

1 SENATE MEMORIAL 124

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

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9  
10 A MEMORIAL

11 REQUESTING THE GOVERNOR TO CONVENE MEETINGS OF THE ATTORNEY  
12 GENERAL AND GENERAL COUNSELS OF STATE AGENCIES THAT PARTICIPATE  
13 IN THE PLANNING OR FUNDING OF WATERSHED RESTORATION PROJECTS IN  
14 THE STATE TO DEVELOP A CONSISTENT APPLICATION OF THE LAW  
15 GOVERNING THE USE OF PUBLIC FUNDS FOR SUCH PROJECTS.

16  
17 WHEREAS, watershed restoration projects are designed to  
18 increase the adaptability and resilience to recurring drought  
19 and extreme weather events of the state's forests and  
20 watersheds; protect water sources; reduce the risk of wildfire  
21 and maintain the water storage and release capacity of  
22 watersheds; and may include projects to restore burned areas,  
23 thin forests and support related economic or workforce  
24 development projects; and

25 WHEREAS, fostering partnerships and cooperation among

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1 federal, state and county agencies, tribal entities, political  
2 subdivisions and educational institutions of the state, soil  
3 and water conservation districts, the forest products industry,  
4 the Rio Grande water fund and other public and private  
5 organizations dedicated to forest and watershed preservation  
6 and restoration programs or projects is necessary to  
7 efficiently implement watershed restoration projects to protect  
8 and maintain the state's water sources; and

9 WHEREAS, watershed restoration projects constitute the  
10 performance of an essential governmental function, and the  
11 expenditure of public funds for watershed restoration projects  
12 on any lands within the state serve the important public  
13 purpose of protecting and maintaining the state's water  
14 sources; and

15 WHEREAS, state agencies that are authorized to plan,  
16 organize, participate in or implement a watershed restoration  
17 project may expend public money on a project that incidentally  
18 benefits private lands; and

19 WHEREAS, there is often disagreement within and among  
20 state and local agencies concerning the expenditure of public  
21 funds on watershed restoration projects that incidentally  
22 benefit non-state lands; and

23 WHEREAS, this lack of agreement can hamper efforts to  
24 efficiently administer and coordinate watershed restoration  
25 projects in the state;

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