

**MINUTES OF THE
2,193rd REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

NOVEMBER 14, 2022 - 3:00 PM

Directors having been duly notified; Vice Chair Dunning called the regular meeting to order at 3:03 pm. The following Directors and Staff were present:

| DIRECTORS | | STAFF | |
|-----------------------------------|---------|----------------|----------------------------------|
| Stephanie Russo Baca, Madam Chair | Present | Jason Casuga | Chief Engineer/CEO |
| Karen Dunning, Vice Chair | Present | Lorna Wiggins | General Counsel |
| Barbara Baca, Director | Present | Tanya Scott | Chief Water Counsel |
| John Kelly, Director | Present | Pamela Fanelli | Secretary-Treasurer/CFO |
| Joaquin Baca, Director | Absent | Anne Marken | Water Distribution Division Mgr. |
| Glen Duggins, Director | Present | Matt Martinez | Water Operations Division Mgr. |
| Michael T. Sandoval, Director | Present | | |

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

| | | |
|-----------------------------|-------------------------------|------------------------------|
| David L. C' de Baca | Caroline Ogg, BHI | Alicia Lopez, MRGCD |
| Hannah Riseley-White, NMISC | Craig Hoover, BHI | Rhett Sanders-Spencer, MRGCD |
| Anthony Wagner | John Thompson, MRGCD Lobbyist | Doug Strech, MRGCD |
| John Fleck, Utton Center | Eric Zamora, MRGCD | Casey Ish, MRGCD |
| Matt Russell, UNM | Gabriella Coughlin, MRGCD | Angel Madera Enriquez, MRGCD |
| Page Pegram, NMISC | Casey Ish, MRGCD | Josh Hind, MRGCD |
| Rudy Perea | Sloan Washburn, MRGCD | Greg Bacon |
| Judith McSweeney, MRGCD | Gus Vandevelde | Elaine Hebard |

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

Colonel David C De Baca, a veteran, was asked to lead the Pledge of Allegiance at today's meeting.

Vice Chair Dunning stated that Chair Russo Baca although present had a bad cold wearing a mask; therefore the Vice Chair led the meeting. She declared a quorum, and the meeting was publicly noticed.

Mr. Casuga briefed the Board on the newly purchased microphones that include mute buttons to help prevent unwanted noise on the recordings.

AGENDA ITEM NO. 2 – APPROVAL OF THE AGENDA

Jason Casuga moved Item 11(b) up and also moved Item 13(g) up to right before 10(a). He also asked to add to number 11(k) the upcoming CRWUA (Colorado Rural Water Association Conference) meeting and the Family Farm Alliance Conference.

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

Vice Chair Dunning congratulated Director Barbara Baca on being newly elected as the Commissioner of Bernalillo County which makes her the second commissioner on the Board. Director Duggins being the first for Socorro County.

AGENDA ITEM NO. 3 - CONSENT AGENDA

- a. **Consideration/Approval of Payment Ratification - November 14, 2022**
- b. **Consideration/Approval of October 2022 Invoice for Wiggins, Williams & Wiggins**
- c. **Consideration/Approval of October 2022 Invoice for Law and Resource Planning Assoc.**
- d. **Consideration/Approval of the Minutes for the Regular Board Meeting - October 10, 2022**
- e. **Consideration/Approval of the Minutes for the Special Board Meeting - October 21, 2022**
- f. **Memo on MRGCD Approved Licenses for October 2022 (For Informational Purposes Only)**

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

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

David C' de Baca

Mr. C' de Baca, a resident of Corrales, stated that he had to transfer his rights from surface water to groundwater back in 2020 due to the lateral that came to his property to maintain the irrigation ditch, but still has to pay the service charge for service. He asked if there was anything the board could do to change the language of the rules or procedures to where he did not have to pay the service fee. He also suggested a veteran exemption for those who reside in the MRGCD's jurisdiction.

Jason Casuga stated he was not up to speed with Mr. C' de Baca's situation but would gather his contact information and speak with him directly.

Rudy Perea

Mr. Perea representing Corrales Orchards and wanted to know what changes the Board would make to get more water next season, stating this season was not enough. He also asked if they were going to install more pumps or finish the siphon.

Director Dunning thanked him for his comments and informed him there would be an update on the Corrales Siphon later in the meeting.

Elaine Hebard

In an email sent to the Chair Ms. Hebard was not able to provide public comment on line and wrote the following:

Dear Directors,

My name is Elaine Hebard, and I am a resident within the benefitted area within Bernalillo County.

In September, there was a lengthy discussion under Item 11 d. Report on the Local Election Act (LEA) Meeting. It sounded as if there was a lot of work simply to merge the voting information, without making any other changes, in order to comply with the current LEA and hold the next

election next November.

While that presumably will be the topic for Items 11 b and 13 f today, I would like to address potential 2023 legislation to change MRGCD voting boundaries and the definition of a "qualified voter" (which I also raised at the February 14 and September 12 Board meetings).

My concern is that the legislative session starts up in two months and there may be suggested changes, again, to the MRGCD voting boundaries and voters. Rather than wait to react to such legislation, why not hold a virtual clinic, explain the issues and ask for input? In that way, the legislature will be able to see that the MRGCD Board is addressing issues raised in the past.

If no changes are made to the LEA before next April, using the celebration of 100 years of MRGCD's history would be a great opportunity for any changes to be fully explored -- with the goal of finalizing any changes in time for the 2024 legislature and election.

I also want to mention the One Water concept again. Brought up at the MRCOG Water Resource Board July and October meetings, there will be a more robust discussion at the January 4 meeting. Given the current Compact deficit, another La Niña year predicted, the 40% reduction in SJC water this year and a request that the region cut its overall SJC use by 30%, working together with the other water providers is essential. One idea to implement such reductions would be to have a One Water Budget, showing how the water is being consumed and thus where there might be reductions available -- taking into consideration water rights, of course!

Finally, a shout out regarding the Irrigation Update. Lots of necessary information in two pages. Thank you!

AGENDA ITEM NO. 5 - NM INTERSTATE STREAM COMMISSION INTRODUCTION & UPDATES - Hannah Riseley-White, Deputy Director & Page Pegram, Rio Grande Basin Bureau Chief

Ms. Riseley-White stated the Interstate Stream Commission was tasked with supporting New Mexico's Compliance with their interstate compacts to support retaining water in New Mexico as much as possible for New Mexico users. She congratulated MRGCD on their recent title transfer and thanked them for their efforts in supporting Compact deliveries. Ms. Riseley White discussed some good news, which included the good monsoon season, an agreement reached between the three compact states on credit water agreement which resulted in a credit to New Mexico of 32,500 acre-feet due to inappropriately released water from Elephant Butte in 2011, the working relationships within the basin, especially the work around the Low Flow Conveyance Channel, and the funding available heading into the next legislative session.

However, Ms. Riseley-White stated there was some bad news, including that they were still 100,000 acre-feet in debt and would have limitations in upstream storage pertaining to Article VII restrictions, and work on their 50-year water plan which is showing that they would have 25% less water in their rivers by 2070. She stated a lot more was needed from a Compact perspective in order to protect New Mexicans, which included a real need to engage with New Mexico's vital agricultural communities. She stated it was critical that they worked well with them and others and that they understand the challenges they face. She added that they would like to engage in continued conversation with MRGCD and would be listening to the meetings as much as possible.

Vice Chair Dunning asked if there would be anymore releases of acre-feet similar to 2011. Ms. Riseley-White gave kudos to Page Pegram for the agreement. Ms. Pegram stated that it was a onetime deal.

Chair Russo Baca asked if they could present on the governor's report on the 50-year water plan at some point. Ms. Riseley-White confirmed that they would, adding that they were still currently still in conversation about it, but could present on what was available.

Director Kelly stated the 32,500 acre-foot credit was good but would have rather seen that in wet water and asked if there was any opportunity for that credit to turn into wet water for use next summer. Ms. Riseley-White stated that was not possible under the agreement.

Director Kelly also stated that two years ago, they were asked to shut irrigation season down early and start late, but the same request was not made of many of the other big water users up and down the Rio Grande. He stated they felt singled out as the easiest ones to go after due to their water surface rights tied to the river. Ms. Riseley-White stated it was going to take effort on everyone's part and would be really good to have conversations now about how to plan and prepare for the climate projections. She stated she heard his concern, and it was a valid one.

AGENDA ITEM NO. 6 - CONSIDERATION/APPROVAL FOR THE SELECTION OF THE MRGCD CONSULTANT & LOBBYIST - Richard DeLoia, Chief Procurement Officer

Mr. DeLoia stated that requests for proposals were advertised on October 5 and 7, three bid packets were issued to qualified firms, and one RFP was received by the deadline on October 20th. He stated it was awarded to John Thompson for a one year contract with an option of three additional years.

Director Kelly made the **MOTION TO SUPPORT THE STAFF RECOMMENDATION FOR LOBBYIST SERVICES**. Seconded by Director Barbara Baca. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 7 - REPORT(S) FROM THE HUMAN RESOURCES DEPARTMENT

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

Christine Nardi shared the names of our newest employees and introduced them if they were in the audience, as well as to advise the Board of some well-deserved promotions.

Albuquerque Division

| | | | |
|---------|----------------|------------------------------|----------------------|
| SEVERO | MARTINEZ | FIELD MAINTENANCE TECHNICIAN | 10/17/2022 |
| ANTHONY | CASTILLO | FIELD MAINTENANCE TECHNICIAN | 10/31/2022 |
| CRUZ | DIAZ | FIELD MAINTENANCE TECHNICIAN | 10/31/2022 |
| JARED | CHILIMIDOS JR. | FIELD MAINTENANCE TECHNICIAN | 10/31/2022 |
| CYERRAH | CHAVEZ | DIVISION CLERK II | 10/31/2022 |
| JOSE | CARO | MEDIUM EQUIPMENT OPERATOR | 10/17/2022 PROMOTION |
| RUEBEN | GUTIERREZ | MEDIUM EQUIPMENT OPERATOR | 10/17/2022 PROMOTION |
| WILLIAM | GARCIA | LIGHT EQUIPMENT OPERATOR | 10/17/2022 PROMOTION |

General Office

| | | | |
|---------|-----------------|-----------------------------|------------|
| ANGEL | MADERA ENRIQUEZ | ENGINEERING INTERN | 10/24/2022 |
| ANTHONY | VALADEZ | IRRIGATION SYSTEMS OPERATOR | 11/14/2022 |

Cochiti Division

| | | | |
|--------|---------------|---------------------|------------|
| DILLON | DOBBINS AZURE | HEAVY DUTY MECHANIC | 11/07/2022 |
|--------|---------------|---------------------|------------|

She also mentioned that Severo Martinez and Jarrod Chilimidos Jr., have family members that either worked here or are currently working here, so it's in the family, and Ruben Gutierrez, his father retired from the District, she felt MRGCD's clearly a great place to work.

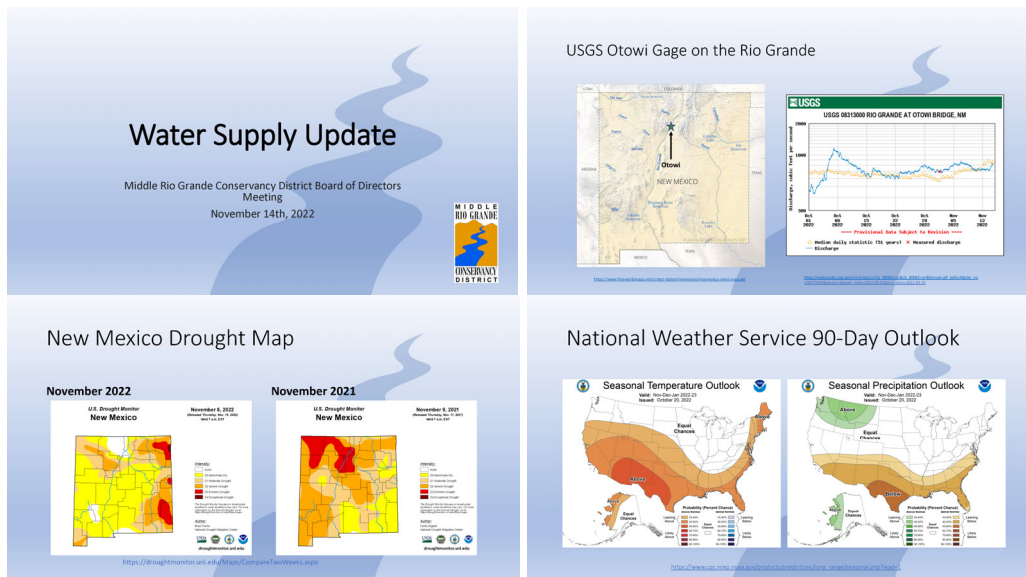
She stated the vacancy rate was at 9%. She thanked the Board for the new proposed pay plan that had a huge impact in hires.

AGENDA ITEM NO. 8 - UPDATE ON THE 2022 IRRIGATION SEASON

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

Anne Marken stated there was about 800 cubic feet per second at Otowi Gauge above Cochiti Reservoir and steadily climbing storage in Elephant Butte. She said there was currently 18,600 acre-feet of prior and paramount water in Abiquiu and releases of storage of that water to Elephant Butte that would begin November 15th. Ms. Marken added that MRGCD received several late season San Juan Chama allocations, ending the year with 2,500 acre-feet left.

Ms. Marken stated that most of the Rio Grande was either abnormally dry or better, so they would be starting off winter under better drought conditions than last year. She said the 90-day forecast showed above average chances for above average temperatures and below average precipitation through January. She did say even though it was too early to celebrate snowpack conditions, there was 2.7 inches of snow water equivalent in higher elevations.



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

Mr. Martinez stated the non-pueblo irrigation season ended on October 31st and water deliveries to pueblos would continue until November 15th. He stated that water use had been low over the past month and diversions were set to provide carriage water for efficient late season irrigation. He said ISOs were transitioning to offseason work which would include several projects and routine maintenance of irrigation facilities. He announced that they did a pilot project to document water deliveries by mobile phone application with the hope to replace paper planners and logbooks. Mr. Martinez thanked the active monsoon season and hoped it would continue by bringing a healthy snowpack in the winter and active rain season in the summer.

Director Kelly asked what the Board and Jason (Casuga) could do to help him do his job better next year. Mr. Martinez stated one of a few, they could do is help fill vacant positions as quickly as possible.

AGENDA ITEM NO. 9 - REPORT(S) FROM THE DEPARTMENT OF INTERIOR

- a. Bureau of Reclamation - Jennifer Faler, Area Manager
- b. Bureau of Indian Affairs - Sandra Lucero, BIA/SWRO/Water Resources

Neither Ms. Faler nor Ms. Lucero were in attendance.

AGENDA ITEM NO. 10 - REPORT(S) FROM THE SECRETARY-TREASURER/CFO - Pamela Fanelli, CMA, CGFM

- a. **Consideration/Approval of Resolution M-11-14-22-196 for Loan Agreement for the Water Trust Board Project No. 5675-WPF; Water Storage, Conveyance and Delivery Project; Socorro Division Conveyance - Pam Fanelli, CFO**

Ms. Fanelli stated this is the loan agreement for the Water Trust Board grant/loan for the Socorro Main Canal concrete lining project. Further explaining the grant portion was \$6,439,500, the loan portion was \$715,500, and the District match portion was \$1,073,250. She said the packet to sign would approve the loan portion of the concrete lining project.

Director Duggins made the **MOTION TO APPROVE THE RESOLUTION M-11-14-22-196 FOR LOAN AGREEMENT AND FOR WATER TRUST BOARD PROJECT NO. 5675-WPF**. Seconded by Chair Russo Baca. The **MOTION CARRIED UNANIMOUSLY**.

Director Kelly stated that the Finance Committee discussed several issues, including the Corrales Siphon Project where they would run the electrical feed. He said they needed to move some things around in the budget but had a good plan for that. He stated they had some new mowers coming. He said they also discussed the five year project schedule and the demand for rehab and renovation projects. Director Kelly said they took a look at the vacation schedule going into next year and decided there would not be a COVID day for people to get vaccinated, considering all that have wanted it had already received it. He said they were looking at flexibility in taking off certain holidays but there would be no increase in paid time off. Jason Casuga added they would be bringing the full holiday schedule to the board next month.

AGENDA ITEM NO. 11 - REPORT(S) FROM THE CHIEF ENGINEER - Jason M. Casuga, PE

- a. **Report on the Belen Highline Alternative Analysis, Eric Zamora, COO and Craig Hoover, Bohannon Huston, Inc.**

Mr. Zamora stated they had contracted with Bohannon Huston, Inc. to undertake the Belen Highline alternative study to protect against storm water flows, improve irrigation efficiency, and provide more flexibility within the system.

Craig Hoover from Bohannon Huston affirmed the project would be located in the Belen area and what they would be trying to accomplish with the study. He stated the project would be considering five tasks. He said they had an alternative workshop where MRGCD staff, Bohannon Huston staff, and Lopez Precision were present to brainstorm ideas of how to best configure the system, where they evaluated the configuration and came up with a scoring

matrix. Mr. Hoover stated Configuration B was the one they would be recommending based on the evaluation. He said they looked at reducing risk, flexibility of the operations, cost, ease of maintenance, how much right of way would be acquired, and ease of design and construction.

Caroline Ogg from Bohannon Huston also added that they assigned a weight to each factor on a 0 to 5 point rating scale and Configuration B scored the highest. She stated they were proposing to divert the majority of the flow out of the Belen Highline Main Canal and upsize the Garcia Acequia south of feeder number three. She said it scored well on operational flexibility, risk reduction, and the lowest probable construction cost, but there would be significant right of way acquisition required and complexity with the design and construction.

Vice Chair Dunning asked if this option is selected and it requires obtaining right of way, does the District have the power of eminent domain to which Ms. Wiggins replied yes they do.

Director Kelly asked if the pressure pipe system would be parallel to the freeway or gravity driven. Ms. Ogg confirmed it would be entirely gravity driven. Jason Casuga added that it would be open channel flow and not in a pipe.

Belen Highline Main Canal Alternatives Study


Presentation to the MRGCD Board
November 14, 2022

Craig Hoover, P.E.
Caroline Ogg, P.E.

Bohannon & Huston

Project Purpose

- Evaluate ways to:
 - Reduce the risk of damage to MRGCD Infrastructure
 - Help ensure consistent and predictable delivery of irrigation water
 - Provide flexible water operations



Bohannon & Huston


Project Approach

- Identify Water Demand
- Assess Existing Infrastructure
- Create Proposed System Configurations
- Evaluate Configurations
- Recommend Configuration

Bohannon & Huston

Configurations

- Six Configurations were developed and evaluated
 - Status Quo – leave as-is
 - A-E – proposed rerouting
- Configuration B was recommended



Bohannon & Huston

Evaluation Criteria

- Risk Reduction
- Operational Flexibility
- Engineer's Opinion of Probable Cost
- Ease of Maintenance
- ROW Acquisition
- Ease of Design/Construction

Bohannon & Huston

Criteria Weighting & Scale

| Criteria | Weight | Rating Scale | |
|-------------------------------------|--------|------------------------|--------------------|
| | | 0 (minimum) | 5 (maximum) |
| Risk Reduction | 25% | None | Major |
| Operational Flexibility | 24% | Minimal | Efficient |
| Engineer's Opinion of Probable Cost | 18% | Expensive | Economic |
| Ease of Maintenance | 15% | Non-Standard Practices | Standard Practices |
| ROW Acquisition | 9% | Significant | None |
| Ease of Design/Construction | 9% | Difficult | Efficient |


Bohannon & Huston

Evaluation Results

| Configuration | Description | Total Weighted Score (out of 5) |
|---------------|--|---------------------------------|
| Status Quo | No Improvements | 1.09 |
| A | Dump Road Lateral, Garcia Acequia | 2.79 |
| B | New Belen Wasteway, Garcia Acequia | 3.77 |
| C | Dump Road Lateral, I-25 Lateral | 2.37 |
| D | New Belen Wasteway, Garcia Acequia, I-25 Lateral | 3.10 |
| E | New Belen Wasteway, Lower Arroyos Acequia | 3.22 |

Bohannon & Huston

Highest: Configuration B – Score 3.77



Description

- Divert majority of flow from BHLMC at NBW
- Upsized Garcia Acequia becomes main conveyance south to Feeder No. 3

Pros

- Efficient Operational Flexibility
- Major Risk Reduction
- Lowest Cost (\$2.2m const. cost)
- Requires Standard Maintenance

Cons

- Significant ROW Acquisition
- Somewhat Difficult Design/Construction

Bohannon & Huston

b. Report on the Local Election Act (LEA) Meeting with Maggie Toulouse Oliver, NM Secretary of State, October 12, 2022 - Jason M. Casuga, CE/CEO, Doug Strech, Systems & Data Integration Manager and Directors Joaquin Baca and Barbara Baca

Mr. Casuga first discussed that the Local Election Act was passed in 2018 to help unify New Mexico elections into a single election day, but special districts, such as MRGCD, were given time to delay the implementation and that implementation was up in July 2022. He stated that now MRGCD would no longer administer their elections, the election date would be moved to November, and MRGCD would be responsible for delivering a qualified elector's list no later than 180 days prior to the election and keep it updated every 30 days up to 90 days prior to the election day. However, he said the definition of qualified electors would remain the same, which are only those persons who have reached the age of majority and for at least six months prior to the election have owned during the entire six month period, real property situated within the district that is subject to Conservancy District appraisals, assessments, levees, and taxes. He stated that the District's qualified elector is still a landowner qualified elector's list and not a registered voter's list.

Mr. Casuga stated they had met with the Secretary of State's office twice and discussed concerns with the complexity and details of merging MRGCD's elections with the Local Election Act. He said that after reviewing MRGCD's concerns, the Secretary of State communicated that it was impossible to have combined database of both registered voters and MRGCD qualified electors by landowner and stated they would need more time to fully implement all elements as it would pertain to MRGCD. He said she also proposed her office would seek development of legislation for the 2023 session for an extension as it would pertain to MRGCD until 2025, delaying full implementation. However, Jason (Casuga) stated they did not quite know what "full" meant as of yet. He recommended the Board to consider and then direct staff to work with the Secretary of State's Office in this development to extend the implementation period.

Director Duggins asked about discussing whether limited liability companies should be able to vote. Vice Chair Dunning added that would fall under MRGCD Rule 20, not the Local Election Act, and that they as a Board should be able to change that without going to the legislature. Lorna Wiggins, Chief Counsel, affirmed that yes, it was under MRGCD Rule 20, but that rule also stated it had to be in accordance with the law.

Director Barbara Baca added the issues were unforeseen complexities when the Local Election Act was passed in 2018, which was why they were given time to work it out. She said they needed to work together with the District, Secretary of State, and the county clerks to move it forward. She added that in November 2023 they were probably looking at consolidated polling places but not a consolidated ballot due to the databases.

Chair Russo Baca added that she agreed they needed to work with the Secretary of State's Office but also needed to clean up Rule 20 in conjunction. Director Duggins also added that changing the date was shrinking the farmer's vote since it would now be in the middle of harvest season.

Director Kelly asked if the District would go with their own election coordinator as done in the past for an election in November 2023 and wondered if that work hasn't dried up with the Local Election Act and are those firms even still in business to conduct an election on behalf of the MRGCD. Jason Casuga didn't know what the outcome of the legislation itself would become of the election. Ms. Wiggins stated that it's not the MRGCDs responsibility to run this election the way the law

currently stands. She also said that extension is based on what the Secretary of State indicated was reasonable. Ms. Wiggins shared his varied questions, but we have been told numerous times that it is simply impossible at this point with the technology to combine who we consider a qualified elector into the Secretary of State's system. Jason Casuga ended with he thinks it will be worthwhile to seek the extension and to have he and his team work with the Secretary of State's Office.

c. Consideration/Approval of Corrales Siphon PNM 3 Phase Electrical Services Contract - Alicia Lopez, Engineering & Mapping Supervisor and Jason M. Casuga, CE/CEO

Alicia Lopez discussed the next steps in improving their pump setup at the Corrales Siphon. She stated they received a contract from PNM in the amount of \$473,652.05. She said the contract was for PNM to extend three-phase power to the site with the possibility of putting two 20 CFS pumps where the diesel pumps were located this year. Ms. Lopez said it was anticipated date to be done by March 2023 to be ready for the coming irrigation season. She noted that they explored alternative alignments and came up with 7,300 feet of a residential area, and they would put the transformer near the parking lot on the north side.

Jason Casuga noted that the contract was not a one year thing. He stated that MRGCD put in a Water Trust Board application and heard that it was approved and moving onto the legislative process with hopes of getting that funding. He said he expected the pumping operation by electricity to continue for two more years due to it being very specialized work. He also said that they do not have priority system to prioritize crops, so the number of times and frequency of irrigations was dependent on the amount of water they had coming from the Rio Grande.

Director Dunning asked if it would be cheaper to use electricity. Ms. Lopez said the main benefit is having the electricity there to use in multiple years. The more years we need this, that's when the price becomes more beneficial to go the electric route. Just the cost of the diesel, and then again, the staff time and hardship to run the pumps is where the electric provides the most benefit.

Director Duggins added that he runs irrigation wells and electric was less than half what it cost with diesel. He also asked if other people took advantage of the power line, would some of the money come back to the MRGCD. He stated that it should be easier next season since they would not have the delay of diesel pump maintenance. Mr. Casuga stated he did not believe they would get reimbursed for the power line, but affirmed, yes, they expect the pumps to be significantly easier to run next season.

Director Duggins asked why not leave the pumps there. Director Kelly explained that it was not an engineering issue, but a parity issue. When the siphon was working, the water was coming off the river at Angostura Diversion Dam 20 miles upstream and comes under the Sandia Pueblo. He said in a very dry year, the river would be wet down to Angostura and if they were depending on pumps at that location that would not be good for Corrales.

Director Kelly made the **MOTION TO APPROVE THE CORRALES SIPHON PNM CONTRACT**. Seconded by Director Sandoval. The **MOTION CARRIED UNANIMOUSLY**.

d. Consideration/Approval of MOU between MRGCD and Valencia County for participation in the USDA-NRCS Watershed Operations Program - Jason M. Casuga, CE/CEO

Jason Casuga reminded the board that MRGCD pursued a USDA grant under PL-566 project, a watershed study, to help plan, design, and construct arroyo flood control infrastructure. He stated that MRGCD was doing it as part of a settlement agreement and trying to advance it into the region. He said going forward, the USDA would need to see that every agency involved had the legal ability to participate and maintain the works that gets constructed. He said anything pertaining to irrigation, the MRGCD would do, but they needed to have partners that could take on the arroyo flood control infrastructure. Mr. Casuga stated that the MOU was needed to show an agreement between the MRGCD and Valencia County to bring them in. He mentioned that Valencia County would be taking it up at their commission meeting on the 16th and it would be helpful to have this to show the board supports their involvement.

Chair Russo Baca made the **MOTION TO APPROVE THE MOU BETWEEN MRGCD AND VALENCIA COUNTY FOR PARTICIPATION IN THE USDA-NRCS WATERSHED OPERATIONS PROGRAM**. Seconded by Director Barbara Baca. The **MOTION CARRIED UNANIMOUSLY**.

- e. **Report on the 3rd Annual National Latino Farmers & Ranchers Congreso, October 27-30, 2022 - Eric Zamora, COO, Gabriella Coughlin, Agronomist/Agroecologist, Chair Russo Baca, Director Joaquin Baca and Director Barbara Baca**

Eric Zamora stated it was his first experience with the National Latino Farmers & Ranchers Association and was hoping for more discussion farming and ranch issues. He said his key takeaway was the good attendance by the USDA and much discussion on how to open up USDA programs to minority farmers and ranchers. He stated he was able to meet several USDA officials to discuss issues and was told they were looking to improve their services, coordination, and responsiveness to local agencies and individuals.

Chair Russo Baca recognized one of the speakers, Anthony Wagner, who talked about conservation projects and the farm bill. She stated the farm bill would be coming up in 2023 and they needed to keep their eye on it. She enjoyed the day where local school children came in and were able to learn about some of the issues.

Gabriella Coughlin stated one of the benefits of the National Latino Farm & Ranch Association Conference held in Albuquerque, especially at the Isleta Casino, was getting to stare out at the beautiful bosque and Rio Grande. She discussed a teacher from Polk Middle School who brought students to the conference, stating the school had access to a ditch and received USDA funding to be able to create a farm agricultural program to use their ditch and show the long lineage and tradition of flood irrigation in the valley. She said they were looking at ways to deliver water access information to many schools as an opportunity to have more conversations with the Water Authority on how groundwater is used for agriculture.

Director Dunning noted that Director Sandoval had to leave at this time due to the pueblo curfew.

- f. **Report on the NM Watershed & Dam Owners Coalition 2022 Fall Conference, October 12-14, 2022 - Jason M. Casuga, CE/CEO, Alicia Lopez, Engineering & Mapping Manager, and Chair Russo Baca**

Mr. Casuga stated it was a bittersweet conference because he found out one of their partners, AMAFCA, stole one of their engineers. He said one of the most interesting presentations was on the fire analysis and the overall effect it could have on Bernalillo County as a whole. He noted he was having similar conversations with Bureau of Reclamation, and

others related to the San Juan Chama project basin. He said any significant fire in the San Juan Chama basin would wipe out their ability to receive their yield annually for the project. He was nominated and approved to be added to the New Mexico Dam Owners Steering Committee. He'll now be joining Jerry Lovato (AMAFCA), Chuck Easterling (STANTEC), Zack Libbin (EBID), Andrés Sanchez (SSCAFCA), and a few others.

Chair Russo Baca said the best part was the field trip that they went to the El Cerro Open Space in Los Lunas off Highway 6. She said it was interesting to see how they have prevented huge erosion issues over many years.

g. Report on the 67th Annual NM Water Conference, Las Cruces, October 26-27, 2022 - Jason M. Casuga, CE/CEO, Casey Ish, Water Resources Specialist and Chair Russo Baca

Mr. Casuga said they faced many of the same challenges they do from a stormwater standpoint, but they had found a partnership between many of the municipalities, the irrigation district, and the Flood Control Commission which helped them be able to operate a little bit better; however, MRGCD does not have that type of flood entity to take the lead. He noted that south of Elephant Butte, they're having discussions about having the arroyo flood events come and spread out onto private property and not necessarily make it back to the river, but north of Elephant Butte, they want water in the channel or arroyo and want it to hit the river due to the Compact.

Chair Russo Baca stated it was a very interesting conference and Jason (Casuga) did great on his presentation. She noted it was a free Zoom conference, so the presentation should possibly be available to watch online.

h. Report on the Six Middle Rio Grande Pueblos Coalition Meeting, November 3, 2022 - Jason M. Casuga, CE/CEO

Mr. Casuga said they were in the process of identifying the list for offseason work. He said there was much energy around vegetation maintenance as they got into monsoon season that he reported to the Coalition. He said he assured them that MRGCD had an operator for any operational piece of equipment and was doing its best to keep up. Mr. Casuga said they discussed the current state of where they were with negotiations with BIA. He said his plan was to present it because it was a major financial issue to the Finance Committee but would take Board direction on if they wanted to establish a BIA negotiating committee for him to report to. He also updated the coalition on the Local Elections Act and the coordination with the Secretary of State's Office and vowed to keep them updated.

i. Report on the Rio Grande Agricultural Land Trust 25th Anniversary Celebration and Annual Fundraiser, November 5, 2022 - Jason M. Casuga, CE/CEO, Chair Russo Baca and Directors Barbara Baca and Duggins

Mr. Casuga thanked Director Duggins for hosting and appreciated the opportunity to get to bring his family and show them what he does. He said MRGCD's investment in the program was worthwhile and believed there was more partnering they could do with RGALT to make sure people understood MRGCD is invested.

Director Duggins stated it was his pleasure to host and was nice to see some of the members, staff and others in a different setting. Ms. Wiggins complimented Director Duggins fans.

Chair Russo Baca stated she had a great time, and her son and husband also enjoyed the event. She said RGALT was a great organization and was nice to have a silent auction.

Director Barbara Baca thanked Director Duggins for hosting the event. She complimented his barn. She felt the Rio Grande Agricultural Land Trust was a phenomenal operation and good to see the video and see people working together for the right thing.

j. Discussion for Future Informational Meetings - Jason M. Casuga, CE/CEO

Mr. Casuga said they would hopefully be presenting on some dates to have some of the same farmers meetings they had last year to continue informing people on the new way of moving water around and how that scales when we have lots of water and when it scales down to when we have a little bit of water. He felt it would be a good opportunity to talk about the Local Election Act as well, to engage the community.

k. Upcoming Events

- 1. Middle Rio Grande Flood Control Association Annual Breakfast, December 13, 2022**
- 2. 2023 Environmental Water Leasing and Fallowing Program**

Jason Casuga wanted to let the board know they did present the following program again to the Irrigation Committee with slight modifications to provide more flexibility to farmers who wanted to participate. He said they were going to offer a shortened season for fall irrigators.

- 3. Land and Water Summit: Community, Collaboration and Climate Change, March 2-3, 2023**
- 4. CRWUA, Colorado River Water Users Association, December 14-16, 2023**

Mr. Casuga stated he was highly encouraged to attend the CRWUA this year with some of the ongoing Colorado River issues. He said he would be attending on December 14th and 15th, and that Casey would be staying until the 16th. He said it was recommended to him as a good place to start learning what was going on.

5. Family Farm Alliance Conference

Mr. Casuga stated that MRGCD had attended in the past and thought it was important to go again for him to learn and engage in some of the broader water issues.

AGENDA ITEM NO. 12 - REPORT(S) FROM THE MRGCD Attorney(s) - Chief Water Counsel or General Counsel

Tanya Scott presented on behalf of Chuck DuMars who's out of town. She said the only thing on his radar at the moment was Ohkay Owingeh to store some of their water in El Vado to see what they propose.

Ms. Wiggins said she didn't have anything to report at this time.

AGENDA ITEM NO. 13 - REPORT(S) FROM THE BOARD**a. Report on the Mid-Region Counsel of Governments Water Resources Board Meeting, October 5, 2022 - Director Barbara Baca**

Director Barbara Baca didn't have anything to report other than she's now the alternate on this committee. Director Joaquin Baca is our representative on that subcommittee of COG, and when he doesn't attend, she will.

b. Report on Meeting with Joseph Fickett, Babbitt Center, Perspectives on Ag Water Resilience, October 11, 2022 - Chair Russo Baca

Chair Russo Baca stated it was a call that Anne Marken also participated in. She said they were asking about some of the biggest water supply issues, and she explained to them that certain irrigators that receive MRGCD water cannot use San Juan Chama water because they're not part of the District. She said they wanted to interview farmers in the valley, so she gave them a list of names, including Director Duggins.

c. Report on NM Desalination Association, New Water for New Mexico, October 20, 2022 - Chair Russo Baca

Chair Russo Baca stated they had large pockets of groundwater that was high in saline, so they discussed how to maybe desalinate the water and the technologies to do that to access more water. She said the technology was there, but at a cost, whereas right now their water does not cost anything. It's the delivery or the electricity to get the water.

d. Report on the Conservation Advisory Committee Meeting, October 24, 2022 - Chair Russo Baca

Chair Russo Baca said they discussed the river conditions and the leasing program update. She said they would be offering an early open enrollment where they would receive an extra \$50/acre. The first 100 full season applicants to enroll 5 or more acres will also receive a lump sum bonus of \$500 to their contract. She said they would also be offering a partial season option for those interested in just doing a fall crop. She also noted that anyone that has a pre-1907 water right and wanted to enroll would have to prove that up with the State Engineer's Office. The program acreage cap remains the same of 3,200 acres. Chair Russo Baca said they were looking at maybe a 20% match for on-farm efficiencies to ensure an irrigator invested some of their own money.

e. Report on the Irrigation Committee Meeting, November 2, 2022 - Chair Russo Baca, Director Sandoval and Director Duggins

Chair Russo Baca reported that this report was similar to the conservation advisory committee meeting regarding the leasing program.

f. Report on the Legislative Committee Meeting, November 2, 2022 - Director Barbara Baca, Chair Russo Baca and Director Joaquin Baca

Barbara Baca stated the Mr. Casuga's LEA report summarized where they were in the Legislative Committee, that they would be the group working on the Local Elections Act with the Secretary of State.

**g. Report on the Finance & Personnel Committee Meetings, November 14, 2022 -
Directors Kelly, Dunning and Barbara Baca**

See the report discussed earlier in the meeting.

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

With no further comments, questions, or concerns, Madam Chair Russo Baca adjourned the meeting at 5:28 pm.

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

ATTESTED:

Pamela Fanelli, CMA, CGFM
Secretary/Treasurer

Stephanie Russo Baca, Madam Chair
MRGCD Board of Directors