

**MINUTES OF THE
2,203rd REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

SEPTEMBER 11, 2023 - 3:00 PM

Directors having been duly notified; Madam Chair Russo Baca called the regular meeting to order at 3:01 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	Dr. Charles DuMars	Chief Water Counsel
John Kelly, Director	Present	Pamela Fanelli	Secretary-Treasurer/CFO
Joaquin Baca, Director	Absent	Eric Zamora	Chief Operating Officer
Glen Duggins, Director	Present	Anne Marken	Water Distribution Division Mgr.
Michael T. Sandoval, Director	Present	Matt Martinez	Water Operations Division Mgr.

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

Tarah Jaramillo, MRGCD	Tyler Ashton, Wilson & Co.	Jennifer Faler, BOR
Eli Lovato, AES	Mark Sanchez	Yasmeen Najmi, MRGCD
Carol Benavidez	Luke Smith, Wilson & Co.	Richard DeLoia, MRGCD
Chris Torres	Dan Aguirre, Wilson & Co.	Alicia Lopez, MRGCD
Judy McSweeny, MRGCD	Martin Haynes	Ashley Veihl, MRGCD
Josh Gamboa, MRGCD	Clint Autrey, CF Padilla	Casey Ish, MRGCD
Eric Rapum, BIA	Clay Padilla, CF Padilla	Dan Krupiak
John Fleck, Utton Center	Claire Conrad, Utton Center	Christine Nardi, MRGCD
Sarah Delavan, BIA	Don Simpson	Estella Gamboa, MRGCD
Daniel Arquero, MRGCD		

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

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

Madam Chair Russo Baca asked for a moment of silence for all the lives lost 22 years ago on September 11th. She then declared a quorum, and the meeting was publicly noticed.

AGENDA ITEM NO. 2 – APPROVAL OF THE AGENDA

Jason Casuga asked to remove items 13(a) and move 13(b) to 11(b)(1) under Reports from BIA

Director Barbara Baca made the **MOTION TO APPROVE THE MEETING AGENDA with the above changes**. Seconded by Director Sandoval. The MOTION CARRIED UNANIMOUSLY.

AGENDA ITEM NO. 3 - CONSENT AGENDA

- a. **Consideration/Approval of Payment Ratification - September 11, 2023**
- b. **Consideration/Approval of August 2023 Invoice for Wiggins, Williams & Wiggins**
- c. **Consideration/Approval of August 2023 Invoice for Law and Resource Planning Assoc.**

- d. **Consideration/Approval of the Minutes for the Regular Meeting Board Meeting - August 14, 2023**
- e. **Memo on MRGCD Approved Licenses for August 2023 (For informational Purposes Only)**

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

AGENDA ITEM NO. 4 - Convene Board of Equalization

a. Reclassification Hearing - Estella Gamboa, Assessment Clerk III

Jason Casuga first explained what makes a property irrigable and non-irrigable. Dr. DuMars added that if you hook onto the sewer or water line, you were obligated to pay.

Vice Chair Dunning asked if there was a minimum. Mr. Casuga stated they did have a minimum service charge but were still researching on how to implement it.

Director Kelly asked how the existence of a turnout on the adjacent canal or lateral fit into their assessment. Mr. Casuga stated they were always looking if there is a turnout or not, but they looked if it was subdivided or abutted against the ditch. He said if there was no practical pathway to the ditch, then it was un-irrigable. He added that the further away from the ditch, the more property research they would have to do.

Madan Chair confirmed with Ms. Fanelli that protests would not be approved until outstanding balances were paid.

Ms. Fanelli said staff reviewed and completed the water service charge contracts for 2023 and landowners had the opportunity to file a protest by May 31st. She stated the any protesters who disagreed were given the chance to propose an argument. There were no protesters at the meeting.

Director Duggins asked if someone could go through the protest and reverse it down the road. Mr. Casuga stated they could but would have to pay all the makeup water charges.

MEMORANDUM



TO: MADAM RUSSO BACA & BOARD OF DIRECTORS
 THROUGH: JASON CASUGA, CEO/CE & PAMELA FANELLI, SECRETARY-TREASURER/CFO
 FROM: ESTELLA GAMBOA, ASSESSMENT/COLLECTIONS CLERK III
 DATE: SEPTEMBER 11, 2023
 SUBJECT: 2023 Water Service Charge Reclassification Protest Hearing

The 2023 Water Service Charge (WSC) protests have been reviewed by staff and the staff recommendations are detailed on the attached pages.

As per Section 73-18.8.1 NMSA 1978, and Rule 24, the individuals filing the protests have been notified of the proposed recommendations.

Staff recommendations have been indicated in the 'Approved Exemption Acreage' column on the far-right hand of the page. Any Protestor who disagrees with the MRGCD staff recommendations are given the opportunity to appear before the Board and show cause as to why the Water Service Charge reclassification recommendation is incorrect and should be changed. Any protest will not be approved, until outstanding balances have been paid. (Per Water Service Charge Resolution M-09-12-11-113)

Staff recommends removing 200.21 acres from the Water Service Charge assessment. Using the current assessment amount of \$43.82 per acre, this will reduce revenues by \$8,773.21.

In addition, Water Service Charge contracts totaling 95.09 acres have been added to the assessment base for 2023. This will add \$4,166.85 to the revenues using the \$43.82 per acre fee.

The net revenue decrease is -\$4,606.36.

STAFF RECOMMENDS APPROVAL OF THE SUMMARY OF PROTEST FINDINGS REFLECTED ON THE ATTACHED PAGES.

P.O. Box 301
 87103-0001
 1901 Second St. SW
 Albuquerque, NM
 87102-4515
 505.247.0204
 Fax # 505.243.7300

COUNTY	APPROVED EXEMPTION	WSC ACREAGE ADDED
SANDOVAL	13.99	6.27
BERNALILLO	33.83	29.24
VALENCIA	95.74	39.97
SOCORRO	56.65	19.61
TOTALS	200.21	95.09

Director Kelly made the **MOTION TO APPROVE THE RECOMMENDATIONS BY THE STAFF PER THE SUMMARY OF PROTEST FINDINGS.** Seconded by Director Barbara Baca. The **MOTION CARRIED UNANIMOUSLY.**

AGENDA ITEM NO. 5 - Reconvene Regular Board Meeting

The chair reconvened the regular meeting at 3:19 p.m.

AGENDA ITEM NO. 6 - Update on the 2023 MRGCD Board of Directors Election - Eli Lovato, Election Director, Automated Election Services

Eli Lovato gave an update on the 2023 MRGCD Board of Directors Election. He said absentee was underway and they issued 76 ballots so far with only two returned ballots. He announced that tabulator certification would be on September 13th. He said they would be setting up for the early voting sites on the 15th. He said they were only a few positions left to fill.

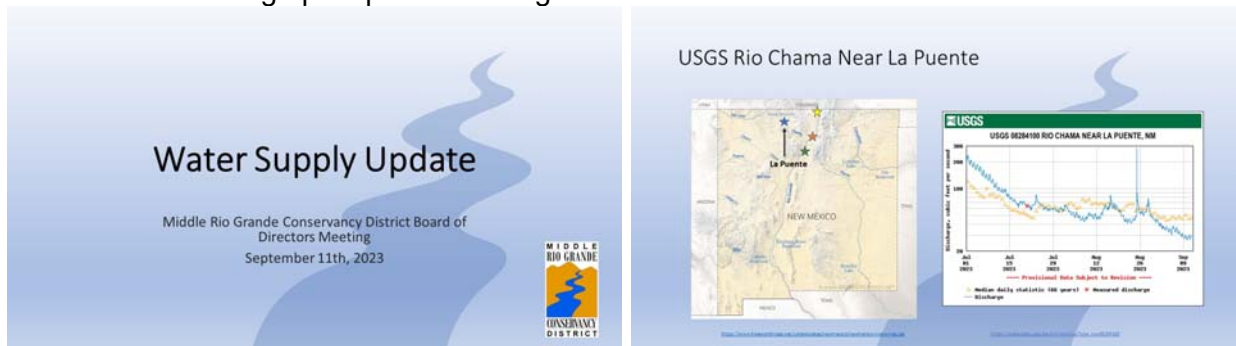
Vice Chair Dunning asked since Bernalillo County has given permission to use their Los Ranchos polling site that they use if they are planning to charge the District to use it. Mr. Lovato said the county gave permission to use it and at no charge.

AGENDA ITEM NO. 7 - Update on the 2023 Irrigation Season

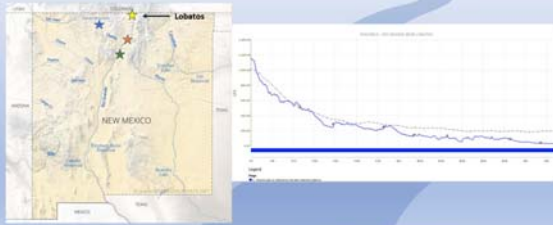
a. Report on the Water Supply Conditions - Anne Marken, Water Ops Division Manager

Ms. Marken began with defining the types of water to be discussed. She continued stating above average temperatures and below average rainfall persisted through August and early September and that was reflected in the lower river flows throughout the basin. She said inflows in the middle valley were 310 CFS, and only 220 CFS were available for MRGCD irrigators, which most would be used for senior prior and paramount lands of the six middle Rio Grande pueblos. Ms. Marken reiterated that BIA made all the decisions regarding prior and paramount releases. She also added the pueblos had about 14,000 acre feet of water stored in Abiquiu. She displayed and explained a number of hydrographs of CFS at different gauges. She stated that MRGCD was unable to store native Rio Grande water this year mostly due to the construction at El Vado. She expressed they were entirely reliant on the native Rio Grande inflows to meet irrigation demand.

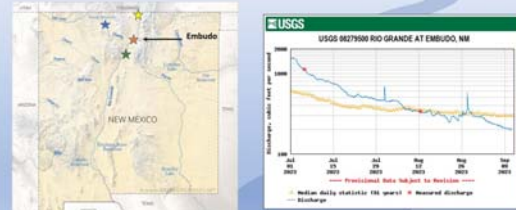
Ms. Marken said cooler weather was forecasted for the next week and there was a good chance for widespread rainstorms. She said if they get in-flows, they will divert it where they could. She said the 90-day outlook showed above average temperatures and below average precipitation through November.



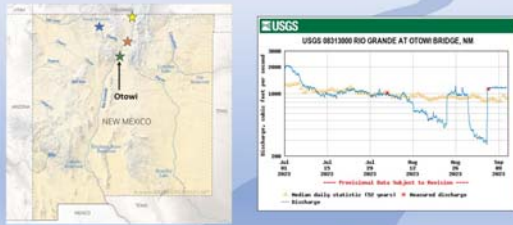
Colorado DWR Rio Grande Near Lobatos



USGS Rio Grande at Embudo



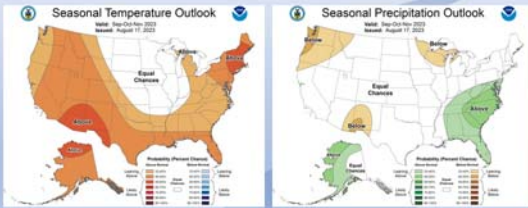
USGS Rio Grande at Otowi Bridge



National Weather NM Temperature and Precipitation Forecast Table

Location	Maximum Temperature							Probability of Precipitation						
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Albuquerque	84	73	74	78	81	81	83	70	80	90	10	10	10	10
Santa Fe	77	66	71	74	76	77	79	70	80	90	20	30	20	10
Farmington	83	73	76	76	78	80	83	80	80	40	20	0	0	0
Gallup	80	74	72	74	77	79	80	60	70	40	20	10	9	10
Grants	80	71	71	74	76	78	80	80	80	70	30	20	20	30
Clayton	63	67	70	70	71	71	76	80	40	60	40	40	20	10
Raton	62	66	70	71	69	70	75	80	60	60	60	40	40	20
Las Vegas	66	62	71	72	72	71	75	80	60	60	40	50	40	30
Moriarty	78	66	72	75	77	76	79	70	80	60	20	30	30	20
Tucuman	74	69	78	78	77	75	80	60	60	30	30	20	10	10
Clovis	76	67	77	81	79	75	80	70	60	40	40	40	30	20
Roswell	83	74	82	85	85	82	86	60	60	60	20	30	30	20
Socorro	88	76	77	81	83	83	85	70	80	70	20	20	30	20
Chama	64	61	63	65	67	70	73	70	80	70	60	40	20	20
Tebo	67	65	66	69	71	72	76	70	80	60	40	40	20	10
Angel Fire	69	66	61	64	64	65	67	80	80	70	60	60	40	20
Los Alamos	71	62	67	69	71	72	75	80	80	70	40	40	30	30
Ruidoso	76	66	69	71	74	73	73	70	80	70	40	40	60	40
Quemado	79	71	68	72	75	77	78	80	80	80	30	20	20	40

National Weather Service 90 Day Outlook



Questions?

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

Mr. Martinez said the only storage water available to water users were depleted. He said the remaining water would be first delivered to the six middle Rio Grande prior and paramount lands, but they would do whatever they could to deliver any excess water. He said if rain increase was available, they would resume delivery to non-pueblo lands north of Isleta Pueblo. Mr. Martinez said they found out it took 300 CFS below the Angostura Diversion Dam to provide the water level for pumps to operate. He said when the temporary boost came from rain in August, they tried to make water deliveries to disadvantaged areas who went the longest without water. He said a 10-day pueblo rotation was implemented to rotate a full supply of water to each pueblo for a certain amount of days based on each pueblo's prior and paramount acreage. Mr. Martinez assured the ISOs would provide advanced notice of water availability if any available water rotated through the system.

Director Duggins inquired about the 10-day rotation. Mr. Martinez said the full water supply was designated for the first five locations, for five days, and then would shift south for a day and a half and then to Isleta Pueblo for four days, and then would start back at the top.

Director Kelly asked what would happen if all the water would get moved down to Elephant Butte for compact deliveries in November. Mr. Casuga said there was a process for that, and they were working on it. He said the middle valley needed to fulfill their obligation at Elephant Butte and it stops there.

Madam Chair Russo Baca asked how they were communicating about the P&P water and information on deliveries with irrigators. Mr. Martinez stated they were giving information through their ISOs, printing and circulating, website postings, and texts. He said they were also going to put tags on turnouts but were open to suggestions.

AGENDA ITEM NO.8 - ITEMS FROM THE FLOOR (Comments are limited to six (6) minutes)

Martin Haynes

Mr. Haynes said there were multiple allegations against the District in the way they handled their water in the Journal. He suggested using the PR person on staff to counter those allegations and send a clear and true message. He said he hoped 13(c) negotiations would not be made on the backs of people that were paying service charges. He also said irrigators in the Corrales Main were the ones getting hurt the most right now. He stated if water was not being delivered because of not being able to get water to the pumps, they needed to make sure the siphon was done that year or figure out a way to raise checks at Angostura to get water to the pumps.

Dan Krupiak

Mr. Krupiak said a portion of his property off Guadalupe Trail in the north valley borders the Harwood Lateral. The Conservancy told him the ditch right-of-way was 30 feet from the centerline of the ditch to his property line, but his survey did not show that. He said MRGCD had not produced any paperwork to show it. He gave the Board some papers on the subject.

Madam Chair Russo Baca said Mr. Casuga would be getting in touch with him on the matter.

Mark Sanchez

Mr. Sanchez thanked the ISOs and supervisors, stating they went out of their way to get them water when it was available. He said he and his brother usually harvested at the same time but were now two weeks out of sync. He said they had never had that problem in 60 years.

Don Simpson

Mr. Simpson suggested that instead of running the water dry and recharging, they could run some water now with P&P to get it out a little further. Mr. Simpson also asked the status of El Vado.

Mr. Casuga explained that the water was stored in Abiquiu whereas normally it would be stored in El Vado based on an agreement by the Rio Grande compact and was under certain privileges of how it would be used. Mr. Casuga added that the diversions now were half of what they used to be 20 years ago and that El Vado was under construction until at least 2026.

Chair Russo Baca directed Mr. Casuga to work on a press release to further explain.

AGENDA ITEM NO. 9 - REPORT(S) FROM THE HUMAN RESOURCES DEPARTMENT - Christine L. Nardi, MBA

a. Introduction of MRGCD New Hires

Ms. Nardi announced MRGCD new hires including a medium equipment operator in Albuquerque and an agricultural irrigation specialist at the general office. She also announced new promotions, including light equipment operator to medium equipment operator in Belen Division and medium equipment operator to heavy equipment operator in Socorro. She stated the vacancy rate now stood at 9.6%.

Belen Division

KEVIN	LENTE	MEDIUM EQUIPMENT OPERATOR	08/21/2023 PROMOTION
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Socorro Division

CURTIS	GREENWOOD	HEAVY EQUIPMENT OPERATOR	09/04/2023 PROMOTION
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Albuquerque Division

KENNETH	SERNA	MEDIUM EQUIPMENT OPERATOR	09/18/2023
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General Office

JOSE	CONTRERAS-ALVARADO	AGRICULTURE IRRIGATION SPECIALIST	10/2/2023
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AGENDA ITEM NO. 10 - REPORT(S) FROM THE PROCUREMENT OFFICER - Richard DeLoia, CPO

a. Consideration/Approval for the Socorro Main Canal Channel Lining Project Construction (Water Trust Board Funded) - Alicia Lopez, Engineering & Mapping Manager

Tyler Ashton said they had two bidders and CF Padilla was the lower bidder. Ms. Lopez said they agreed with Wilson & Company’s recommendation and awarded construction to CF Padilla for the shotcrete lining for 5,000 feet of the Socorro Main Canal.

Mr. Casuga reiterated that the money from the Water Trust Board was in the amount needed to design all of the Socorro Main north section, so the funds were already secured. He said the remaining funds would be used for construction.

Director Kelly asked if there were any issues bonding the project. Mr. Clay Padilla, CF Padilla owner, said there was no issue with bonding. He congratulated them on their low bid but wondered if they had any reservations given the fact that they left \$600,000 on the table. Mr. Padilla said he was confident in the project.

Director Kelly made the **MOTION TO AWARD THE CONTRACT TO CF PADILLA FOR THE BASE BID AMOUNT PLUS APPROPRIATE TAXES.** Seconded by Director Sandoval. The **MOTION CARRIED UNANIMOUSLY.**

b. Consideration/Approval for the Socorro Man Canal Channel Lining Project Construction Management (Water Trust Board Funded) - Alicia Lopez, Engineering & Mapping Manager

Ms. Lopez asked for approval for the construction administration of the Socorro Main Canal Channel lining reconstruction project phase one, which would also be carried out by Wilson & Company to carry out the construction, administration, testing, and inspection of the first phase.

Director Kelly made the **MOTION TO APPROVE THE TASK ORDER WITH WILSON & COMPANY FOR THE SOCORRO MAIN CANAL, NORTH CHANNEL LINING CONSTRUCTION ADMINISTRATION**. Seconded by Vice Chair Dunning. The **MOTION CARRIED UNANIMOUSLY**.

c. Consideration/Approval for the MRGCD Centennial Documentary - Casey Ish, Conservation Program Supervisor

Casey Ish stated the District is seeking approval for the Centennial Documentary. This project was determined to be a Sole Source Procurement pursuant to NM procurement law 13-1-126 NMSA It was posted for 30 days without protest on the State of New Mexico's website prior to any award. He said the vendor was Aracely Chapa, a professional cinematographer.

Vice Chair Dunning asked about sole sourcing and what that meant. She also asked about a showing of the movie. Mr. Casuga explained it allowed the public to determine if there was somebody else capable of doing the job. On the subject of the movie showing, Mr. Ish said they ran into scheduling conflicts but may send out a link to watch it.

Director Duggins asked what the movie would do for MRGCD. Mr. Ish said it would show that they had come a long way from where they started. Mr. Casuga said there was a need to honor the middle valley and its culture.

Director Barbara Baca thought there's true value in educating the community about the good work that this agency does and with the celebration of 100 years said it was a perfect opportunity to do that and talk about the importance of agriculture in the valley and how the organization responsibly manages the water.

Vice Chair Dunning made the **MOTION TO APPROVE THE SOLE SOURCE AWARD OF A CONTRACT**. Seconded by Director Kelly. The **MOTION CARRIED UNANIMOUSLY**.

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

a. Bureau of Reclamation - Jennifer Faler, Area Manager

Jennifer Faler said they requested Inflation Reduction Act funding and were optimistic. She said they also requested funding from the National Fish and Wildlife Foundation. She noted that the contractor was grouting at El Vado and even working on weekends to get it done. Ms. Faler said MRGCD was working with BOR, Albuquerque-Bernalillo County Water Authority, and Corps of Engineers to be able to store water in Abiquiu hopefully next year. She added that what MRGCD did for their constituents was unique and the movie would be a way to reach many people.

Director Dunning asked if the intake valves at El Vado would fill with debris again next year or was there a way to prevent it from happening again. Ms. Faler said she believed they were in the process of installing curtains to try to capture woody debris.

b. Bureau of Indian Affairs - Sarah K. Delavan, Designated Engineer

Mr. Casuga said that he communicated quite often with Ms. Delavan and that she was highly capable.

Dr. DuMars added that he would like to have a relationship with BIA and Dr. Delavan as they do with BOR and Ms. Faler.

Dr. Sarah Delavan, the new designated engineer, stated she heard it was a tough job and water came with tension and frustration. She said most of her experience was with flood risk.

c. Discussion/Approval of the Agreement between the US Department of the Interior & the MRGCD for Operations & Maintenance on Newly Reclaimed Pueblo Lands - Jason M. Casuga, CE/CEO

Mr. Casuga talked about the negotiated contract with BIA. He said they would not be here if Eric Zamora had not stepped in and did things the way he did it. He said the negotiating groups all came together and he felt like they had a good document. Mr. Casuga said the contract had been reviewed by the Finance Committee and legal counsel.

Vice Chair Dunning made the **MOTION TO APPROVE THE AGREEMENT BETWEEN THE US DEPARTMENT OF INTERIOR & MRGCD FOR O&M ON NEWLY RECLAIMED PUEBLO LANDS**. Seconded by Chair Russo Baca. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 12 - REPORT(S) FROM THE CHIEF OPERATING OFFICER - Eric Zamora, PE

a. Report on the Near North Valley Neighborhood Association Meeting to Discuss Trail and Easement Issues, August 22, 2023 - Eric Zamora, COO and Director Joaquin Baca

Mr. Zamora said one of the first major items of work was setting up meetings for a winter work list with each pueblo. He said Dr. Delavan would help coordinate that. He thanked Ms. Fanelli and her staff for their work implementing the new service request module. He said they would go live with that Monday, and it would provide electronic documentation of all service requests.

Mr. Zamora said the Near North Valley Association Meeting would discuss trail, easement, and access issues. He said the Alameda Trail Project would continue through the south bank of the Alameda Chain. He stated they were coordinating with the Neighborhood Association on the conflict between pedestrians and motorized traffic and were also trying to figure out the appropriate point of a contact with Albuquerque.

b. NM 147 Update - Eric Zamora, COO

Mr. Zamora explained they had a situation while they were trying to clean out the drain underneath Highway 147 where an excavator fell into a sinkhole. He said they tried to identify the issue and unblock the inlet of the drain but were not able to do so. He said they then installed a cofferdam to pump the drain water back to the river. He stated they were reviewing alternatives with Albuquerque Underground. Mr. Zamora explained that they found there was no license for the crossing to DOT and determined it was an MRGCD crossing.

Mr. Casuga said they were waiting on information to bring to the Board along with the cost to fix it. He expressed that the stakes were high on it because the water elevation of the drain left a portion of the west side irrigators north of 146 on the Pueblo of Isleta unable to efficiently irrigate.

Director Kelly said he did not think they should wait until October to award a contract on the issue and suggested a special board meeting. Mr. Casuga stated he would be happy to have a special meeting.

c. Albuquerque Levee Updates - Eric Zamora, COO

Mr. Zamora said they had been in contact with WSP on the reconstruction of the Rio Bravo Bridge Project. He noted they completed a 90% design submittal and review, and it was brought to their attention that the water service elevation in the river of about 1 inch. He said they were attempting to meet with WSP and NMDOT to have more a more detailed discussions on the potential impacts. Mr. Zamora stated they had a service request related to bosque management and request for vegetation removal.

Mr. Casuga added that they would be exploring options for the removal and ways to stockpile and burn it to eliminate a fire hazard.

Mr. Zamora said Ms. Corwin had been working on getting staff OSHA 30 certified. He said she already conducted one training session and had another one coming up.

d. MRGCD Division Manager Updates - Daniel Arquero, Cochiti Division Manager

Mr. Arquero said his division covered from the Cochiti Dam up to Bernalillo at 550 serving four pueblos now: Cochiti, Santo Domingo, San Felipe and Santa Ana. They have been working on O&M operations.

Mr. Casuga added that Eric Zamora would be rotating the division managers once a month so they could get in the habit of being able to talk to the Board about what they were doing.

Director Kelly asked if they were having any issues with non-pueblo irrigators tapping into P&P water at midnight and what new piece of equipment did they need to put in the budget for the next year. Mr. Arquero said they've had a few calls, but it had been relatively quiet; and he felt the Cochiti Division needed a new D5 dozer backhoe.

Mr. Zamora updated the board regarding different requests such as vegetation removal. Discussion ensued regarding the amount of work, the type of equipment that will be required is beyond what the District has/does. He stated they are reaching out to other

agencies on how to best manage this issue of unmanaged bosque that has been a problem.

He added some good news as LeeAnn Corwin, the District's Safety Manager, has been working on getting the field staff OSHA 30 certified with upcoming training courses.

AGENDA ITEM NO. 13 - REPORT(S) FROM THE CHIEF ENGINEER - Jason M. Casuga, PE

a. Consideration/Approval of MOA among Bureau of Reclamation and the MRGCD and the National Fish and Wildlife Foundation concerning Middle Rio Grande Native Water Leasing and Habitat Restoration Pilot Program - Casey Ish, Conservation Program Supervisor

Casey Ish said the updated Memorandum of Agreement (MOA) had terms to now match the cooperative agreement which was extended to 2024. He said the MOA incorporated references to several pilot program activities developed subsequent of the original MOA.

Mr. Casuga stated that under the native water leasing program there was a cap on the acreage and was voluntary. He said they still had checks and balances in place for anyone who wanted to come back and access the program less than 10 acres. He said the goal of the program was to target small acre plots and it seemed to be working.

Mr. Ish added that the conservation program did surveying, and it showed that the flexibility it offered was appreciated. He said the new MOA was going to further build MRGCD's capacity to bring up the on-farm program piece to improve application of water for farmers.

Vice Chair Dunning made the **MOTION TO APPROVE THE MOA BETWEEN BOR, MRGCD, AND NFWF CONCERNING THE MIDDLE RIO GRANDE NATIVE WATER LEASING AND HABITAT RESTORATION PILOT PROGRAM.** Seconded by Madam Chair Russo Baca. **4 IN FAVOR / 1 OPPOSED / 0 ABSTENTION. MOTION CARRIES.**

Director Barbara Baca	Yes	Vice Chair Dunning	Yes
Chair Russo Baca	Yes	Director Kelly	Yes
Director Duggins	No	Director Sandoval	Absent
Director Joaquin Baca	Absent		

Director Sandoval left the meeting due to pueblo restrictions prior to the above motion.

b. Consideration/Approval of Resolution BD-09-11-23-56 Regarding Replacement of a Member of the Board of Directors upon a Vacancy - Jason M. Casuga, CE/CEO

The resolution was provided to the board in their packets, stating that in case of vacancy through death, resignation, removal from the district or failure of any elected director to qualify, the remaining members of the board shall, by majority vote, fill such vacancy. The person selected to fill such vacancy shall hold such position until the next election of directors in such district. At the next election of directors of such district, following a vacancy, a director shall be elected to fill such vacancy. Board of Directors of the Middle Rio Grande Conservancy District (MRGCD) determines that it is in the best interest of the MRGCD to adopt a process to fill a vacancy on the Board.

Director Kelly made the **MOTION TO APPROVE RESOLUTION BD-09-11-23-56 REGARDING REPLACEMENT OF A MEMBER OF THE BOARD OF DIRECTORS UPON A VACANCY**. Seconded by Vice Chair Dunning. The **MOTION CARRIED UNANIMOUSLY**.

- c. **Update on the MRGCD Centennial Luncheon, August 21, 2023 - Amanda Molina, PIO, Yasmeen Najmi, Planner, Director Joaquin Baca and Jason M. Casuga, CE/CEO**

Mr. Casuga said there were invitations spread throughout the valley to local leaders, state and federal representatives, legislators, past and present board members and they were starting to get RSVPs. He mentioned there was a 220 person cap, so registration would cease when they hit that number. Mr. Casuga reminded the Board that the 100-year Centennial was for the original Conservancy Act and Mr. Fleck would be discussing the history of it. He also mentioned that Director Kelly suggested they have a screen on stage to display the names of elected officials instead of going through and naming all of them to save time.

Director Kelly made the **MOTION TO EXTEND THE MEETING**. Seconded by Vice Chair Dunning. The **MOTION CARRIED UNANIMOUSLY**.

- d. **Report on the Atrisco Acequia Madre Master Plan, September 5, 2023 - Jason M. Casuga, CE/CEO, Yasmeen Najmi, Planner and Director Barbara Baca**

Yasmeen Najmi gave an update on the Atrisco Acequia Madre Master Plan. She said they were close to a final plan. She explained the purpose of the project was to develop an outdoor education site to celebrate and educate about acequias and agriculture in the valley. She said they had a general concept design which included gateway elements, education, trail connections, seeding areas, artwork, etc. Ms. Najmi said they planned to work with one of their on-call contractors and anticipated coming back to the Board in November with more information.

Mr. Casuga stated that when they come back to present the plan they will be looking for endorsement from the Board.

- e. **Report on the San Juan-Chama Project Contractors Association Annual Workshop, Meeting & Field Trip, August 23-25, 2023 - Jason M. Casuga, CE/CEO, Casey Ish, Conservation Program Supervisor and Ashley Veihl, Water Resource Specialist**

Ashley Veihl explained the purpose of the workshop was to view and discuss wildfire mitigation and source watershed to understand the complexities of land management jurisdictions, foster cross-boundary planning, and implementation opportunities and research efforts. She said they got to meet with other land and water managers and discussed future collaborations, had an introduction to the landscape and learned how land management decisions in the source watersheds basins affected water quality, met with forest managers, toured multiple ranches, and heard a presentations from John Fleck on water shortage sharing and future water availability projections and Steve Bassett on treatments.

Mr. Casuga added that the amount of private land and how valuable it is from a watershed standpoint was not unknown by private landowners and they were willing to

take steps to protect their land. He said they had to find a way to make it easier for private landowners to connect to federal dollars and get New Mexico to see the value of taking New Mexico dollars across the Colorado line to connect with some federal dollars.

Report on the SJCPA Annual Workshop

Pagosa Springs, CO
August 23rd-25th

Middle Rio Grande Conservancy District Board of Directors Meeting
September 11th, 2023



Purpose & Attendance

- Purpose
 - View and discuss forest and watershed work in source watersheds
 - Understand land management jurisdictions
 - Foster cross-boundary planning
 - Network with CO and NM forest and water managers
- Jason Casuga, Anne Marken, Casey Ish, Ashley Veihl



Wednesday, August 23rd

- Travel day to Pagosa Springs
- Social networking at Motel SoCo

Thursday, August 24th

- Introduction to landscape
 - Blanco, Navajo, and Little Navajo basins contain major tributaries to San Juan River
 - Catastrophic wildfire in area would affect downstream water quality
 - Increase erosion
 - Higher sediment deposition
 - Reduced ability for soils to recharge aquifers



Tour of Knight Ranch by Tucker Knight

- Mastication and prescribed burn treatment plan
 - Aimed to clear understory of gambel oak
 - Stop #1: Recent treatment area
 - Mastication – slash left for nitrogen decomposition
 - Stop #2: Post-year treatment
 - Regrowth of oak and grasses, prepping for rx burn
 - Burn 3 years post-treatment, results for 10-15 years
 - Cost: ~\$3k/acre with road access, otherwise ~\$6k/acre



Tour of Sombrilla Springs Ranch by Sandlin Niccum

- Treatment of aspen and dry-mixed conifers
 - Regrowth rate is slower so treatment includes mastication without rx burn
 - Cost-share between landowners and land/water managers
 - Increased wildlife sightings
- EOD presentations
 - John Fleck (UNM; Utton Center) – Water shortage sharing and projections on future water availability
 - Steve Bassett (TNC) – Maps on treatments within the 3 basins



Friday, August 25th

- Tour of Banded Peaks Ranch by Tim Haarmann, caretaker of ranch
 - Strategic thinning for snowpack retention
 - Shade and wind breaks slow melting but trees can intercept snowfall
 - History of ranch and its conservation easement
 - Runoff and debris flow
 - Cloud seeding
 - 10-15% more precipitation from seedable storms
- Travel back to ABQ



Lessons Learned

- ~152,000 acres of land make up the three basins.
- ~16% of that is deemed “capable” of being treated.
- It is expected to cost ~\$42,000,000 to treat that 16%
- This is an investment in “green infrastructure”, no different than investing in pump stations or canal lining.
- MRGCD is stepping up by doubling our annual contribution, but all Contractors and the States of Colorado and New Mexico need to do more to help with local match on big Federal Dollars

f. Update on the Six Middle Rio Grande Pueblo Coalition Meeting, September 8, 2023 - Jason M. Casuga, CE/CEO and Chair Russo Baca

Madam Chair Russo Baca said Mr. Casuga did an excellent job responding to some tough criticism and it was one of the most well attended coalition meetings in a long time.

Mr. Casuga stated they covered the BIA agreement and gave a water update. He noted it was the first time hearing some of the feedback they received at the meeting.

g. Upcoming Events

1. **NM Water Law Conference, Santa Fe, NM - September 18-19, 2023**
2. **Inaugural Meeting Coalition of Rio Grande Water Users, Hotel Santa Fe - October 3-5, 2023**
3. **Great NM Chile Taste-Off, City of Socorro Rodeo & Sports Complex - October 7, 2023**
4. **Latinos Farmers & Ranchers International El Congreso 2023, Isleta Resort & Casino - October 26-28, 2023**
5. **2023 CRWUA Conference, Paris Las Vegas Hotel - December 13-15, 2023**

AGENDA ITEM NO. 14 - REPORT(S) FROM THE MRGCD ATTORNEY(S) - Chief Water Counsel or General Counsel

Dr. DuMars discussed the Ohkay Owingeh Pueblo case. He said there was talk of trying to work their storage agreement into their settlement solution, but that was not acceptable. He said they were also having trouble getting the federal language for the proposal.

Mr. Casuga noted there was work to be done on the legislation and they would bring a draft agreement to the Board.

Dr. DuMars said they were still exchanging drafts on Abiquiu and potential storage, but they were going to get there. He said the WEG suit was put on hold. He said he thought the real problem was they wanted a structural solution and MRGCD wanted a practical solution.

Director Kelly agreed with Mr. Haynes that they needed to address and correct what was written in the newspaper.

AGENDA ITEM NO. 15 - REPORT(S) FROM THE BOARD

a. Report on the Conservation Advisory Committee Meeting, August 17, 2023 - Chair Russo Baca

Madam Chair Russo Baca said the meeting went well with lots of great discussion. She said they discussed San Juan Chama water ending and harvest reports.

b. Report on the Meeting with Linda Stover, Bernalillo County Clerk, August 22, 2023 - Director Barbara Baca

Director Barbara Baca said she did not meet with Ms. Stover, but they were ready to help however they could.

c. Report on the Meeting with Rep. Vasquez, August 24 & 25, 2023 - Chair Russo Baca

Madam Chair Russo Baca said it was a great opportunity to talk about things important to MRGCD, agriculture, and how the farm bill might affect them. She said she did an on-farm tour with him and talked about some of the issues they were facing.

d. Report on the First Friday Regenerate the Valley Meeting, September 1, 2023 - Chair Russo Baca

Madam Chair Russo Baca said they talked about how some of the local famers were looking for ways to conserve water. She said they had a good discussions.

e. Report on the Valencia County Commission Meeting, September 6, 2023 - Chair Russo Baca

Madam Chair said she was interested in attending the meeting because they were talking about some of the lawsuits with MRGCD. She felt that the District could continue to collaborate with Valencia County on any flood control measures that they are interested in taking and how we can offer support role in that.

f. Report on the Finance Committee Meeting, September 8, 2023 - Vice Chair Dunning and Directors Kelly and Barbara Baca

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

Director Kelly made the **MOTION TO GO INTO EXECUTIVE SESSION** at 6:40 p.m. Seconded by Vice Chair Dunning. Rollcall vote was administered with remaining members voting yes. The **MOTION CARRIED**.

Director Barbara Baca	Yes	Vice Chair Dunning	Yes
Chair Russo Baca	Yes	Director Kelly	Yes
Director Duggins	Absent	Director Sandoval	Absent
Director Joaquin Baca	Absent		

AGENDA ITEM NO. 16 - 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

Director Kelly made the **MOTION TO GO BACK INTO REGULAR SESSION** at 7:10 p.m. Seconded by Vice Chair Dunning. The **MOTION CARRIED UNANIMOUSLY**.

Director Barbara Baca	Yes	Vice Chair Dunning	Yes
Chair Russo Baca	Yes	Director Kelly	Yes
Director Duggins	Absent	Director Sandoval	Absent
Director Joaquin Baca	Absent		

With no further comments, questions, or concerns, Madam Chair Russo Baca adjourned the meeting at 7:11 p.m.

Approved to be the correct Minutes of the Board of Directors of September 11, 2023.

ATTESTED:

 Pamela Fanelli, CMA, CGFM
 Secretary/Treasurer

 Stephanie Russo Baca, Madam Chair
 MRGCD Board of Directors