

**MINUTES OF THE
2,196th REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

FEBRUARY 13, 2023 - 3:30 PM

Directors having been duly notified; Madam Chair Russo Baca called the regular meeting to order at 3:50 pm. The following Directors and Staff were present:

DIRECTORS

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

STAFF

Jason Casuga	Chief Engineer/CEO
Lorna Wiggins	General Counsel
Dr. Charles DuMars	Chief Water Counsel
Pamela Fanelli	Secretary-Treasurer/CFO
Eric Zamora	Chief Operating Officer
Anne Marken	Water Operations Div. Mgr.
Matt Martinez	Water Distribution Div. Mgr.

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

Jennifer Faler, USBOR	Harold Medina, APD	Haley Ormsbee
John Thompson, MRGCD Lobbyist	Mike Smathers	
Casey Ish, MRGCD	Mike Meisinger	
Richard DeLoia, MRGCD	Steven Kinberger, MRGCD	
Alicia Lopez, MRGCD	AJ Bowers, CRI	

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

Dr. DuMars led the Pledge of Allegiance at today's meeting.

Madam Chair Russo Baca declared a quorum, and the meeting was publicly noticed. This meeting was a hybrid meeting.

AGENDA ITEM NO. 2 – APPROVAL OF THE AGENDA

Madam Chair Russo Baca changed 13(a) to read the Irrigation Committee met on February 6th and not January 18th. Jason Casuga added the NWRA Annual Conference to upcoming events.

Director Kelly made the **MOTION TO APPROVE THE AGENDA AS REVISED**.
Seconded by Vice Chair Dunning. The **MOTION CARRIED**.

AGENDA ITEM NO. 3 - CONSENT AGENDA

Madam Chair Russo Baca needed to make an edit Item 3(e) and asked to remove it from the consent agenda.

- a. **Consideration/Approval of Payment Ratification - February 13, 2023**
- b. **Consideration/Approval of January 2023 Invoice for Wiggins, Williams & Wiggins**
- c. **Consideration/Approval of January 2023 Invoice for Law and Resource Planning Assoc.**
- d. **Consideration/Approval of the Minutes for the Regular Board Meeting - January 09, 2023**

- e. **Consideration/Approval of the Minutes for the Special Board Meeting - February 8, 2023**
- f. **Memo on MRGCD Approved Licenses for January 2023 (For Informational Purposes Only)**

Vice Chair Dunning made the **MOTION TO REMOVE ITEM 3(e) FROM THE CONSENT AGENDA**. Seconded by Director Barbara Baba. The **MOTION CARRIED**.

Madam Chair Russo Baca stated Items 3(a) through (d) and (f) should be approved.

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

Madam Chair Russo Baca stated Director Dunning also had an edit where item 3e line 83 should say before it's finalized, vote, and signed by the governor.

Vice Chair asked that line 77 be revised to say should it pass the Rules Committee, it would advance to the Senate Judiciary Committee.

Madam Chair Russo Baca made the **MOTION TO ACCEPT THOSE CHANGES**. Seconded by Vice Chair Dunning. The **MOTION CARRIED**.

AGENDA ITEM NO. 4 - PRESENTATION ON ALBUQUERQUE POLICE DEPARTMENT'S OPEN SPACE LAW ENFORCEMENT PLAN - Chief of Police Harold Medina





Albuquerque's Police Chief, Harold Medina, gave a presentation on the Open Space Law Enforcement Plan. He stated that he spoke with Mr. Casuga and explained what they would be doing going forward regarding a plan where officers will always be available. He stated there were Public Service Aides (PSAs) assigned to specific areas, although they did not have arrest authority but had given many citations.

Deputy Chief Mike Smathers stated he was over the Special Operations Bureau that would cover the functions of the Open Space law enforcement plan. He said they now had five dedicated police service aids with the functions of public service, patrolling parking lots, providing customer service issues, assisting people, and the eyes and ears for sworn law enforcement officer issues. He stated the PSAs had trained with the Open Space personnel and would continue to help them build their skillset. Deputy Smathers stated they would be working on a uniform change so they could be more distinctly identified. He said they had a search and rescue collateral function as a result of the changes, with a total of eight people, and the goal of 12 people in the future. Deputy Smathers added that they were working with Parks and Rec to create an Open Space Ranger, which would be a sworn law enforcement officer dedicated solely to Open Space.

Deputy Commander Meisinger stated that it came down to the efficiency of service. He said the call volume for people calling in for emergency services in the Open Space areas were pretty low, and a large portion of time Open Space officers were spending time proactively finding the issues. He said the PSAs would now be the ones going out and talking to the communities and searching for things so that when the PSAs did come across criminal activity, they would be able to call the appropriate individuals.

Director Joaquin Baca asked if someone spotted something would there be a different procedure for contacting PSAs and how could people help them do their jobs. Chief Medina

replied that people would be able to contact them through dispatch and were ready to make any changes they needed to provide services and keep individuals from living in the bosque and potentially causing fires.

<h2>PROTECTING OPEN SPACES</h2>	<h2>OPEN SPACE PATROL</h2> <ul style="list-style-type: none"> • APD has dedicated 5 PSA's to patrol open spaces and is providing them with specialized training
 <h2>POLICE</h2> <p>City of ALBUQUERQUE</p> <h3>SEARCH AND RESCUE COLLATERAL</h3> <ul style="list-style-type: none"> • The prior Open Space Officers are now a new Problem Response Team (PRT) based in the southeast part of the city. • The officers are retained as collateral search and rescue. • Additional officers are now added to the collateral search and rescue program. 	 <h2>POLICE</h2> <p>City of ALBUQUERQUE</p> <h3>CITY PARTNERSHIPS</h3> <ul style="list-style-type: none"> • APD is utilizing existing partnerships with City departments to provide the best service possible to open space areas <ul style="list-style-type: none"> • Community Safety Department • Solid Waste • Albuquerque Fire Rescue • APD PRT and Search and Rescue collateral officers
 <h2>POLICE</h2> <p>City of ALBUQUERQUE</p> <h3>LONG TERM SOLUTIONS</h3> <ul style="list-style-type: none"> • The current model may provide an improved solution to securing open spaces. • The APD is exploring an Open Space Bureau within APD that is staffed with Rangers dedicated to a career long mission. 	 <h2>POLICE</h2> <p>City of ALBUQUERQUE</p>

Vice Chair Dunning commended them for recognizing the difference between someone who wants to patrol Open Space and someone who wants to be a beat cop.

Madam Chair Russo Baca asked if they could have a meeting with the Valencia County law enforcement after everything is finalized to see if it was something they could replicate down there. Chief Medina responded to let him know when they would be ready to do that and he would meet with them. He also added that he would like to meet with the MRGCD periodically for updates and statistics on what the PSAs are doing.

Director Barbara Baca said she was glad to see they were talking with them and reinvigorating their partnership. She stated she was a little concerned they were putting all their effort in the PSAs and not things like special training of de-escalation and response times. She said when you call in, you do not get a quick response and that dispatch does not know Open Space as those who use it do. Chief Medina invited Director Barbara Baca down to the crime center and witness all of the advanced capabilities they now have in dispatch to assist in making sure officers were going to be able to find everywhere they needed to be. He added that two weeks prior they were able to publicly announce they had shaved an hour off their response times on average across the board.

Jason Casuga added that it was important to know that the chief and his team made a technology investment with mapping services to understand where the right of ways were

located, and they had offered to marry up with the GIS services to help with concerns of location so PSAs knew where they're going.

AGENDA ITEM NO. 5 - REPORT ON THE NM LEGISLATURE - John Thompson, MRGCD Lobbyist

Mr. Thompson first thanked Jason Casuga for testifying in support at the Senate Rules Committee. He stated that Senate Bill 335 passed the Senate Rules Committee and would now go to the Senate Judiciary Committee, which was the most challenging place in New Mexico legislature. He said he would keep the board and Mr. Casuga updated on the progression.

Mr. Thompson said that Senate Bill 314 was awaiting its first hearing in the Senate Conservation Committee, and he would let the board know of the scheduling on that. He said he was confident the bill would move and pass, but they would need to keep an eye on Item 51, which dealt with the siphon.

He gave an update on capital outlay, which had been a challenge and there was little difference in the progress compared to last year. Mr. Thompson said he was confident as it pertained to the request dealing with the power to the siphon, and the culvert replacement on Hwy 147 at Isleta Pueblo, and the water measurement devices in Valencia County.

Mr. Thompson spoke about House Bill 2 and the statewide budget for FY24. He stated the Office of the State Engineer would be appropriated \$10 million for river channel maintenance to improve river flows to Elephant Butte for habitat restoration and low flow conveyance channel maintenance. Mr. Thompson concluded that \$100 million was being dedicated to the Water Trust Board in House Bill 2, which was a big win.

Director Barbara Baca thanked Mr. Thompson and Mr. Casuga for testifying before the Rule Committee. She stated if they did not get it passed, it would be difficult and problematic for their electors, irrigators, and people living in the benefited area.

AGENDA ITEM NO. 6 - ITEMS FROM THE FLOOR (COMMENTS AREA LIMITED TO SIX (6) MINUTES)

No individuals came forward to address the board.

AGENDA ITEM NO. 7 - REPORT(S) FROM THE HUMAN RESOURCES DEPARTMENT - Christine Nardi, MBA

a. Introduction of MRGCD New Hires

Mr. Steve Kinberger, HR Generalist, filled in for Ms. Nardi and announced the new hires and staff changes for the MRGCD. He stated they hired an engineering intern, an irrigation system operator, engineer I, and a new accountant. He stated they had two new promotions, one to an irrigation systems operator supervisor and one to an irrigation system operator. He added that Socorro Division had a heavy equipment operator return to work.

Director Kelly inquired about the vacancy rate, to which Mr. Kinberger replied it's at 8.8%. Director closed with he was glad to see the succession of young engineers coming through the MRGCD and watching them move into management roles, and that included Jason Casuga. He felt that we are only as good as our people, and the engineering staff and technical staff that has been built at the District is just phenomenal.

Jason Casuga pointed out that Ms. Ormsbee is a true intern in the whole sense of the word. Not an engineering intern, but this is a program trying to build better relationship with UNM, where the District actually has an intern student work on, in this instance, her masters in an area that benefits the MRGCD.



Memorandum

To: MRGCD Chair Russo Baca and Board of Directors
Through: Jason M. Casuga, Chief Engineer/CEO
From: Human Resources
Date: February 13, 2023
Re: Introduction of New Hires and Job/Title Change

General Office

HALEY	ORMSBEE	ENGINEERING INTERN	01/23/2023
RAYDELL	LATOMA	IRRIGATION SYSTEMS SUPERVISOR	01/23/2023 PROMOTION
MASEWA	MODY	IRRIGATION SYSTEMS OPERATOR	02/06/2023 PROMOTION
GILBERT	MAINA JR.	IRRIGATION SYSTEMS OPERATOR	02/20/2023
ANGELINA	JIMENEZ	ENGINEER I	02/20/2023

Socorro Division

DOMINIC	CHAVEZ	HEAVY EQUIPMENT OPERATOR	02/06/2023 RETURN TO WORK
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AGENDA ITEM NO. 8 - REPORT(S) FROM THE CHIEF PROCUREMENT OFFICER - Richard DeLoia, CPO

a. Consideration/Approval for Outfall Monitoring & Sampling - Casey Ish, Water Resources Specialist

Mr. DeLoia presented approval for the outfall monitoring and sapling projects. He stated MRGCD staff recommended award to SWCA Environmental for \$62,940 through MRGCD contract obtained through the request for proposals process.



Memorandum

To: MRGCD Chair Russo Baca and Board of Directors
Jason Casuga, CEO/CE
Pam Fanelli, CFO
From: Richard DeLoia, Chief Procurement Officer *RD*
Date: February 6, 2023
Re: APPROVAL FOR OUTFALL MONITORING & SAMPLING

MRGCD staff is requesting approval for the Drain Outfall Monitoring & Sampling MRGCD project. The Contractor SWCA Environmental Consultants were obtained through the RFP Process and is on MRGCD Contract. Cost is based on per/site sampling requests and is estimated at \$62,940.00 for 2023. Staff may request additional site sampling by contractor depending on hydrology and river conditions.

VENDOR	ESTIMATED TOTAL
SWCA Environmental Consultants	\$62,940.00

Director Kelly made the **MOTION TO APPROVE SWCA ENVIRONMENTAL CONSULTANTS FOR THE OUTFALL MONITOR AND SAMPLING**. Seconded by Director Joaquin Baca. The **MOTION CARRIED**.

b. Consideration/Approval for Otero Lateral Culvert Crossing - Alicia Lopez, Engineering & Mapping Manager

Mr. DeLoia presented for the Otero Lateral Culvert Crossing. He said they sent request for bids and advertised on January 27th and 31st. He stated that six bid packets were issued, and two bids were received back by the deadline. He said MRGCD recommended award to Lopez Precision for \$97,854.48, of which \$71,582.37 for the culvert crossing portion would be reimbursed to MRGCD by the community.



Memorandum

To: MRGCD Chair Russo Baca and Board of Directors
Jason Canaga, CE/CEO
Pam Faneli, CFO

From: Richard DeLoia, Chief Procurement Officer

Date: December 1, 2022

Re: Recommendation for Otero Lateral Culvert Crossing

Request for Bid for Otero Lateral Culvert Crossing Project was advertised on January 27th and January 31st, 2023, six (6) bid packets were issued to General Contractors, and two (2) bids were received by the deadline 10:00 am on February 7th, 2023. After thorough review and evaluation, MRGCD staff hereby recommends award to Lopez Precision LLC. Below you will find the proposed costs for Crossing and associated charges;

The community utilizing this road crossing will reimburse the MRGCD for the Culvert Crossing total at \$71,582.37. The Turnout Relocation will be funded by the MRGCD.



MIDDLE RIO GRANDE CONSERVANCY DISTRICT
1931 SECOND STREET, SW
PO BOX 581
ALBUQUERQUE, NM 87103
505-247-0234

**OTERO LATERAL CULVERT CROSSING
ENGINEERS ESTIMATE & BID TOTALS**

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	MRGCD Estimate		Lopez Precision LLC.		Vital Consulting Group	
				UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
CULVERT CROSSING									
1	MOBILIZATION / DEMOBILIZATION	1	LS	\$2,000.00	\$2,000.00	\$6,275.50	\$6,275.50	\$1,800.00	\$1,800.00
2	REMOVAL AND DISPOSAL	1	LS	\$4,000.00	\$4,000.00	\$4,650.00	\$4,650.00	\$6,000.00	\$6,000.00
3	6" CONCRETE SLOPE PAVING	237	SY	\$150.00	\$35,550.00	\$107.81	\$25,550.97	\$150.00	\$35,550.00
4	HAND PLACED RIPRAP 6-9"	17	CY	\$142.50	\$2,422.50	\$159.50	\$2,694.50	\$240.00	\$4,080.00
5	FILTER FABRIC	40	SY	\$7.50	\$300.00	\$9.00	\$360.00	\$15.00	\$600.00
6	EXCAVATION AND BACKFILL	330	CY	\$19.50	\$6,435.00	\$56.55	\$18,661.50	\$30.00	\$9,900.00
7	CORRUGATED METAL PIPE 30" & FITTINGS	83	LF	\$432.00	\$35,856.00	\$175.28	\$14,569.60	\$375.00	\$31,075.00
8	TRAFFIC CONTROL	1	LS	\$2,000.00	\$2,000.00	\$4,100.00	\$4,100.00	\$5,000.00	\$5,000.00
TOTAL CULVERT CROSSING BID W/OUT NMGR					\$75,603.50		\$71,582.37		\$62,605.00
TURNOUT RELOCATION									
9	MOBILIZATION / DEMOBILIZATION	1	LS	\$1,000.00	\$1,000.00	\$3,750.00	\$3,750.00	\$1,300.00	\$1,300.00
10	REMOVAL AND DISPOSAL	1	LS	\$1,000.00	\$1,000.00	\$2,365.00	\$2,365.00	\$2,500.00	\$2,500.00
11	6" CONCRETE SLOPE PAVING	52	SY	\$150.00	\$7,800.00	\$107.81	\$5,606.12	\$160.00	\$8,320.00
12	EXCAVATION AND BACKFILL	175	CY	\$19.50	\$3,412.50	\$56.55	\$9,896.25	\$30.00	\$5,250.00
13	CORRUGATED METAL PIPE 24" & FITTINGS	40	LF	\$254.40	\$10,176.00	\$82.98	\$2,519.20	\$200.00	\$8,000.00
14	24" FRESHO TURNOUT WITH 6" EXTENSION	1	EA	\$0.00	\$0.00	\$2,105.54	\$2,105.54	\$6,000.00	\$6,000.00
TOTAL TURNOUT RELOCATION BID W/OUT NMGR					\$32,388.50		\$26,272.11		\$31,370.00

Director Kelly made the **MOTION TO APPROVE OTERO LATERAL CULVERT CROSSING BE AWARDED TO LOPEZ PRECISION, LLC FOR \$97,854.48**. Seconded by Vice Chair Dunning. The **MOTION CARRIED**.

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

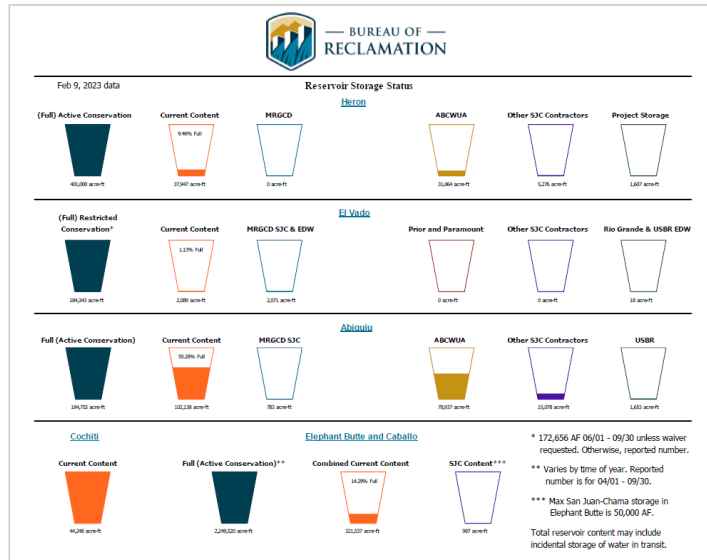
a. Bureau of Reclamation - Jennifer Faler, Area Manager

Jennifer Faler discussed federal funding and the water leasing program that Reclamation has funded. She said there was significant federal funding available through the Bipartisan Infrastructure Law and the Inflation Reduction Act. She stated they had been doing everything they could to support the 30 million dollar request for Middle Rio Grande, along with 75 million dollar request in the Lower Rio Grande, so they would be disappointed if they only receive 10 million but would be rolling out several new programs under the Bipartisan Infrastructure Law this year. Ms. Faler said there would be three main programs, the aquatic ecosystem restoration program, small storage, and multi-benefit projects. Ms. Faler talked about the Inflation Reduction Act where Congress gave Reclamation 4 billion dollars to address issues of long-term persistent drought, which would make dollars available to reduce diversions along with the conservations programs. She stated they were optimistic they would see some funding through that. She also thanked the board for support of the leasing program that Reclamation hired National Fish and Wildlife Foundation to come in. She stated it was originally a five year grant that had been extended to the sixth year.

Vice Chair Dunning asked if the nova had been published for the small storage program and if it were something they could use in Belen for flooding. Ms. Faler said she did not have any dates yet but it would be a program to study and see what it did and did not do and could be used in a variety of things.

Reservoir storage status was provided:

Minutes of Middle Rio Grande Conservancy Regular Board Meeting
February 13, 2023



MRGCD BOARD MEETING (2-13-23)

- Heron Summary**
 Content = 37,947 ac-ft (2.9)
 Azotea tunnel: 0 cfs
 Total SJC inflow year-to-date: 0 a.f.
 Currently releasing: 40 cfs
 Current MRGCD storage: 0 ac-ft
 - El Vado Summary**
 - Total storage (all contractors and natural) in El Vado as of 2.9: 2,089 ac-ft.
 - Native in El Vado: 18 ac-ft.
 - MRGCD's SJC storage in El Vado: 2,071 ac-ft.
 - P & P: 0 ac-ft.
 - EDWA: 0 ac-ft.
 - All other SJC contractors: 0 ac-ft.

Current release is 100 cfs RG Inflow is ~40 cfs
 - Storage in Abiquiu**
 Content = 102,138 ac-ft (2.9)
 MRGCD's SJC storage = 783 ac-ft
 P&P = 5,161 ac-ft
- Total water released for minnow to date in 2023: 0 ac-ft
- Snowpack Data:**
- As of 2/10/23 (% of median)
- | | |
|-----------------------------|------|
| Rio Chama Basin..... | 111% |
| Upper Rio Grande Basin..... | 87% |
| Rio Grande Headwaters..... | 95% |
| Jemez Basin..... | 95% |
| San Juan River Basin..... | 116% |
- February Streamflow Forecast**
- | | |
|------------------------------------|----------------------|
| Rio Grande @ Del Norte CO | 470,000 ac-ft (98%) |
| El Vado Reservoir Inflow (Mar-Jul) | 195,000 ac-ft (105%) |
| Rio Grande @ Chowi | 230,000 ac-ft (92%) |
| Jemez R. below dam | 23,000 ac-ft (105%) |
| Rio Grande @ San Marcial | 310,000 ac-ft (90%) |

b. Bureau of Indian Affairs - Roland Becenti, Acting Designated Engineer

Mr. Becenti was not in attendance.

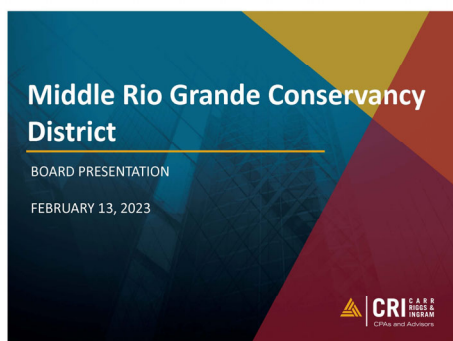
AGENDA ITEM NO. 10 - REPORT(S) FROM THE SECRETARY-TREASURER/CFO - Pam Fanelli, CMA, CGFM

a. Report on the FY22 Audit Report

Ms. Fanelli stated the FY22 audit report was released by the State Auditor's Office, and they had their auditors online to give a presentation of the results.

AJ Bowers, partner with Carr, Riggs & Ingram, presented the results of the audit. He stated there were three reports within the financial statement, the independent auditor's report, the internal control report, and the uniform guidance report, all of which showed a clean report with no audit findings.

Mr. Bowers talked about GASB statements, and that 87, 89, 92, 93, and 98 were all implemented in the current year, with only GASB 87 have an impact on the District. He stated there would be some new standards in the coming years, and one would be Statement 96 for year 2023, Statement 100 for year 2024 and Statement 101 for year 2025.



Timeline of the Audit

Signed Engagement Letter	September 2, 2022
Planning	October 2022
Fieldwork	November to December 2022
Delivered Financial Statement Findings	December 12, 2022
Exit Conference Presentation	December 12, 2022
Independent Auditors' Report	December 15, 2022
Released from State Auditors' Office	February 11, 2023

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Auditors' Reports

Independent Auditors' Report	Other Auditors' Report
<p>Opinion on the Financial Statements</p> <ul style="list-style-type: none"> Unmodified – Best opinion available <ul style="list-style-type: none"> Financial statements are presented fairly in accordance with U.S. GAAP. No audit areas where an opinion could not be rendered. 	<p>GAGAS Report on Internal Control Over Financial Reporting and on Compliance and Other Matters</p> <ul style="list-style-type: none"> Negative Assurance <ul style="list-style-type: none"> No findings noted <p>Uniform Guidance Report on Major Program and on Internal Control over Compliance</p> <ul style="list-style-type: none"> Unmodified Opinion <ul style="list-style-type: none"> ALN# 15.571, Fish and Wildlife Coordination Act

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Auditor Responsibility

- Our responsibility under U.S. & Government Auditing Standards
 - Form and express opinion if financial statements prepared by management are fairly presented in conformity with U.S. GAAP.
 - Obtain reasonable, rather than absolute, assurance if financial statements are free from material misstatement.
 - Consideration of internal controls for purpose of determining and designing audit procedures.
 - Communicate significant matters related to financial statement audit.

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Management's Responsibility

- Management, with oversight from those charged with governance, is responsible for:
 - Establishing and maintaining internal controls, including monitoring ongoing activities
 - The selection and application of accounting principles
 - The fair presentation in the financial statements of financial position and results of operations in conformity with the applicable framework
- Management is responsible for the design and implementation of programs and controls to prevent and detect fraud
- The governing board participated in the entrance and exit conferences, and were sent the communications required by audit standards

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New Standard Implementation

- The District implemented the following standards during fiscal year 2022. The only standard that had a significant impact to the District was GASB Statement No. 87, *Leases*.
 - GASB Statement No. 87, *Leases*
 - GASB Statement No. 89, *Accounting for Interest Cost Incurred Before the End of a Construction Period*
 - GASB Statement No. 92, *Omnibus 2020*
 - GASB Statement No. 93, *Replacement of Interbank Offered Rates*
 - GASB Statement No. 98, *The Annual Comprehensive Financial Report*

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Upcoming Standards

- GASB Statement No. 96, is effective for fiscal years starting after June 15, 2022 and will apply to the District's 2023 fiscal year.
 - The requirements will provide guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users (governments).

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Upcoming Standards

- GASB Statement No. 100, is effective for fiscal years starting after June 15, 2023 and will apply to the District's 2024 fiscal year.
 - The requirements will enhance accounting and financial reporting requirements for accounting changes and error corrections to provide more understandable, reliable, relevant, consistent, and comparable information for making decisions or assessing accountability.

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Upcoming Standards

- GASB Statement No. 101, is effective for fiscal years starting after December 31, 2023 and will apply to the District's 2025 fiscal year.
 - The requirement is to better meet the information needs of financial statement users by updating the recognition and measurement guidance for compensated absences.

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Value-Added Suggestions

- Treat CRI as a year round resource
- GASB Training and Guidance
 - The governmental financial reporting standards are changing at a rapid pace. We are available to the District for questions and are able to provide training, if needed.

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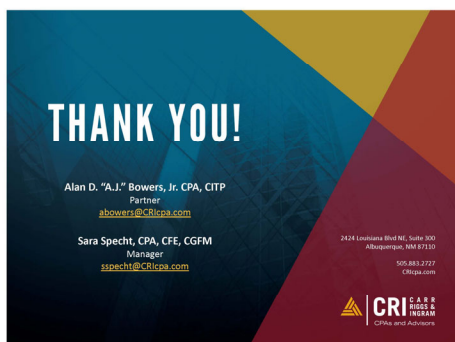
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Concluding Comments

- The CFO/Secretary/Treasurer, Controller, and Accountants, as well as all the other District team members were very helpful and great to work with.
- Thank you for the opportunity to serve Middle Rio Grande Conservancy District.
- We value our relationship and hope to continue to build on it.

CARR, RIGGS & INGRAM, LLC

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

a. Report of the Corrales Council Presentation regarding the Corrales Siphon - Jason M. Casuga, CE/CEO

Mr. Casuga stated the meeting went really well and there was enthusiastic support for moving to electric as opposed to diesel. He stated that he reported to the Council that MRGCD was anticipating the operation of the pump station and electrical pump for the next two years. Mr. Casuga said he was there answering questions, which were focused around funding processes and believed everyone was now on the same page with what they're trying to accomplish through the Water Trust Board.

b. Discussion of Requests for Delivery of Water for Cannabis Production Within MRGCD's Service Area - Jason M. Casuga, CE/CEO & Casey Ish, Water Resources Specialist

Mr. Casuga stated there were unanswered questions for how they should be dealing with this and was a process that would require evaluation and input from Chief Water Counsel.

Casey Ish talked about letters requested by property owners to the MRGCD that were then sent to the Office of the State Engineers Cannabis Control Division on the subject that would confirm whether a particular property did or did not have a valid property right within the benefited area to receive surface water. He said they had received 14 of those requests, with 50% coming from the Belen Division, 35% from the Albuquerque Division, 7% from Cochiti, and 7% from Socorro.



[DATE]

Ms. Linda M. Trujillo, Superintendent
 New Mexico Regulation and Licensing Department
 Cannabis Control Division
 2550 Cerrillos Road
 Santa Fe, NM 87505

Re: Water Delivery to Lands Owned by [NAME] for the Purposes of Cannabis Production in the Middle Rio Grande Valley

Dear Ms. Trujillo,

The Middle Rio Grande Conservancy District (MRGCD) provides surface water diverted from the Rio Grande for the purpose of agricultural production in the Middle Rio Grande Valley. The MRGCD does not have oversight of the types of crops grown in the valley but does, especially during times of low water supply, equitably distribute the water to all growers in the valley.

[NAME] has requested a letter stating that he has an active water service account with the MRGCD. [NAME] has one active account for a total [IRRIGATED ACREAGE] of cultivation. This account corresponds to property located at [ADDRESS]. This account is current on its annual water service fees.

Under the MRGCD's Water Distribution Policy, all surface deliveries are subject to MRGCD scheduling and equal sharing of available water supply. Any diversion or pumping from our facility into temporary storage facilities for irrigation would require a special use license from the MRGCD. A permit from the New Mexico Office of the State Engineer may also be necessary for any on-farm storage of surface water.

Sincerely,

Director Joaquin Baca stated he did not have a position on it, but it was becoming more of an issue, so he suggested, as the chair of the Water Protection Committee, to schedule a meeting on the matter. He also added that he would like for Dr. DuMars to do research for them.

Dr. DuMars reminded that San Juan Chama water was federal water and federal law may apply to preclude the use of that San Juan Chama water and may reemerge issue of title to the water they have stored in Abiquiu. He said he would take a look at it.

Casey Ish added that he believed one of the reasons why they weren't seeing a big volume of requests had to do with how they receive water annually, an irrigation season, and off season.

c. Report on the Irrigation Leader Conference, January 10, 2023 - Eric Zamora, COO

Eric Zamora gave an update on the 10th Annual Irrigation Leaders Workshop, sponsored by Irrigation Leader Magazine. He stated there was a presentation from the Kennewick Irrigation District out of Washington that had much to do with development code. He stated the key takeaway regarded policy appeals generally did not go to the board and that boards have asked not to send appeals to the board. Mr. Zamora said there was a presentation on the Water Smart Project that talked about new and upcoming programs. He said there was a company out of Australia, Rubicon, that talked about capabilities for grant writing assistance. He said some representatives would be in the area in March and asked to give the MRGCD a presentation on their water metering and water measurement devices. Mr. Zamora said they would set up a tentative meeting for March 7th for that and to give them a tour of Isleta and San Acacia. He said there were a couple of interesting factors to consider, one being a canal spanning solar project in the Gila River Area and a hiring forum on incentives to retrain and recruit. Mr. Zamora stated that they were given a tour of the Central Arizona Project, which diverts 1.5 million acre feet of water out of the Colorado River.

Director Kelly asked what the small irrigation districts were doing to implement low head hydro. Eric Zamora stated there was a small bit of discussion on that and that some of the respondents did not have the capacity to provide water in the quantities that would be substantive.

d. Report on San Acacia Reach Meeting, February 1, 2023 - Jason M. Casuga, CE/CEO

Mr. Casuga stated the meeting was brought on out of concern raised by the NGOs (non-profit organizations) related to the State Engineer's request for funding in the lower reach to help provide a forum for the Office of the State Engineer's, BOR, and MRGCD to speak on what was going on what their roles were. He said there was a concern about general authorization of the Low Flow (Conveyance Channel) back to its historical use, but that was laid to rest. He said there were also questions about the money being appropriated by the State Engineer's Office, which was money specifically for maintenance only. Mr. Casuga said there was regular O&M of that facility that was going by the federal government to help offset those costs and that maintenance had to continue. He stated MRGCD would be doing those and appropriations that come with that would make their way to the NM ISC and federal government to offset those costs, and he believed MRGCD should have the same arrangement. He said they were close to sending a proposal to the state for them to consider. Mr. Casuga reiterated that MRGCD was not advocating for a historical use of the Low Flow Conveyance Channel in any way, shape, or form because it would not be healthy for the environment.

Madam Chair stated she also attended and included the BOR's presentation.

e. Report on the Six Middle Rio Grande Pueblo Coalition Meeting, February 2, 2023 - Jason M. Casuga, CE/CEO

Mr. Casuga felt there was the same energy at this meeting as there was before the new year and pueblos did have questions and concerns about their startup plan. Mr. Casuga said he tried to answer those. He said it was tough, because MRGCD would establish a diversion plan in February and the December Coalition meeting was cancelled and they did not have one in January. He stated their contract with BIA was an O&M contract and their responsibility to operate the river and satisfy their commitments under biological opinion up until P&P was called by BIA. He said it was his intention to meet with the regional director for BIA on the topic in early March as they sought negotiation of a new O&M agreement.

f. Report on the Belen Watershed Stakeholders Meeting and Power Point Presentation, February 7, 2023 - Eric Zamora, COO, Jason M. Casuga, CE/CEO and Chair Russo Baca

Mr. Zamora said the intent of the Belen Watershed Stakeholders Meeting was to sit down with the primary stakeholders in the project, like NMDOT, the railroad, Soil and Water Conservation District, City of Belen, Valencia County, etc. He said they talked much about the process and concerns over the project area, which was defined by NRCS requirements. The limitation of roughly 240,000 acres for a study area for a given project. That mold fit basically between the south end of Belen and Feeder No. 3, and also from the escarpment to the west down to the river.

Mr. Casuga added the watershed program grant opportunity was meant to benefit rural agricultural communities that were being flooded. Part of that boundary going north into Belen was trying to balance that with the more urban we get with that boundary the less we look like a rural agricultural watershed area.

Mr. Zamora said the evening meeting was the public meeting which had a good turnout. He said he thought there was much relief that people were looking at the issue and something was moving forward. Mr. Zamora said the next step post-meeting would be responding to comments presented as part of the grant requirements.

Mr. Casuga said that he and one of the counselors from Belen committed to having a meeting in the City of Belen with the mayor to update the city on what Belen was doing in the partnership with MRGCD. Because Belen has really been taking a lead on three large ponding projects that would then rely on MRGCD to help vacate that water, but was separate from this Belen Watershed Project, which is further south, so we were working really hard to try to make sure we were spending time talking about this watershed project south.

Madam Chair wrote her report that this community meeting was for public input regarding the Belen Watershed Flood Prevention Project. There were over forty attendees at this meeting in person, and many attended through zoom. She included their presentation.

g. Upcoming Events

- a) Family Farm Alliance Annual Conference, Reno, NV - February 23-24, 2023
- b) Land & Water Summit, Indian Pueblo Cultural Center - March 2-3, 2023
- c) Farming in The Flyway Series, Soil Health Strategies for Salt-Affected Middle Rio Grande Soils Workshops, 164 NM-116, Bosque, NM - March 17 & May 12, 2023
- d) National Water Resources Association (NWRA) Annual Conference, Washington DC - April 17-20, 2023

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

Lorna Wiggins gave an update on the Curt Flora and Suzanne Huff Flora suit against the District and Bernalillo County, which alleged they were entitled to adversely possess certain property owned in fee simple by MRGCD and asked the court to enter injunctive relief to prevent the District from negotiation with the Village of Corrales to maintain the property. Ms. Wiggins stated MRGCD asked the court to dismiss or to change the venue from Bernalillo county to Sandoval County where the property was located, and the deadline had come for the plaintiff to respond, and they had not filed anything. She stated Judge Barela Shepherd was eager to allow a judge in Sandoval County to deal with pro se plaintiffs.

Dr. DuMars said they had completed the agreement with ABCWUA to allow MRGCD to store water in Abiquiu and were able to extend that six months so they could meet with the State Engineer to discuss particular issues. He said they would try to push for granting of the permit but would have to see how it went. Dr. DuMars stated they also had a good meeting with the Wild Earth Guardians, the US Fish & Wildlife, the Bureau of Reclamation, and the Department of Justice. He said it was good in that they understood what they wanted, but not good as to whether or not what they wanted was feasible. It's confidential information and cannot discuss in this open meeting. He said they were scheduled to have another meeting to try to make more progress. He will keep the board posted.

AGENDA ITEM NO. 13 - REPORT(S) FROM THE BOARD

- a. **Report on the Irrigation Committee Meetings, February 6, 2023 - Chair Russo Baca and Directors Duggins and Sandoval**

Madam Chair sent the below written report:

b. **Report on the Conservation Advisory Committee Meeting, January 19, 2023 - Chair Russo Baca**

January 19, 2023 Monthly Conservation Advisory Committee Meeting, Virtual.

- Demand has been rapidly outpacing annual supply on the Colorado River (1.6 maf/yr since 2020)
- Major storage facilities are at risk of reaching dead-pool
- Reclamation is seeking an additional 2-4 maf of conservation across the Basin on top of 1.35 maf that has already been put forth to stabilize the system
- San Juan Chama Project could see additional cuts to supply as precipitation forecasts continue to indicate less moisture overall in the Basin.

- To Date – 40 applicants and ~430 Eligible Acres (All pending approval)
- After January 31st, price per acre for Full Season will drop from \$350/A to \$300/A

- Review latest work by Ray and Casey to finalize OFP Cost Share and Water Accounting

- San Francisco Outfall Habitat work is scheduled for January 24th-26th (Phase 1)
- New Belen Outfall Habitat work is tentatively scheduled for the week of January 30th

<https://vimeo.com/582159831/6c648a5842>

c. Report on the Valencia Soil & Water Conservation District Board Meeting, January 19, 2023 - Chair Russo Baca

Madam Chair sent her written report stating she attended the meeting in the event that VCSWCD requested an MRGCD update and provided their agenda below:

[illegible]

d. Report on the Personnel Committee Meeting, January 25, 2023 - Vice Chair Dunning, Directors Kelly and Barbara Baca

Director Kelly added that the committee has been discussing District goals and will meet in March, to give an update on their preliminary list for the Board to review well ahead of the Special Board meeting to be held on March 13th prior to the regular meeting.

e. Report on the Food and Farms Day at the NM Legislature and Senate Conservation Committee Meeting, January 26, 2023 - Chair Russo Baca

Madam Chair sent her written report below:

January 26, 2023, Food and Farms Day at the NM Legislature and Senate Conservation Committee Meeting, re SB 57 Water Trust Fund, NM Capitol Building

House and Senate memorials declaring **January 26, 2023 "New Mexico Food & Farms Day"** in the House of Representatives in celebration of community food and farm initiatives toward ending hunger. The annual New Mexico Food & Farms Day Awards celebrate individuals and organizations in New Mexico who are actively fostering innovation, equity, access, and sustainability in our local food and farming economy. The Awards are intended to ignite a statewide passion around local food that ultimately creates change in thinking, systems, and approaches to food production, use, distribution, and policy.

Two hundred fifty million dollars (\$250,000,000) is transferred from the general fund to the water trust fund in the fiscal year 2023. SCONC: Reported by committee with Do Pass recommendation.

f. Report on the Finance Committee Meeting, January 27, 2023 - Director Kelly, Vice Chair Dunning and Director Barbara Baca

Director Kelly said they continue to look at the five-year project schedule and the need to fund a backlog that's almost a half billion dollars. He said that would be brought to the board in deliberate fashion as they ran through the budget process.

g. Report on the Valencia Hispano Matanza, January 28, 2023 - Chair Russo Baca

Madam Chair sent her written report below:

January 28th, 2023, Valencia Hispano Matanza, Belen Eagle Park, 305 Eagle Lane, Belen, NM 87002.

The Annual Matanza tradition returned after not being held during the pandemic. Much of the proceeds of the Matanza are to raise funds for scholarships for higher education, and over \$150,000 has been awarded to Valencia County High School Seniors and continuing college students since the inception of this event. www.hispanochambervc.org

h. Report on the Middle Rio Grande Fact-Sharing/Listening Session, February 1, 2023 - Chair Russo Baca

Madam Chair sent her written report below:

February 1, 2023, Middle Rio Grande Fact-Sharing/Listening Session, virtual.

Presentations were given by the ISC, BOR, and MRGCD regarding Middle Rio Grande water use and water operations. Please see the attached presentations.

i. **Report on the Review CEO Goals, February 09, 2023 - Chair Russo Baca**

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

AGENDA ITEM NO. 14 - 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

Chair Russo Baca stated that Executive Session was not needed at this time. With no further comments, questions, or concerns, Madam Chair Russo Baca adjourned the meeting at 5:42 pm.

Approved to be the correct Minutes of the Board of Directors of February 13, 2023

ATTESTED:

Pamela Fanelli, CMA, CGFM
Secretary/Treasurer

Stephanie Russo Baca, Madam Chair
MRGCD Board of Directors