



Acequias in New Mexico: Updates and Policy Recommendations
Presentation to the Water and Natural Resources Legislative Interim Committee
October 3, 2018

Background and Introduction

- Based on an annual survey, NMAA has a database of 640 acequias in 22 counties.
- Acequias contribute to the statewide agricultural economy. In their respective counties, acequias are the foundation of the local agricultural economy that supports farming and ranching families. (See attached data from USDA Census of Agriculture). Acequia farmers and ranchers are growing food for local schools, restaurants, and farmers markets.
- Acequias face challenges related to water scarcity and drought and demands for water transfers. They have responded by affirming water sharing traditions and building capacity for local governance.
- NMAA works to protect acequia farmland and water rights, strengthen acequia governance, invest in acequia infrastructure, and cultivate the next generation of acequia farmers and ranchers.
- Acequias are also served by a partnership that helps to leverage federal Farm Bill dollars for acequia projects: NM Association of Conservation Districts, Interstate Stream Commission, local Soil and Water Conservation Districts, NM Acequia Commission, and NMAA. (See attached ICIP and Acequia Project List).

Policy and Budget Recommendations

- **Dates of Acequia Membership Meetings.** Update language in Chapter 73, Articles 2 and 3 to provide more flexibility in scheduling acequia biennial membership meetings. Articles 2 and 3 apply to different counties and they have slightly different language dealing with the required dates. NMAA recommends that this be corrected by clarifying that acequias can set the date of their biennial meetings in their bylaws.
- **Clarify Applicability of Certain Sections of Article 2.** In Chapter 73, Articles 2 and 3 govern acequias in different counties. It is generally understood and implied that non-conflicting sections of Article 2 apply to Article 3, but a clarification is needed. NMAA recommends clarifying in Section 73-3-11 that non-conflicting sections in Article 2 apply to Article 3 acequias.
- **Online Notice of Water Transfers.** Provide public notice of applications for water appropriations or water transfers online. This would improve transparency and due process by requiring that the same notice published in newspapers, as required by current statutes, is also published on the State Engineer website. NMAA recommends that a bill the same as or similar to SB 86 (Cisneros), which was introduced in 2017, be introduced in the 2019 legislative session.
- **Irrigation Works Construction Fund.** Restore long-term solvency to the IWCF, a portion of which is a recurring appropriation in the ISC budget for the Acequia Construction Program. NMAA recommends an

appropriation to the IWCF to restore some of the previous principal balance, continue of funding for the ISC Acequia Program, and limit use of the IWCF to irrigation projects. (See attached LFC Fund Balances)

- **Acequia Infrastructure Funding and Capital Outlay Reform.** When considering Capital Outlay reform, NMAA recommends that acequia leaders be included in deliberations and that acequia needs be considered:
 1. Ensure funding for engineering designs can be provided through the acequia program of the ISC to a greater extent,
 2. Build on the success of the ISC 90-10 program which is based on recurring funding from the IWCF and incrementally increase the amount available as more acequias have access to engineering designs,
 3. Incentivize a planning process that ensures the acequia has an engineering design prior to requesting construction funding,
 4. Provide adequate funding to complete projects within the same year,
 5. Leverage all available funding sources.
- **Rio Chama Irrigation Reserve.** The Rio Chama Acequia Association and Acequias Norteñas have been working with the State Engineer and Interstate Stream Commission to manage shortages on the Rio Chama. This effort has included the acquisition of storage space with state funds in recent years and an allocation of relinquishment credits that helped to offset shortages. However, shortages persist and the RCAA is requesting a legislative appropriation to acquire contract water for seasonal storage. This project was included in the regional water plan. NMAA recommends support of an appropriation for the Rio Chama Irrigation Reserve.
- **South Valley Acequia Infrastructure Planning.** The South Valley Regional Association of Acequias is collaborating with MRGCD to identify infrastructure needs of acequias in the South Valley what are within the district. As part of their strategic planning, the partners may be seeking funding support to conduct a planning and design process involving multiple acequias to help leverage resources. NMAA recommends support for this initiative.
- **Acequia Mapping.** The Office of the State Engineer and the Department of Homeland Security Emergency Management have initiated a statewide acequia mapping project as part of a statewide hazard mitigation plan. The project started with a federal grant and ongoing work of mapping and updating acequia information would greatly benefit from recurring state funding for OSE staff. NMAA recommends supporting funding to the OSE for acequia mapping.

Attachments:

1. Acequia ICIP and Project List
2. LFC Fund Balance for Irrigation Works Construction Fund
3. NMAA Background Information (Including USDA Census of Agriculture data)