Acequias: Capacity Building, Infrastructure, & Disaster Recovery

Water and Natural Resources Legislative Interim Committee, October 27, 2026

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Photo Credit: Acequia de Chamisal y Ojito

Established in 1993 in statute, the New Mexico Acequia Commission is part of DFA Local Government Division and advises the Governor and Legislature on policy matters of interest to acequias.

NMAC has two part-time contractors and an $88k annual budget.



New Mexico Acequia Association

~Celebrating 30 Years~

1989 –2019

Established in 1989, the New Mexico Acequia Association is a statewide, membership-based organization dedicated to protecting water and strengthening acequia agriculture through education and advocacy.

NMAA has 18 staff and $2 million annual budget across various programs.



- **Acequia Assistance Program:** This program assists hundreds of acequias each year with technical assistance on governance, water rights, infrastructure planning, and disaster recovery.
- **Acequia Organizing / Community & Youth Education**: These programs provide community and youth education on acequias & build connections and communications statewide.
- **Policy Advocacy.** NMAA is engaged in local, state, and federal policy with education of acequia stakeholders, analysis, and policy development.

Executive Summary

NM Acequia Commission and NM Acequia Association collaborated on a joint proposal with the support of the *Consensus Building Institute*. Our proposal identifies:

- Context and background information about the NMAA and NMAC, decades of advocacy and complementary roles.
- Growing challenges facing acequias across the state.
  - Infrastructure & Disaster Recovery
  - Water Rights
  - Governance
  - Legal and Financial Compliance
- Policy recommendations to build capacity to support acequias statewide.
  - **NMAC: Legislation updating statute & funding increase for staff and contractors.**
  - **Recurring funding for infrastructure support**
  - **Lessons learned on disaster recovery**
  - **Long-term: Resources for technical and legal assistance.**

NMAC-NMAA Proposal for Capacity Building

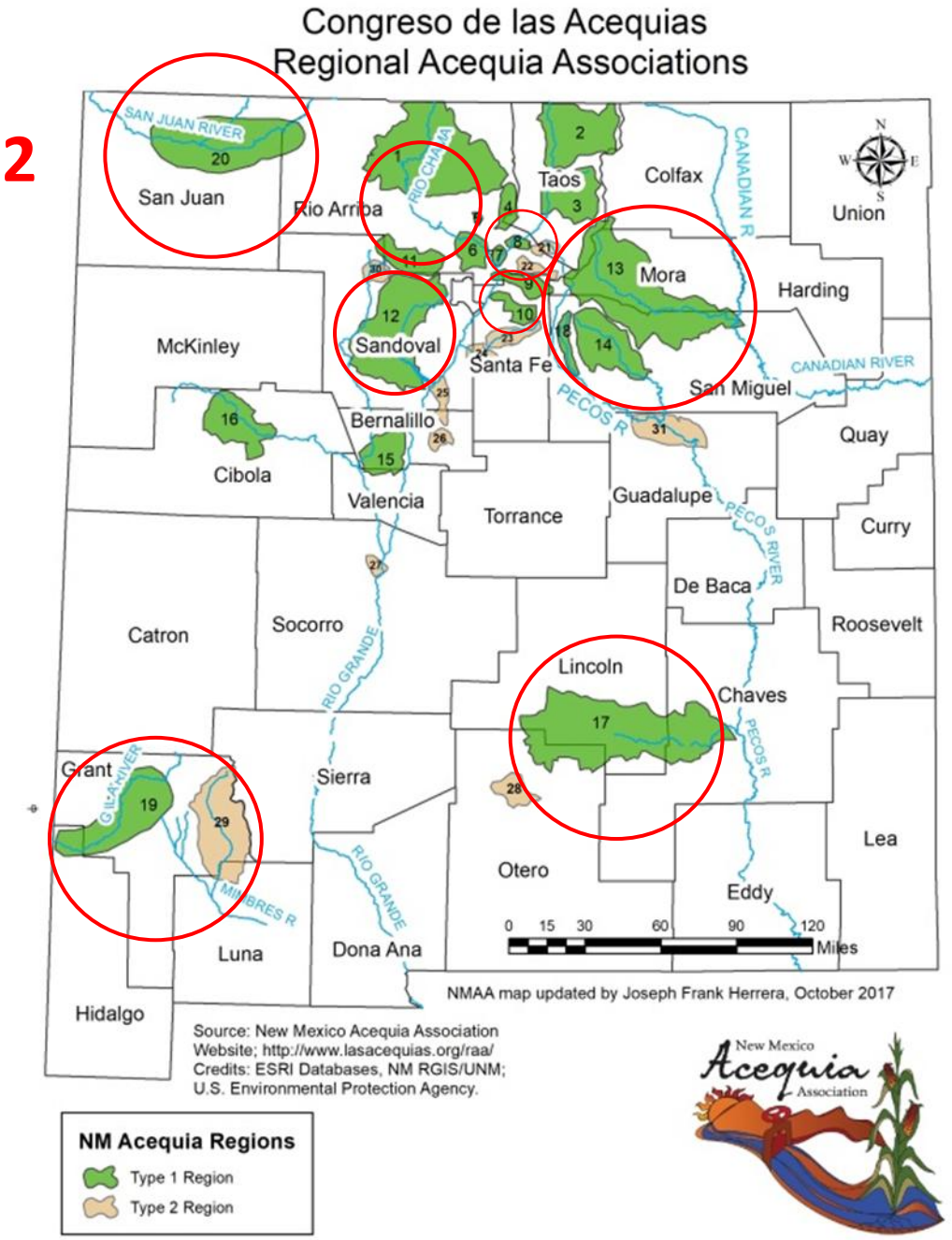
The shared vision in this document, based on our decades of experience and over 30 years working together, explicitly advances a set of shared policy priorities to address the urgent and changing needs of acequias while ensuring our two organizations are positioned in complementary, effective, and strategic ways to serve and protect New Mexico's acequias into the future.

~700 Acequias in New Mexico

~200+ damaged by flooding since 2022

Rio Grande
San Juan River
Taos Valley
Rio Chama
Rio Santa Cruz
Nambe/Pojoaque/Tesuque
Pecos River (Gallinas)
Canadian (Mora)
Rio Pueblo/Rio Embudo
Jemez River
Rio San Jose
Hondo River
Gila River
Mimbres River

*impacted by post-fire or flash flooding



Acequias have ancient customs and traditions but are also recognized as political subdivisions of the state. This unique status requires specialized technical assistance in the following areas:

- **Water Rights:** Acequias have significant powers over water management at the local level, including the authority to approve or deny water transfer applications.

- **Infrastructure & Disaster Recovery:** Acequias are eligible for state funding for capital improvement projects and disaster recovery assistance.

- **Governance:** Acequias are also required to have bylaws and comply with the Open Meetings Act, Audit Act, and other statutes and regulations that require transparency in decision-making and financial reporting.





Acequia Flood Disasters (Burn Scar/Flash Floods)

Year	Disaster	# Acequias
2022	HPCC	90+
2022	Black Fire	25+
2024	Rio Chama Floods	8
2024	South Fork/Salt	30+
2025	Ojo Caliente, Santa Cruz, Pojoaque	30+
2026	HPCC, Ruidoso cascading events	TBD
2026	Frijoles – Cundiyo	6+
2026	Rio Chama Floods, Ojo Caliente	TBD

**Numbers do not include other localized flooding in the Jemez area, other localized flash flood events.*



Acequia de los Quarteles, Cundiyo, Los Frijoles Burn Scar 2026

Progress in Building Acequia Capacity

2003	Water transfer statute and water banking
2004-2010	Various statutes clarifying easements, enforcement powers, etc.
2015	Clarification of ag valuation statutes to consider years of drought
2019	Strengthened transparency by requiring OSE to public water applications online
2019	Created Acequia and Community Ditch Infrastructure Fund (ACDIF)
2023	Updated ACDIF to add “disaster recovery”
2026	Increased ACDIF from $2.5 million to $5 million recurring annual allocation from IWCF

The Acequia and Community Ditch Education Program (ACDEP) was created around 2007 with a recurring appropriation to DFA Local Government Division and is contracted out each year.

The Acequia Bureau was created at the Interstate Stream Commission after the passage of the ACDIF and expansion to include disaster recovery in 2023. The bureau has 5.0 FTE and is completing a record number of projects each year.

The Acequia & Land Grant Education Project was created at NM Highlands University to support curriculum development for schools.

Acequia Capacity Building – Update the NMAC Statute and Increase Budget

NMAC is codified in Section 73-2-65 NMSA 1978. This was enacted in 1993 and has not been amended since its original passage. The current language in statute provides for the following:

- Defines NMAC as an advisory to the Governor and state legislature.
- Provides that NMAC serve as an agency liaison and advisor on infrastructure priorities.

Through our planning process, **NMAA and NMAC developed draft legislation** that would include additional language:

- Updates language requiring appointees to the NMAC be acequia elected officials.
- Authorizes the NMAC to hire staff and contractors to carry out its duties.
- Expands duties to include technical assistance on roles and responsibilities as political subdivisions, infrastructure planning, and regional water planning.

In addition to expanded statutory language, **NMAC and NMAA will be requesting a budget increase to $405,000** recurring in the DFA agency budget.

Another recommendation from our joint proposal is to codify the Acequia and Community Ditch Education Program (ACDEP). This is outlined in the NMAA-NMAC proposal as a policy priority but is not being proposed for the 2027 session and will be developed further for a future legislative session.

Acequia Infrastructure Funding and other Support Programs

Acequia Bureau at the Interstate Stream Commission. The Acequia Bureau was created in 2023 to expand capacity for administration of acequia infrastructure projects. It has 5.0 FTE and administers acequia Capital Outlay projects as well as the ACDIF.

Acequia and Community Ditch Infrastructure Fund (ACDIF). The 2026 legislature increased funding from $2.5 million per year to $5.0 million per year for engineering design and construction. The program has an excellent completion rate, between 90-100% since FY24.

Disaster Funding. Acequias are eligible for FEMA Public Assistance, DHSEM Public Assistance, the NRCS Emergency Watershed Program. These require 75/25 cost share. In recent years, local sponsors for the EWP program have used the DFA Match Fund for the 25% cost share.

The need for acequia infrastructure dollars exceeds $10-$20 million per year based on Capital Outlay, ACDIF requests, and ICIP data (not including disasters). There is a funding gap. NMAA is recommending two potential sources of funding:

1. Create a new recurring funding source through the Land Grant-Merced & Acequia Infrastructure Fund. A pending proposal would generate $5 million per year and allocate the funds to the existing ACDIF program.
2. Add a GroFund appropriation to the ISC budget to of $5 million per year for the ACDIF program as well as funding for staff capacity.

Lessons Learned and Policy Recommendations

1. Clarify the Disaster Recovery Process.

Acequias (and all local governments) need a clear pathway to access disaster assistance.

- There should be a standardized application process with clear expectations.
- The method for delivering aid should be adaptable to local conditions and should consider that acequias are volunteers.
- This includes establishing an improved disaster response that is predictable and reliable rather than having to re-invent the wheel every time there is a disaster.

2. Technical Assistance.

Acequias are governed and managed by volunteers. Therefore, specialized technical assistance is vital to the recovery process. Expand resources for recovery officers and case managers at DHSEM and an increase in acequia technical assistance (NMAA, NMAC). Preparedness, including financial and legal compliance, should be a focus to ensure acequia readiness for funding assistance programs.

3. Acequia Capacity and Preparedness.

Acequias need support to build capacity to be better prepared to participate in disaster programs (and infrastructure projects generally). Their governance, financial compliance, and other policies and procedures should be made current before a disaster strikes.



Acequia del Sombrillo, HPCC Burn Scar

Lessons Learned and Policy Recommendations (continued)

4. Cost Share Requirements.

Disaster programs have a 75/25 cost share requirement.

- For federal programs such as FEMA and NRCS EWP, the relatively new DFA Match Fund can be used for the 25% cost share. The current budget recommendation is for $20 million, while in the past it was $70 million. More is needed and there may be a need for a disaster set aside to ensure funds are available during the monsoon season. **SUPPORT INCREASED FUNDING FOR THE DFA MATCH FUND**
- For state disasters, the 75/25 match requirement is a challenge. Although in-kind contributions count toward the match, it may not cover the full amount. A better system would be for the state to cover 100% or to reduce the local cost share.

5. Emergency Debris Removal.

After a disaster, the most urgent need for acequias is to get water flowing again in a timely manner. For each disaster, the cost share is uncertain and the state is reinventing the wheel. Instead, the state should institutionalize ACEQUIA DEBRIS REMOVAL with agreements between agencies and reliable funding for cost share requirements.

6. Recurring Flooding (Cascading Events).

The nature of post-fire flooding is that it is recurring for several years after the initial fire disaster. FEMA will cover the cost of cascading events but only up to the end of the disaster (with extensions). Some recurring flooding may be flash flooding that becomes the burden of the state through state emergency orders/state disasters. The state should look ahead and **prepare for an increase in costs from burn scar flooding for years to come.**

Lessons Learned and Policy Recommendations (continued)

6. Reliance on NRCS and Sponsors for EWP.

Given a choice between FEMA and NRCS EWP, acequias have tended to choose EWP for their structural repairs. It is more user-friendly because the sponsor administers the funds, manages funds, and procures contractors. There are several issues to be considered:

- Local or state sponsors need more capacity to administer EWP. For HPCC, DFA was the sponsor.
- NRCS is undergoing a reduction in staff due to federal budget cuts.
- Acequia eligibility should be codified in policy, not a case-by-case decision.
- **The state should develop a program like EWP** (agency administers projects) that is covered with FEMA reimbursements and/or state funds, modeled after the NMDOT debris removal program.



After initial HPCC burn scar flooding, NMDOT was deployed to assist with debris removal. Acequia Madre de Holman.

7. More Engineers, Water Resource Experts, and Local Contractors are Needed.

A major challenge is the need for more technical experts including hydrologists and engineers. There is a major bottleneck in the engineering design phase when structural repairs or permanent work is needed on a project. Local contractors should have experience and training on working on acequias, which require specialized expertise.