION TO APPROVE THE PROPOSED PERFORMANCE AWARD GUIDELINES**. Seconded by Director Barbara Baca. The **MOTION CARRIED UNANIMOUSLY**.

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

Joseph Moya

Mr. Moya thanked Mike Apodaca and Joe Martinez, the two ditch riders that manage his property. He stated they were outstanding and know exactly how to flow water through the ditch and that he had plenty of water to irrigate even with the shortage this year. He felt that everyone needs to work together and stop complaining about the ditch riders, because there are some that do a great job.

Madam Chair Duggins thanked Mr. Moya. She stated the District hears complaints, so it was nice to hear the accolades. Director Kelly added he would ask the CEO to put a letter in both ISOs files about the comments.

Director Duggins added the morale was high and they were doing good jobs in the Socorro Division. He stated they were very appreciative of their raise and wanted to thank the Board for that. He said he believed the water distribution was getting better.

Lillie Chacon

Ms. Chacon stated she bought property last year in Valencia County, Tomé, and was originally told she had water rights although she knew she did not. She spoke with Casey Ish regarding her options. Ms. Chacon reported this year she called again about the program. She said she was informed she could not enroll in the leasing program again because you were only allowed to do it one year. She said she was later told that the water rights were sold, and she would have to pay back what was paid to her last year from the Following/Leasing Program. Ms. Chacon felt she did her due diligence and should not have to pay back the monies since she was told she had water rights.

Jason Casuga explained that the following program has a contract and a portion of that contract states if found out that one does not have a water right and should not irrigate that the District would seek to recoup the cost that was paid for that following year. He stated the issue was the timing in which the District is informed by the State Engineer's Office of the status of a property's pre-1907 rights and that the District isn't notified of all the filings that happen at the State Engineer's Office with some actions occurring during mid-season. He said the instance with Ms. Chacon, he believed the rights were severed as a part of a deed. He said he told Ms. Chacon he didn't have the ability to waive the ability to repay it and it should be something discussed at the Board level. Mr. Casuga said he would be happy to give it to the Irrigation Committee to make a recommendation to the Board.

Director Kelly added that the Board established committees to give detailed looks for instances just like this, he supported the recommendation for the Irrigation Committee, Directors Sandoval, Duggins and Russo Baca to review.

Director Joaquin Baca said he was in agreement to let the Irrigation Committee review. He asked what the District's procedures have in place to keep that from happening again and felt there should have been several steps to prevent it.

Madam Chair Dunning invited Ms. Chacon to come back to the June meeting for the Irrigation Committee's recommendations.

AGENDA ITEM NO. 6 - Update on the 2022 Irrigation Season**a. Report on the Water Supply Conditions - Anne Marken, Water Ops Division Manager**

Ms. Marken presented the SNOTEL graphs, the first being the headwaters graph which illustrated the sharp decline of the snowpack over the last few weeks. The headwaters current conditions (black line) is below median conditions for this date. She stated snowpack conditions in the headwaters currently at 14% of median. The next graph depicted the Upper Rio Grande showing conditions (green line) was well below the median for this date. Current snowpack conditions in the Upper Rio Grande were at 34% of median. The snowpack conditions in the mountains have been attributed to a warm and windy spring, combined with dust on snow. Every January through May, the Natural Resource Conservation Service uses current snowpack soil moisture, temperature, and precipitation forecasts to develop monthly stream flow forecasts for certain river gauges. May 1 forecast showed inflows into El Vado Reservoir to be 55% of median (66,000 AF) and 32% of median conditions (120,000 AF) for the Otowi forecast.

Ms. Marken said the 90-day outlook, which is from the National Weather Service, showed increased chances for above average temperatures and below average precipitation. flows that Otowi have been well over 2000 cubic feet per second for the past couple weeks. But flows are beginning to decline, and as we all know there is limited snow left up in the mountains. There's currently approximately 1500 CFS entering the Middle Valley today. Once that spring runoff has receded, irrigators can expect limited irrigation deliveries and we are anticipating that can happen as early as the end of May. River Channel drying is also expected to occur this year in Albuquerque, which in the Albuquerque reach of the river, has not occurred since 1983.

She then discussed P&P storage, which most of the 20,000 AF of prior & paramount water stored in El Vado this winter and spring. The BOR has planned on getting that water out of El Vado by May 15th, so we can begin construction in El Vado. She stated they've been waiting for approval from the Army Corps of Engineers for its deviation to store native Rio Grande water in Abiquiu. The Army Corps did receive approval last week and they began moving the P&P water to Abiquiu last week. The Bureau of Reclamation is expecting to have all the P&P water out of El Vado by around May 20th. This year, the only storage water available for non-prior and paramount lands is the MRGCD's 2022 San Juan-Chama Allocation, which is expected to be less than 70% of this full allocation.

She finished her update on the Rio Grande Compact status saying New Mexico ended 2021 with 127,000 AF in debt to Texas. In 2022, to maximize Rio Grande Compact deliveries to Texas, the MRGCD implemented a staggered startup of its Divisions, started south, moving north as temperatures warmed. MRGCD has not diverted more than 50% available in-flows to the Middle Valley in 2022 and will continue to adhere to that no more than 50% diversion until River Channel drying is anticipated. Today, despite these efforts, New Mexico has underdelivered approximately 30,000 AF in 2022 to Texas; an addition to the 137,000 AF from the 2021 that we still owe, all despite MRGCD's efforts. Although the debt has grown, MRGCD staff and Jason (Casuga) specifically mentioned that he's received positive feedback regarding MRGCD's efforts to minimize our debt to Texas. All of these efforts that the District has made has not gone unnoticed by outside agencies. Ms. Marken felt that's important to note, but also an opportunity to highlight that our shortfalls in delivery to Texas despite our efforts has highlighted our need to invest in infrastructure improvements in the San Acacia Reach, specifically in the Low Flow Conveyance Channel outfall and river channel mains.

Jason Casuga then clarified that New Mexico, not MRGCD, at 200,000 AF, the state of New Mexico will have officially violated the Compact related to total allowed debt under Article VI.

He's been talking to staff to prepare that we substantially run out of water at the end of this month. Right now, we see quite a bit of water in the river, and that's going to come to an end. As it comes to an end, it's going to be relatively dramatic on how it comes to an end. This is truly what it looks like to have a run of the river system without having the infrastructure in place with obviously El Vado going down for construction. And then, the reality of being still run of the river and under the Compact debt, even if El Vado gets fixed. Storing water is going to be important to the Middle Valley in the future. He could not stress that enough. He feels it will be a difficult summer and believed that apart from rain, is going to be exceptionally difficult. He continued to say that even with rain, communities like Corrales, it will stay exceptionally difficult being able to turn those pumps on and grab water in a flashy system being driven by monsoonal rains is not going to make it easy to turn them on and deliver water, so the vulnerable areas up and down the river to that. This would have been last year in his predecessor's estimation if we hadn't gotten rain. We're run of the river, and we'll be at the mercy of whether or not we get rain.

b. Status Report on Water Distribution - Matt Martinez, Water Distribution Divisions Manager

Mr. Martinez stated that river flows have provided adequate supply for irrigation deliveries in the past month and regular adjustments were being made to ensure equitable distribution, but he said they would have less flexibility moving forward. He said they would continue to coordinate and closely monitor the river flows. He reiterated MRGCD's policy that available water would be distributed considering local conditions in proportion to and appropriate for age and crop. Mr. Martinez said an appropriate amount of water would be supplied and rotated to each zone block. He said as flows decrease, the duration between irrigation cycles would increase, so irrigators need to be prepared for that. He also said irrigators need to call their ISOs to schedule when they see their ditch turn back on, open turnout fully and irrigate as quickly as possible. He said irrigators must be prepared to take water at any time any day of the week, and even though irrigators on main canals may not see their ditch turn off, they still must follow the same duration between irrigations. He said he wanted Corrales area irrigators to know they are doing their best to keep the pumps running as often as possible and plans had been developed to provide additional staff. Mr. Martinez also acknowledged the farmers for their patience and cooperation as they have been working through these challenges.

Director Joaquin Baca asked for an update on the website. He suggested sending out an email or making a social media post to make people aware.

AGENDA ITEM NO. 7 - Presentation on the Albuquerque Bernalillo County Water Utility Authority's Drought Conservation Programs, April 27, 2022 - Elizabeth Anderson, ABCWUA

Elizabeth Anderson, the Chief Planning Officer for the Albuquerque Bernalillo County Water Utility Authority (ABCWUA) stated their board appreciated Jason (Casuga) presenting to them. She gave an overview of the Water Authority and what all they do. She said that once water levels drop beyond a certain point, they have to stop their diversions, which she anticipated to be mid to late June. She showed graphics of their water use over time. She talked about the Water 2120 plan, with conservation being a critical piece. She said water reuse was a large part of their water resources strategy. Ms. Anderson stated they went through an extensive public outreach campaign and came out with a series of projects that they have incorporated into their plans. Ms. Anderson stated water waste reduction ordinance was something they used to mandate the conservation of the water when it's being wasted. She said there are fees assigned to that that are doubled during a drought. She did add they give a series of warning notices first. She said they were trying to avoid pools of water where people have leak issues.

She said they do a lot of public outreach and talked about their ad campaign. She said they had made a requirement that people don't water using sprinkle irrigation between 11 a.m. and 7 p.m. Ms. Anderson said they put a conservation program in place to target the 5% of water users that have the highest water volume they're using. She said part of that is putting in a smart controller and helping to program it. She mentioned they had a class taught by conservation specialists that focused on appropriate service, leak monitoring detection, setting checks, and making sure they're not overwatering, etc. She added that they increased their xeriscape rebate to \$2 per square foot. She said they were working on the Let's Plant Albuquerque Program and hoping to plant an additional 100,000 trees. She talked about the partnerships they've had with MRGCD over the years, like the Middle Rio Grande Endangered Species Collaborative Program, San Juan-Chama Project Contractor's Association, and temporary storage of Prior and Paramount water in Abiquiu.

Madam Chair Dunning asked about them looking into toilet to tap. Ms. Anderson stated that was a direct portable reuse that was built within the Water 2120, but still at least 20 to 30 years out.

Director Kelly said he we like to see their cooperation in the Watershed Management above the San Juan-Chama Diversion on the list. He asked if that would continue going forward at the same amount. Ms. Anderson said that was scheduled on their agenda for their next board meeting. Director Kelly said that it was such an important part of the joint watershed. He also shared that it was unfair of the state to look at just the surface water users to try to get us out of the debt we're in with Texas.

Director Joaquin Baca said it had been well documented and researched that getting rid of green spaces reduced the amount of available water system as a whole. He said he was a fan of toilet to tap. He asked if there were any policies put in place to help get it sooner. Ms. Anderson stated they do have polices in place to help, like the system expansion ordinance encouraging infill and logical progression of growth, and policies stating no net expense to all current customers.

Madam Chair Dunning asked if there was a way to update the 100-year plan every couple of years. Ms. Anderson stated it would be updated every 10 years.

AGENDA ITEM NO. 8 - Report(s) from the Department of the Interior

a. Bureau of Reclamation - Jennifer Faler, Area Manager

Jennifer Faler gave some updates on the El Vado construction. She said the contractor had started physical work, but still waiting on submittals. She said they would not be completely out until May 30th. She said they were on track to sign the deviation today or tomorrow. She thanked the Water Authority for their heavy lifting on getting the deviation through. She said the leasing program they worked on was a phenomenal program. She said it was successful from pilot to ramping up implementation, so they believed this program would be attractive for people to come and participate in. Ms. Faler stated that Reclamation had been in planning for some major projects down south. She said they would be implementing construction that would improve the ability to convey water. She said they had a huge hill to climb when it came to environmental compliance. She also said these projects are not without major challenges but are of paramount importance to reliably deliver water. She said they heard Rio Grande Compact Commission from the pueblos were asking for a seat at the table. She said they named an official federal assessment team and had a kickoff meeting with them at the April Coalition Meeting. Ms. Faler announced some new hires.

Jason Casuga mentioned that the Bureau of Reclamation was working on a fast-paced project trying to construct outfall at the low flow conveyance channel. He said the thought they would all need to partner and put pressure points for them to recognize that projects that move water down to Elephant Butte are great projects.

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

No report was given as Ms. Lucero was not in attendance.

AGENDA ITEM NO. 9 - REPORT(S) FROM THE SECRETARY-TREASURER/CFO - Pamela Fanelli, CMA, CGFM

a. Presentation of the FY23 Budget - Pamela Fanelli, Secretary-Treasurer/CFO

Ms. Fanelli stated the Finance Committee met on April 28th to discuss FY23 budget. She said they also discussed FY22 budget, which included a plan to spend \$2,089,376 or reserves from the capital project fund, which were spent on infrastructure projects and capital equipment. She said the District is projecting some salary savings of approximately \$600,000.

She said for FY23, total budgeted revenues were equal to \$34,311,531, and total budgeted expenditures equal to \$36,501,008. She stated the budget would need to be balanced by using the remaining capital reserve funds and general reserve funds for \$2,189,477 and grant revenues budgeted at \$8,156,691. Ms. Fanelli stated the District was proposing a District match of \$536,625 for the Water Trust Board Grant. The District also budgeted \$190,000 in Soil Lab fees. She said water service charges were not increased, so they would be the same as last year. She thanked everyone for focusing on grants. Ms. Fanelli said they are doing a good job at getting grants and are applying for more. Ms. Fanelli included they had a commitment to the RCCP Program in the cooperative amount of \$300,00. She said salaries and benefits were up by \$332,763 or 4%. She said there would be no merits or COLA budgeted for FY23. She said they had vacancy savings for 8%, 7.9% increase in insurance cost, 41% increase in fuel cost for vehicle and equipment operations, federal operations and maintenance cost increased by 43%. She stated that he budgeted projects total \$2,059,593. Corrales Siphon Pumping Project for \$764,000, Bernalillo to Belen \$700,000, Isleta Bridge Installation \$220,000, highway crossing repair for \$200,000, and Bernalillo Culver Project for \$100,000. She stated in accordance with the District's capital equipment plan, \$1,000,000 has been budgeted to replace old equipment, and an additional \$235,000 to replace control gates and information technology infrastructure improvements. Budgeted operating expenditures totaled \$23,639,283, net surplus of operating revenues of operating expenditures is \$1,790,557, non-operating expenditures \$4,353,034.

Madam Chair Dunning stated budgeting was a lot of guess work, but Pam and her team did amazing job to come up with good estimates.

Note: Director Duggins logged out of the virtual meeting (4:15 pm ±) and did not return.

b. MRGCD Finance Committee Report and Recommendation, April 25, 2022 - Directors Kelly, Dunning and Barbara Baca

Director Kelly stated that with regard to this year's budget, the Finance Committee went through every line and recommended approval for the budget as presented. He stated they proposed and approved a budget of 2 million from Reserves a year ago but are still behind on equipment

replacement. He stated he thought it was time the Board did their due diligence to document the needs, document where the current funds are being sent, and consider increasing mill levy by one full million with the caveat that it would be for capital improvement and capital equipment only. He stated they cut out phase two environmental assessment for their yard across the street to build a new ship because they didn't have the money this year.

c. Consideration/Approval of the Budget Adoption Fiscal Year 07-01-2022 to 06-30-2023 Resolution BA-05-09-22-85 - Pamela Fanelli, Secretary-Treasurer/CFO

Discussion ensued regarding the budget resolution in item 9.b. along with the report from the Finance Committee members, Director John Kelly as the Chair and Directors Dunning and Barbara Baca.

Madam Chair Dunning agreed with Director Kelly that the approval for the budget would be with the resolution but also to amend his motion to include the Finance committee's report.

Director John Kelly made the **MOTION TO APPROVE THE BUDGET ADOPTION FY 07-01-2022 to 06-30-2023 RESOLUTION BA-05-09-22-85 AND THE FINANCE COMMITTEE REPORT.** Director Barbara Baca seconded the motion. The **MOTION CARRIED UNANIMOUSLY.**

d. Review and Approval of the new Investment policy replacing the investment policy adopted July 25, 2005.

Madam Chair said this will be reviewed and approved at the June meeting. Ms. Fanelli wanted to discuss it briefly saying in an effort to increase their revenues, a new investment policy was created. She said they hired an investment advisor and modified it, and Lorna (Wiggins) also reviewed it. She said their strategy for investing would consider a balanced approach that looked at safety, liquidity, risk, and return. She said their liquidity would be invested in a short-term maturity and endowment funds. She stated the new approach would give a balanced approach to managing their investments.

Director Kelly stated they had a fiduciary responsibility to be sure their money was safe and working for them. He said they would want to put some verbiage in that investments would be made consistent with the mission of the MRGCD.

e. Consideration/Approval of a Modification of the Endowment Resolution replacing BA-07-27-92-26 with BA-05-09-22-86. - Pamela Fanelli, Secretary-Treasurer/CFO

Discussions ensued regarding the endowment resolution updating the entire resolution with a new resolution that supersedes the old resolution as to not have to pick up three different resolutions to know what is allowed. Ms. Wiggins agreed as she felt it appropriate for ease of reference.

f. Consideration/Approval of Additional Funds for the 2022 Following/Leasing Program

Ms. Fanelli explained an additional \$120,000 was needed to support the Following/Leasing Program for the FY2022 budget and asked the Board to approve the additional funds.

Director Kelly inquired about a budget adjustment with DFA or internally. Ms. Fanelli stated that it would still be under the \$2M deficit, although it will come back to the Board in June to realign the line items, it requires no additional budget.

Director Kelly made the **MOTION TO APPROVE THE REQUESTED INTERNAL BUDGET ADJUSTMENT**. Seconded by Director Barbara Baca. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 10 - REPORT(S) FROM THE CHIEF ENGINEER/CEO - Jason M. Casuga, PE

- a. Consideration/Approval of Resolution M-05-09-22-184 Setting Rate for Water Delivered to the La Joya Acequia - Jason M. Casuga, CE/CEO & Dr. Charles DuMars, Chief Water Counsel**

Jason Casuga stated there was no resolution at the last meeting. He stated it was a report and recommendation from the Irrigation Committee to change the rate for La Joya contract from \$6 to \$8, with the agreement this would be the last year that would happen. It then would be adjusted to both the current water service charge and a proportionate share of El Vado. Dr. DuMars agreed to propose this resolution to cover all information for La Joya.

Director John Kelly made the **MOTION TO APPROVE THE RESOLUTION SETTING THE RATE FOR WATER DELIVERY TO THE LA JOYA ACEQUIA AS PRESENTED AND SUBSTANTIALLY THE SAME AS ATTACHED**. Seconded by Director Sandoval. The **MOTION CARRIED UNANIMOUSLY**.

- b. Consideration/Approval of Resolution M-05-09-22-185 Approving Land Exchange Agreement between the City of Belen Council and MRGCD – Jason M. Casuga, CE/CEO**

Jason Casuga stated this was not brought as a resolution; this is related to a land exchange with the City of Belen in which the District wanted an MOU to remove the reversion clause that the District already followed through on a process many years prior to dispose of this land. The State Board of Finance wanted something more substantial showing the approval, such as Board minutes. He said they were now asking to approve as a resolution to show the State Board of Finance.

Director Kelly made the **MOTION TO APPROVE THE LAND EXCHANGE AGREEMENT BETWEEN THE CITY OF BELEN AND THE MRGCD AS PRESENTED AND SUBSTANTIALLY THE SAME AS ATTACHED**. Seconded by Vice Chair Russo Baca. The **MOTION CARRIED UNANIMOUSLY**.

- c. Report on the Infrastructure Assessment – Alicia Lopez, Engineering & Mapping Manager**

Ms. Lopez gave an update on the fiscal year 2022 progress. She said the overall goal was to compile a location-based assessment of their infrastructure. She said they appreciated the ISOs time and effort in collecting information on the survey app. Ms. Lopez showed what the app looked like and the general structure of it. She said before they started collecting Belen data, they would likely add some best practices in the data collection training. She stated the hope was to prevent the data they are now collecting from becoming outdated and obsolete by the time they finish.

Jason Casuga added that once all the data is collected, there would be an analysis of the infrastructure. He said they had very high hopes for these efforts.

d. Report on the Colorado River Basin Outreach Meeting, April 26, 2022 – Jason M. Casuga, CE/CEO & Anne Marken, Water Operations Division Manager

Anne Marken stated the Bureau of Reclamation hosted a presentation on the Colorado River conditions and the San Juan-Chama contractors on April 26th. She said they expressed the Colorado River was experiencing drought conditions. She said total storage on the Colorado River system was about 34% of capacity. She said it was 43% this time last year. She said that Bureau of Reclamation had concerns about the elevation at Lake Powell because they were really close to not being able to generate power. She said they developed a drought contingency plan agreement, where 160,000 acres feet were released into Lake Powell between July '21 and October '21 and monthly release reductions from Lake Powell from January 2022 to April 2022. He said they have now developed an agreement to release an additional 500,000 acre feet by May 20, 2023.

Jason Casuga added the things they had been seeing in the climate could have an effect on us and one of the main reasons why they need to pay attention. He said all of the west was feeling this.

e. Report on the New Belen Wasteway OCS, May 4, 2022 – Jason M. Casuga, CE/CEO, Chair Dunning, Vice Chair Russo Baca and Director Barbara Baca

Director Barbara Baca said it was a good effort that brought them all together with the Deputy Secretary of Interior and Representative Stansbury. She said it showed good support and partnership between all entities.

Madam Chair Dunning said Jason and Casey did excellent jobs. She said she was impressed because Rep. Stansbury did most of the educating.

Jason Casuga stated one of the takeaways he took was there is substantial money the federal government was allocating to the idea of the public private partnerships to get federal dollars on the ground. He said he talked about working on the smaller projects to come together and make an impact.

Vice Chair Russo Baca stated it was great to see the improvements in the Belen Division Office.

f. Report on the MRG Six Pueblos Coalition Meeting, May 5, 2022 – Jason M. Casuga, CE/CEO

Jason Casuga was able to attend and report at the Six Middle Rio Grande Pueblos. He said they mostly talked about information about the Abiquiu storage. He said he thought every pueblo coalition member was represented at the Compact.

g. Report on the Rio Grande Compact Commission Meeting, May 5-6, 2022 – Jason M. Casuga, CE/CEO, Anne Marken, Water Ops Div. Mgr., Chair Dunning and Vice Chair Russo Baca

Jason Casuga said as a whole it was good to see the highlights and see the Compact meet in person. He said the Compact status related to New Mexico and Texas was discussed.

Madam Chair Dunning said the pueblos waiting to join was a first for a compact meeting. She said they're going through another phase of mediation and hoping Dr. DuMars will have some to report on the ongoing lawsuit in the June meeting.

Vice Chair Russo Baca stated it was nice to see everyone in person.

Jason Casuga discussed the farmers meetings. He proposed doing Valencia County first. He said a lot had gone down there and he believed they wanted to interact with the Board to talk about some things. He said they would probably do an afternoon meeting to give more people an opportunity to attend. He said his goal would be to do one am month for now. Mr. Casuga stated he would focus his efforts to do the meeting May 25th.

AGENDA ITEM NO. 11 - REPORT(S) FROM THE MRGCD ATTORNEYS - Chief Water Counsel or General Counsel

AGENDA ITEM NO. 12 - REPORT(S) FROM THE BOARD

a. Report on the Meeting with the City of Belen to discuss MRGCD Collaboration Efforts, April 14, 2022 – Vice Chair Russo Baca

April 14, 2022

Meeting with the City of Belen to discuss MRGCD Collaboration efforts.

Location: Belen City Hall, 100 S Main St, Belen, NM 87002.

Vice Chair Russo Baca, Yasmeen Najmi, City of Belen members Mayor Noblin, Councilman Ortega, and Belen City Manager Andrew Salas.

Items Discussed:

MOU between the City of Belen and MRGCD for a Collaborative Effort to Prevent West Mesa Arroyo Flows from Breaching MRGCD Irrigation Facilities and Flooding the City of Belen.

MRGCD and the City of Belen potentially host a roundtable discussion regarding Willie Chavez Park. Follow up with City of Belen and Kathleen Pickering Community Services Dept.

Law enforcement issues on MRGCD property. The city of Belen does not have the capacity in the police force. Maybe MRGCD and Belen can collaborate on this issue by applying for grants.

Sloan Washburn has been working with the City of Belen on the maintenance of drainage ditches that go through the city.

b. Report on the Conservation Advisory Committee Meeting, April 21, 2022 – Vice Chair Russo Baca

Vice Chair wrote:

April 21, 2022

MRGCD Monthly Conservation Advisory Committee Meeting
Conservation Advisory Committee meeting April 21, 2022

In attendance: Ray Hartwell, Casey Ish, Gabby Coughlin, Paul Tahjian, Surjit Rajpal, Kirstin Neff, Chris West, Stephanie Russo Baca, Jason Casuga, Adrian Oglesby, Chris Siehler, Santiago Maestas, Yameen Najmi.

Report of EF-EWLP Leasing Program

Staff been busy processing lease applications approximately 215 applicants with 2574 acres eligible so far. Median acreage per applicant is 5.5 acres. Have a lot of small irrigators, program not comparable to areas such as Imperial Valley. This is good information for the leasing program going forward.

Surjit asked about the top five largest irrigators enrolling in the leasing program. Casey said largest is 156 acres, then 107 acres and another handful between 60-75 acres. Surjit asked how do the enrolling irrigators compare to the acreage range of farms throughout the MRGCD? Casey said a number of larger farmers enrolled small acres. The geographic focus of leases is primarily Valencia and Socorro Counties with more applicants this year from Corrales and Sandia Pueblo (137 acres of newly reclaimed lands).

Chris Siehler asked if we still had the requirement for five years history of irrigation for the Pueblo to qualify for the leasing program? Casey said yes and we don't have GIS data for the Pueblo but were able to work with DNS at Sandia Pueblo to confirm.

Casey will be working with Ray on leasing program accounting, should be similar to last year with some changes given some of the District's changes in diversions.

Irrigation Season Report

Jason – MRGCD had a staggered start up from south to north, went well. Started diversions in Belen, first deliveries to Socorro, then Albuquerque then Cochiti. MRGCD made commitment to deliver new seed and winter crops. Some farmers decided to plant new crops to get early irrigation without perhaps really hearing the messages about water shortages later. Next year we might just deliver to zones and let ISOs work with farmers to deliver to new seed and then others who are ready. Bypassing water to zones where there's new seed created a lot of questions about procedures, fairness and equity. Colorado started irrigation and runoff hadn't kicked in with cooler temperatures so water supply was low for a bit. There were some infrastructure challenges with crossings. We should have water entering every division now that we have higher flows. Most Divisions should have first watering done by mid-May. Water supply is predicted to dwindle significantly by June.

Chris said he's been satisfied with the timing of water maybe 100 cfs and everyone in Socorro is getting water. He thinks the priority for winter crops and new seed has advantages. Socorro Division is very efficient because of being at the end of the line. Instead of trying to enforce the one acre per hour, just deliver amount needed to meet acreage demand and let irrigators figure out how to become more efficient. Jason said since last year we are doing that. We might need to put more in one ditch rather than dividing already very small quantities of water. Chris suggested running water in Cochiti and ABQ, through drain ditches so people don't divert and take it when it's being delivered to others. Irrigators need more information on irrigating with less water. How to adapt farm operations and turnout use. RGC compact debit may stem largely from northern part of the District. Chris said with 150 cfs during hot weather could water Socorro. Surjit asked whether small irrigators get more of what they want because there are many more and they complain about and to MRGCD. A large percentage of water in our state is used by alfalfa farmers what about farmers who grow vegetables who need every two weeks? Chris said its critical to have a well for dry times. Jason said we are determining appropriate share of water by acreage. It's important to teach community to adapt to irrigating with both higher and lower amounts of water. We have to train our ISOs to make wise decisions in the face of criticism and pressure from irrigators. The right decision is to take criticism and move on so they can get sufficient quantity of water to ditches to irrigate properties in a reasonable amount of time. Chris said hold firm and if people don't like the policy to call their Board member. Stephanie: The MRGCD's water policy is flexible that allows us to do shortage sharing. Be careful what you wish for we could put more strict policies into place to address inefficiencies. Jason is fielding many calls from irrigators and there are a lot of people still surprised by and who don't understand seriousness of drought and water shortages.

Other discussion

Surjit asked whether the MRGCD has an inventory of groundwater wells? MRGCD would like to know about which wells are permitted or not but that is the responsibility and is regulated by OSE. We don't get a lot of data about wells or applications for pre-1907s. Working for more open data sharing with OSE. Commercial and agricultural wells have to be permitted separately from domestic wells and used for those purposes. Domestic wells can be used for non-commercial irrigation purposes. Gabby: NRCS conservation plans will record how people are irrigating with wells or not. With soils program and conservation program we get a sense of what people, even non MRGCD irrigators. We need to develop education programs for staff and irrigators to show them how we want them to irrigate. By June RCPP and Conservation program will be up and running. She is working with the Irrigation Division on videos for ISO training and with IT to create help desks for loan program, RCPP, cover cropping, soil health. Through these portals we can track metrics and tailor communication and messaging. Casey - urban farms are low hanging fruit for water conservation and can coordinate with County greenbelt exemptions and offer assistance. If you claim and get tax exemptions for greenbelt then perhaps we need a policy that you need to meet our irrigation policy. Ray asked about water management going forward and Casey said as soon as we anticipate drying from San Acacia to San Marcial we will start to increase diversions beyond the 50%. Santiago complimented Jason

on presentation to ABCWUA and said Commissioner Quezada extended an olive branch to farmers/irrigators and offered assistance from the County.
MRGCD Lands staff is working on identifying old PCB transformers along ditches.

OCS update

Ray: Contractor has made lot of progress on NEPA and surveys for San Francisco outfall HR. BIOR has provided some feedback. On track to complete compliance Spring or summer and to do work this Fall and winter.

c. Report on the Valencia Soil and Water Conservation District Earth Day Science Fiesta, April 23, 2022 – Vice Chair Russo Baca

April 23, 2022

Valencia Soil and Water Conservation District Earth Day Science Fiesta

Location: Whitfield Wildlife Conservation Area 2424 Highway 47, Belen, NM 87002

I attended the Earth Day Science Fiesta and spoke with several Whitfield staff including Andrew Hautzinger, Johnny Chavez, Madeline Miller, and Allison Martin.

There were many people in attendance including a local farmer Kirsten Couevas who brought her KuneKune pigs to show off a heritage breed of pig. Additionally, "Meta" aka Facebook representative David Williams was there and he asked if MRGCD would be interested in a tour of the data center in Los Lunas. I have passed his information along to MRGCD staff to set up a tour.

d. Report on the Meeting with Los Chavez Irrigators – Traffic Gate Request Hunting Lateral, April 27, 2022– Vice Chair Russo Baca

April 27, 2022

Meeting with Los Chavez Irrigators - Traffic Gate Request

Location: Huning Lateral / South Los Lentos Rd, Los Lunas, NM 87031.

There were approximately 15 people in attendance including two MRGCD staff and former Director Janet Jarratt. Jason Casuga gave a brief explanation of the MRGCD gate policy as well as the both he and I answered general questions about the public comment policy. The meeting lasted from 10:00 am -10:45am. I collected emails and phone numbers of the constituents in attendance and provided that information to MRGCD staff.

e. Report on the Isleta Reach Stewardship Association / Big Hole Fire Update, April 29, 2022 – Vice Chair Russo Baca

April 29, 2022

Isleta Reach Stewardship Association / Big Hole Fire Update

Location: Whitfield Wildlife Conservation Area 2424 Highway 47, Belen, NM 87002

Dear IRSA friends,

This Friday's IRSA meeting is at Whitfield Wildlife Conservation Area:

<https://goo.gl/maps/R7IMC1h9evzq5gAt5>

The meeting includes a discussion of the compact with NMISC (Grace Haggerty) and a deep dive into the Big Hole Fire.

IRSA 4/29/22: Agenda

9am: Intros, coffee and mingling

9:15am: Grace Haggerty The Rio Grande Compact, Compact Status, what does this mean for the Isleta Reach discussion

10:00am: Big Hole Fire; fire information; post fire rehabilitation efforts, coordination of next steps

11:00am: Whitfield site visit

12:00pm lunch (bring your own lunch)

1:30pm possible field trip to Rio Grande river road crossing NW corner to view fire impact (dependent on access)

Grace Haggerty gave a good explanation of the Rio Grande compact and then Andrew Hautzinger and Whitfield Staff discussed the impact of the Big Hole Fire on Whitfield and potential remediation efforts on the site.

f. Report on the Irrigation Committee Meeting, May 3, 2022 – Vice Chair Russo Baca and Directors Duggins and Sandoval

Vice Chair Russo Baca said they talked about La Joya and making sure they had specific information about joining the MRGCD. She said they were asking the Board to approve the memorandum the Irrigation Committee would be presenting to the Board to present to La Joya. She did state that by next irrigation season the rates would be equal to the current water service charge. She said they also discussed ad valorem tax equivalency and El Vado Dam repairs that were part of the contract the Acequia Association signed in 1977. She said the alternative curtailments were confusing people, so they decided to separate the ACL and the water bank. She added it would not prohibit someone from getting a valid water right and transferring to a property under the State Engineer requirements.

Director Kelly made the **MOTION TO APPROVE ALL THE REPORTS FROM THE BOARD**. Seconded by Director Barbara Baca. The **MOTION CARRIED UNANIMOUSLY**.

With no further comments, questions, or concerns, Madam Chair Dunning adjourned the meeting at 5:51pm.

Approved to be the correct Minutes of the Board of Directors of May 9, 2022.

ATTESTED:

Pamela Fanelli, CMA, CGFM
Secretary/Treasurer

Stephanie Russo Baca
Madam Chair MRGCD Board of Directors