

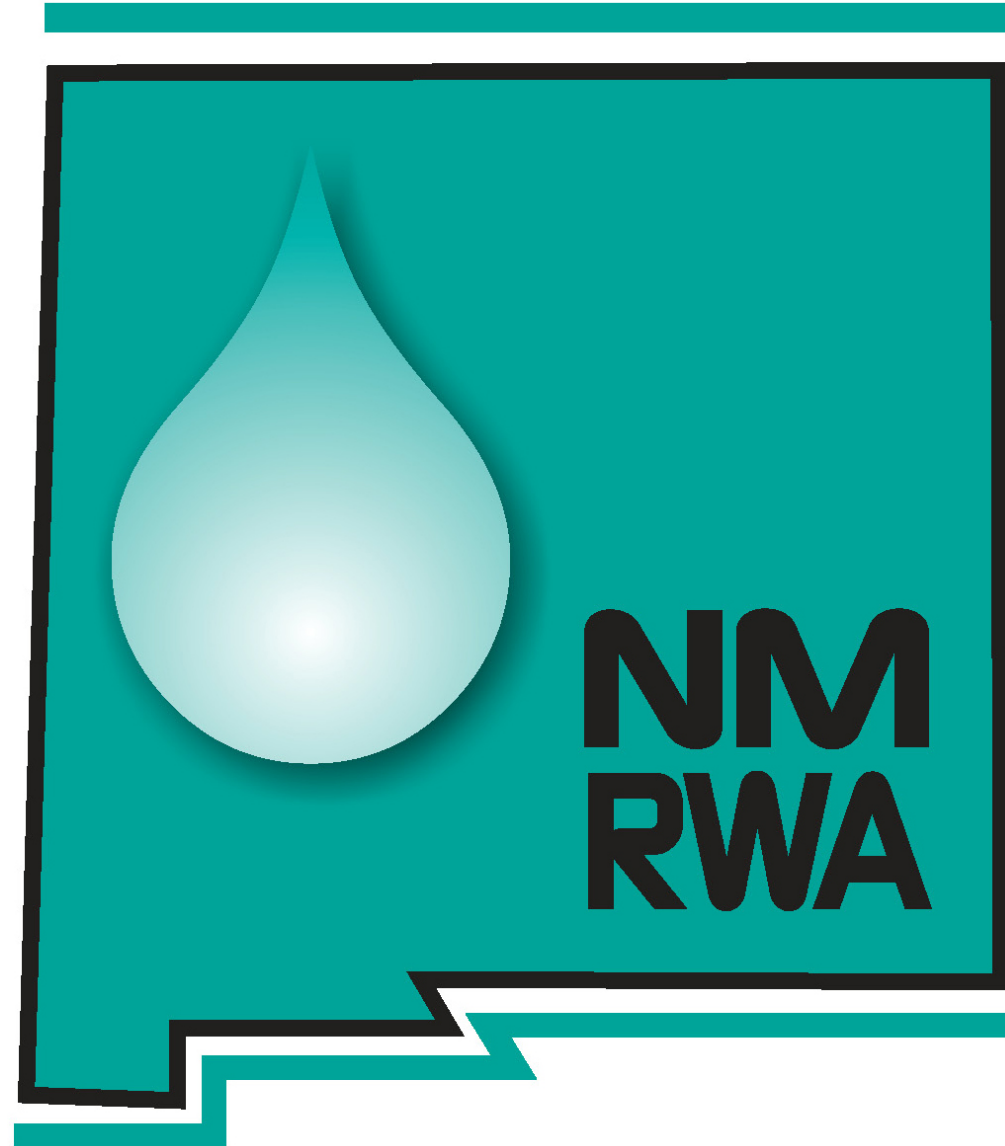
Community Water Systems & Cannabis

Presentation to the Water and Natural
Resources Legislative Interim Committee

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Taos, NM





Community Water Systems and Cannabis – Overview

- Part 1. Overview of NMRWA and Community Water Systems
- Part 2. Cannabis Production's Impacts on Community Water Systems
- Part 3. Sustainable Community Water Systems and the Cannabis Industry in Rural New Mexico



NMRWA – Who We Are

- The New Mexico Rural Water Association is a nonprofit organization with over 480 water and wastewater system members, representing over 1,297,000 New Mexicans.
- NMRWA serves any water system in New Mexico, regardless of membership. We provide technical assistance and training to public water systems and represent their legislative and regulatory interests.
- At our 43rd Annual Conference (August 3-5, 2021), approximately 275 water operators, board members, and other professionals from 144 public water systems attended classes for certification credits. About 80 of our Associate members exhibited.

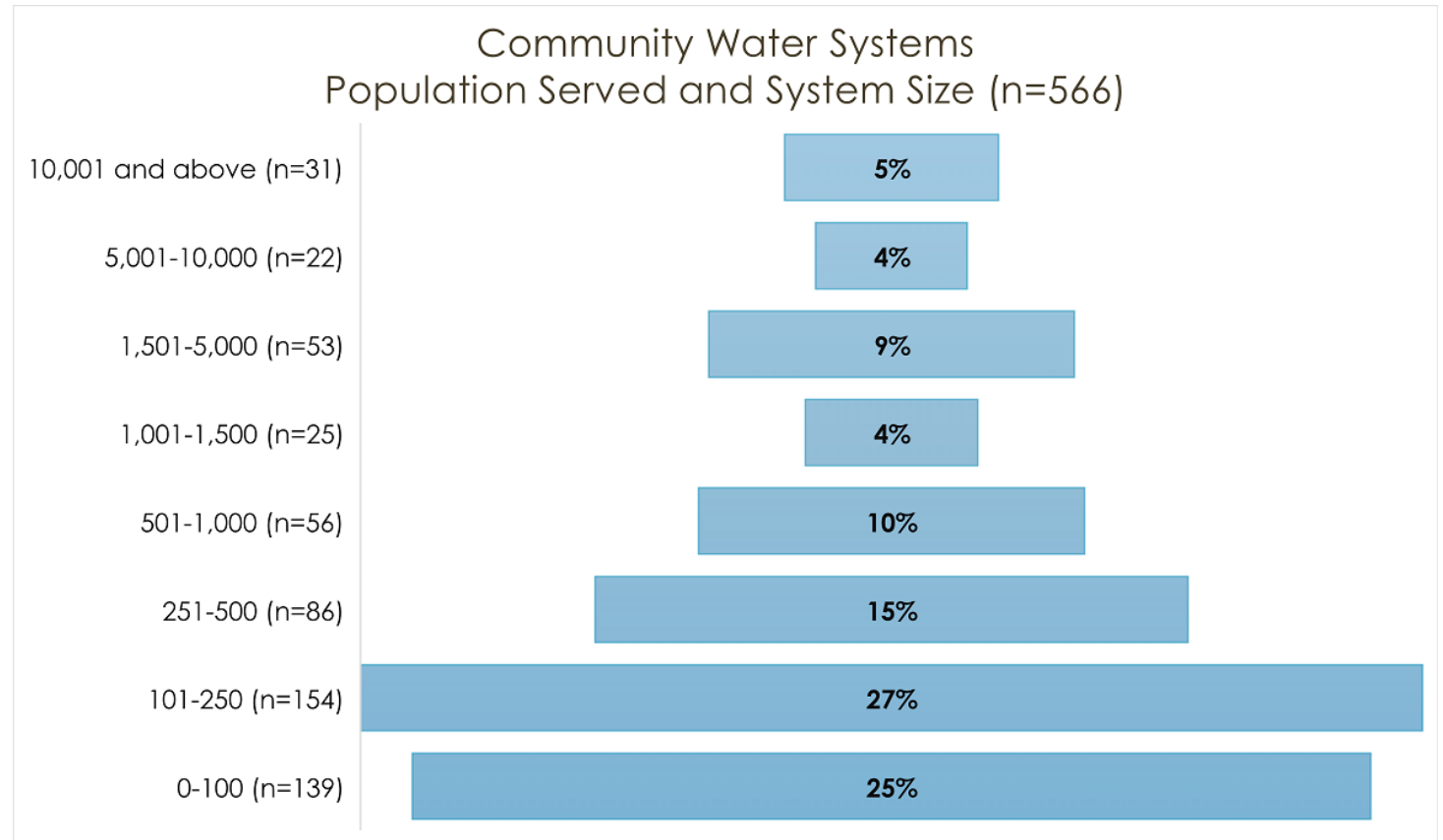


Thank your water operator and board!

THE PEOPLE WHO RUN YOUR COMMUNITY WATER SYSTEMS ARE HEROES!

Community Water Systems

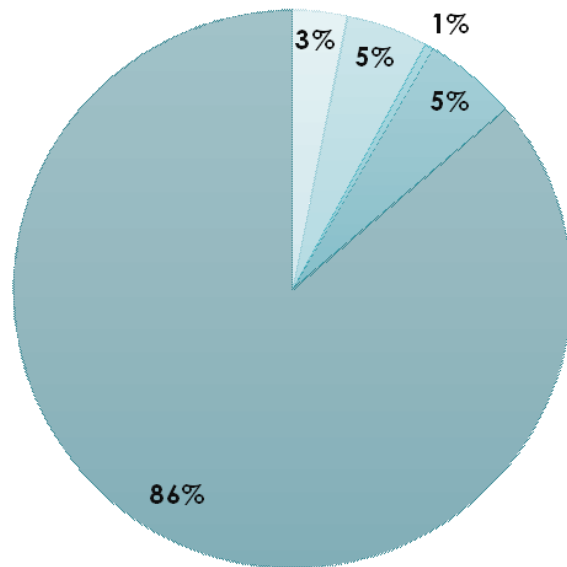
- A community water system (CWS) supplies water for human consumption to the same population year-round. The system provides water to at least 15 service.
- 91% serve communities of less than 5,000
- 67% serve communities of less than 500
- 25% serve communities of less than 100



About 88% of New Mexicans get their drinking water from a CWS.

Most of New Mexico's drinking water comes from groundwater.

Community Water Systems
Type of Source Water



- Surface Water Purchased (n=18)
- Surface Water (n=27)
- GU* (n=3)
- Groundwater Purchased (n=31)
- Groundwater (n=492)

*Groundwater under the influence of surface water



Water System Governing Documents

Common Water System Organization Types under NM Law

Sanitary Projects Act

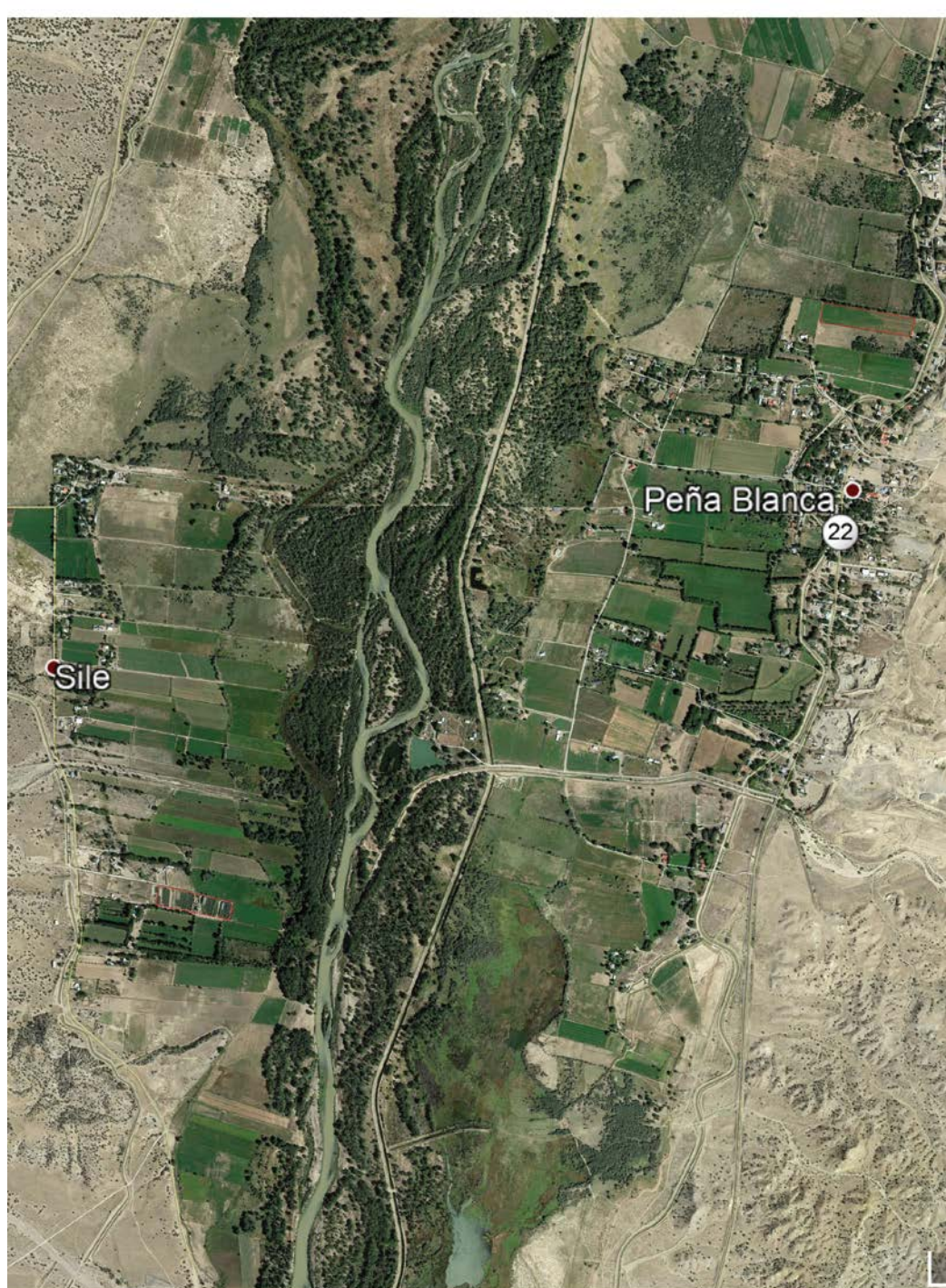
- Enacted in 1947 NMSA 1978 § 3-29- 1 to 3-29-19
- Authorized creation of MDWCAs to supply water
- Political Subdivision of the State

Cooperative Association Act

- Enacted in 1939 NMSA 1978 § 53-4-1 to 53-4-45
- Authorizes creation of a non-profit association to conduct any lawful business
- Privately Owned

Water and Sanitation District Act

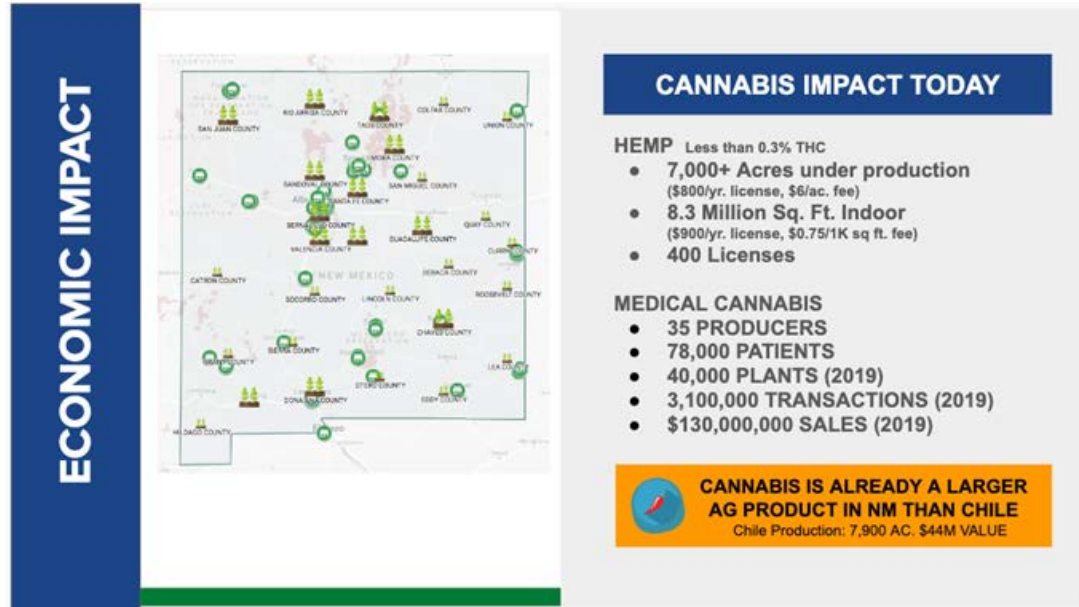
- Enacted in 1943 NMSA 1978 § 73-21-1 to 73-21-55
- Authorizes creation of a district to supply water and other services
- Is a body corporate with all the powers of a public or quasi-municipal corporation



Sile MDWSA and Peña Blanca W&SD

- The Sile Mutual Domestic Water & Sewer Association and the Peña Blanca Water & Sanitation District are small water systems between Cochiti and Santo Domingo Pueblos on either side of the Rio Grande.
- In 2019 commercial cannabis producers irrigated their farms using the community water systems' drinking water.
- Peña Blanca and Sile estimated that the farms used approximately 463% more water than their average households (averaged from about 3-5 months of usage).

Prior to the Cannabis Regulation Act (CRA) the issue of water was absent from New Mexico's legislation and licensing requirements for cannabis



From the Governor's Marijuana Legalization Work Group (www.marijuanaworkgroup.com), 2019. The website is no longer active.

Cannabis production can have significant negative impacts to New Mexico's community water systems.

We can learn from the way medical cannabis production was inadequately regulated for water and other environmental concerns.

Lessons learned for more sustainable cannabis production

- *Education is needed on water rights and permitted use*
- *Agricultural production should not be conflated with licensing*
- *Environmental issues should not be deferred over licensing*
- *Community Water Systems have little recourse when it comes to enforcement; licensees need to know that county and regulatory agencies WILL act*



Recommendations

- Assurance compliance does not jeopardize Federal funding
- Need State support for:
 - Governance work
 - Capacity building
 - Leadership development
 - Technical assistance
- Community water systems need clarity from the law and regulations

Community water systems need clarity from the law and regulations

- Community water systems are chartered to provide safe drinking water to their communities.
- Do they now have to choose between supplying drinking water to the community or for irrigating industrial crops?
- Sustainable rural economic growth through cannabis production is possible – with clarity and planning, respect for traditional communities and valuing the people who sustain them.



Your questions?

Thank you

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NMRWA

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