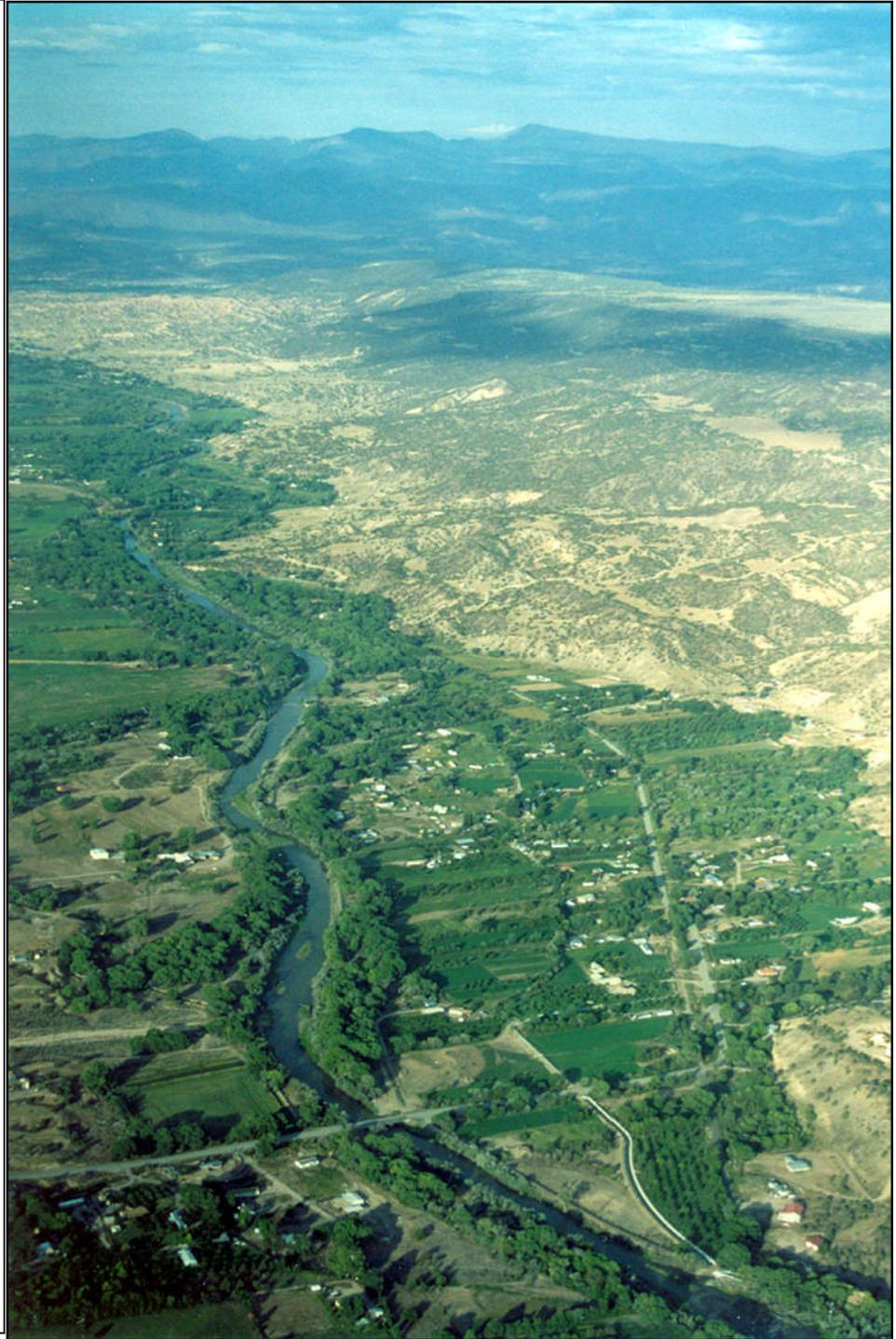


# 2011 Acequia Report

A Presentation to the  
Water and Natural Resources  
Legislative Interim Committee

New Mexico  
Acequia Association

June 30, 2011



## Acequia Overview

- Acequias have managed water for centuries in New Mexico. They are self-sufficient and operate with volunteer labor and financial assessments on members.
- Acequias are vital to the social and economic well being of rural families throughout the state who depend on them for irrigation water. Acequias are part of New Mexico's cultural heritage.
- There are an estimated 700-800 acequias in New Mexico with most concentrated in northern New Mexico including Taos, Rio Arriba, Mora, San Miguel, Sandoval, Santa Fe, and Guadalupe but also located in Bernalillo County, Lincoln County, Grant County, and Cibola County among others.
- Acequias are governed according to state law Chapter 72, Articles 2 and 3, NMSA 1972. They are recognized as political subdivisions of the state.
- Like other local governments, acequias are eligible for federal and state funding for infrastructure. Many acequias have developed Infrastructure Capital Improvement Plans.
- In their respective communities, acequias manage all or most of the non-Indian surface water rights. They manage water in accordance with state law and local custom. They are essential partners to the state in water management.
- Acequias are governed by a three member elected commission and mayordomo. Acequias are required by state law to have by-laws that govern their management and operations. They must also comply with the Audit Rule, the Open Meetings Act, and the Inspection of Public Records Act.



# Strategic Investment in Acequia Infrastructure

- Leverage State, Federal, Local dollars
- Focus resources on phased projects
- Build leadership and capacity for good planning and project management

Acequias benefit from state federal partnerships involving the Interstate Stream Commission (ISC), Natural Resource Conservation Service (NRCS), and the Army Corp of Engineers (ACoE). (However, the ACoE Acequia Program was not funded in the federal budget for the first time since the program was created in the 1990s.) To ensure the continued success of this cost-share program, NMAA recommends that the legislature support the following:

- Protect the long term solvency of the Irrigation Works Construction Fund. \$1.9 million is allocated in HB 2 for acequia rehabilitation projects which supports the state-federal cost share program and the 80-20 cost share program.
- Retain or increase support for NRCS to provide project assessment and engineering design for acequia projects.

In New Mexico we can also build upon local innovations and new resources that are available:

- The Taos Soil and Water Conservation District and the Eastern Rio Arriba Soil and Water Conservation Districts have local acequia programs that cover the cost of small projects. They provide funds for the cost of materials and acequias provide the labor.
- The Water Trust Board oversees and Acequia Project Fund that provides support for engineering design. With technical assistance on planning and the application process, more acequias could benefit from funding from the Water Project Fund for phased construction.

The New Mexico Acequia Association supports capital outlay reform. We recommend the following in relation to acequias:

- Technical assistance on project planning should be readily available. Funding requests could be based on ICIPs or some similar planning instrument.
- For larger projects, engineering designs should be completed before funded for the construction phase(s).
- Projects ready for construction can be assembled into a package to be included among other statewide priorities.



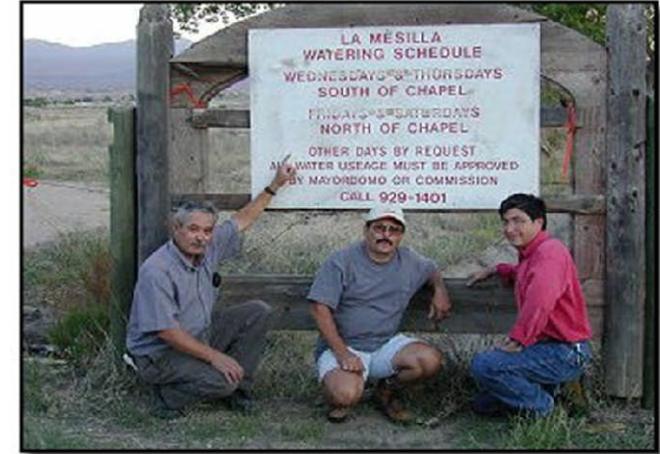
# Community-Based Water Management by Acequias

- Support water management policy that honors and strengthens local self-governance by acequias, which includes ancient customs of water sharing and local, traditional knowledge about hydrology.
- Recognize and protect historic diversion rights of acequias to ensure adequate pressure head for efficient water delivery and irrigation.
- Incorporate recent research about the hydrological benefits of acequias including findings that acequias improve aquifer recharge and regulate stream flows.
- Address concerns about the role of water masters and meters in relation to locally elected Mayordomos and Commissioners. Administration by the State Engineer should support and complement historic customary practices.

## Overview of Acequia Governance Project

NMAA has developed a specialized program for the purpose of strengthening acequia governance. We use culturally appropriate methods for working in acequia communities and tailored educational materials including guides to federal and state funding programs, including a bilingual Acequia Governance Handbook. NMAA is well known for having developed a comprehensive program and materials focused on updating acequia bylaws and for assisting acequias with long-term infrastructure planning including development of infrastructure capital improvement plans (ICIP).

As political subdivisions of the state, acequias not only have a critically important role in water management but they are also accountable as local institutions of government. They are responsible with compliance with the Open Meetings Act, Inspection of Public Records Act, and the Audit Rule. Additionally, they are eligible for state capital outlay funds and they exercise significant authority over water allocation at the local level. These functions are enhanced with training, technical assistance, education, and professional development all of which are provided by the NMAA.



	Services Provided	Acequia Meetings	Meeting Attendees	Workshops	Workshop Attendees
2010-2011 (April)	190	41	519	13	614
2009-2010	264	56	511	25	879
2008-2009	192	52	916	23	791
2007-2008	258	1	25	19	628
	904	174	1946	80	2912

## Impacts of Drought and Water Scarcity

- Acequias are vulnerable to drought because most are on smaller stream systems that tend to run dry in years of water shortage.
- Traditional acequias have, to a significant extent, maintained water sharing customs and traditions that guide rotation schedules between parciantes and between neighboring acequias.
- Although acequias are adapted to water shortage, the current drought has dramatically impacted acequias. Many report being completely dry while others report that irrigators have not received water in three or more weeks.
- In the implementation of Active Water Resource Management, acequias must be at the table in decision-making about rotation schedules, a form of Alternative Administration. This is increasingly important for not only acequias but other agricultural stakeholders who share a river with municipalities.
- Ash and silt from fires in forest watersheds will impact acequia irrigation works.

## Regulation of Water Transfers

- In 2003, the legislature authorized acequias to approve or deny water transfers (Sections 72-3-21(E) and 73-3-4.1, NMSA 1978). By statute, the State Engineer cannot consider an application for a water transfer into or out of an acequia unless the respective acequia has already approved the application. Some acequia decisions have been challenged in the courts.
- The state legislature may consider enacting protections for communities at risk for major water exports such as rural communities that are facing applications to transfer water rights out of their respective regions to other regions.

## Acequia Agriculture

Agriculture is vital to New Mexico's acequia communities as both a livelihood for thousands of families but also a way of life. Increasingly, acequia farmland and water rights are serving as the foundation for rebuilding local food systems.

Most of the farms and ranchers are relatively small in terms of acreage and sales with the vast majority earning under \$10k (2007 Census of Agriculture). With some financial and technical assistance, this foundation can be built upon for more local food production and processing.

The State of New Mexico can contribute to strong local food systems in the following ways:

- Recognize the significance of farmland and water rights to future food security.
- Support investment in irrigation works as well as processing and distribution infrastructure.

*An estimated \$450 million leaves the a six county region in northern New Mexico through imports of food and farm inputs. If the region's consumers bought 15% of their food directly from farmers, it would bring an additional \$49 million of new farm income into the region. A model of the potential for the region, Fred Martinez sells fresh fruit wholesale and to local schools.*

