

MINUTES
of the
THIRD MEETING
of the
WATER AND NATURAL RESOURCES COMMITTEE

August 12-13, 2021
Bataan Hall
University of New Mexico-Taos
121 Civic Plaza Drive
Taos

The third meeting of the Water and Natural Resources Committee was called to order by Senator Elizabeth "Liz" Stefanics, chair, on August 12, 2021 at 9:05 a.m. at University of New Mexico-Taos.

Present

Sen. Elizabeth "Liz" Stefanics, Chair
Rep. Matthew McQueen, Co-Vice Chair
Sen. Pete Campos (8/13)
Sen. Joseph Cervantes
Sen. David M. Gallegos (8/12)
Rep. Susan K. Herrera (8/12)
Rep. Tara L. Lujan
Rep. Kristina Ortez
Rep. Larry R. Scott
Sen. Benny Shendo, Jr.
Sen. Jeff Steinborn
Sen. Pat Woods
Rep. Martin R. Zamora

Advisory Members

Rep. Jack Chatfield
Rep. Rebecca Dow (8/13)
Rep. Roger E. Montoya (8/12)
Sen. Gerald Ortiz y Pino
Sen. Shannon D. Pinto
Rep. William "Bill" R. Rehm
Rep. Patricia Roybal Caballero
Rep. Debra M. Sariñana
Sen. Antoinette Sedillo Lopez

Absent

Rep. Derrick J. Lente, Co-Vice Chair
Rep. Gail Armstrong
Sen. Stuart Ingle
Rep. Marian Matthews
Rep. James R.J. Strickler
Rep. Candie G. Sweetser

Sen. Crystal R. Diamond
Rep. Candy Spence Ezzell
Sen. Ron Griggs
Sen. Carrie Hamblen
Rep. T. Ryan Lane
Rep. Raymundo Lara
Sen. Linda M. Lopez
Rep. Rod Montoya
Rep. Greg Nibert
Rep. Andrea Romero
Rep. G. Andrés Romero
Rep. Angelica Rubio
Sen. Joshua A. Sanchez

Rep. Nathan P. Small
Sen. Mimi Stewart
Sen. Peter Wirth

Guest Legislator

Sen. Roberto "Bobby" J. Gonzales

(Attendance dates are noted for members not present for the entire meeting.)

Staff

Shawna Casebier, Legislative Council Service (LCS)

Tom Kricka, LCS

Ariel MacMillan-Sanchez, LCS

Sara Wiedmaier, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

References to Webcast

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at www.nmlegis.gov, under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

Thursday, August 12

Welcome (9:05 a.m.)

Senator Stefanics, Dan Barrone, mayor, Town of Taos, and Dr. Mary Gutierrez, chancellor, University of New Mexico-Taos, welcomed members of the committee and the public and discussed their love of Taos and the current initiatives they are working on.

Approval of Minutes (9:34 a.m.)

On a motion made, seconded and duly passed, the minutes of the committee's July 12-13, 2021 meeting were approved as amended.

Cannabis and Water Use (9:35 a.m.)

Martha Graham, Source Water Protection Program, New Mexico Rural Water Association; Paula Garcia, executive director, New Mexico Acequia Association; Linda Trujillo, superintendent, Regulation and Licensing Department; and John Romero, director, Water Rights

Division, Office of the State Engineer, provided the committee with a presentation on the water use considerations of cannabis cultivation, including effects on community water systems and acequias and the regulation and enforcement surrounding water rights used for adult-use cannabis cultivation. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=WNR&Date=8/12/2021&ItemNumber=1>.

Managing Water Budgets for Resilience (11:55 a.m.)

Sam Fernald, director, New Mexico Water Resources Research Institute (NM WRRI); Kevin Perez, research specialist, NM WRRI; and Connie Maxwell, leader, Water and Community Collaboration Lab, NM WRRI, provided the committee with a presentation on ground water and surface water use in New Mexico and opportunities for building resilient water systems, including using traditional acequia irrigation methods to recharge aquifers and delay releases that would otherwise be early because of climate change. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=WNR&Date=8/12/2021&ItemNumber=2>.

Irrigation Works Construction Fund (1:32 p.m.)

Ms. Garcia, Jonathan Martinez, acequia program manager, Interstate Stream Commission, and Jeff Primm, program support director, Office of the State Engineer, provided the committee with a presentation on the Irrigation Works Construction Fund, including a financial summary, opportunities and sustainability considerations. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=WNR&Date=8/12/2021&ItemNumber=3>.

Report from the Rio Grande Trail Commission (2:52 p.m.)

Todd Leahy, chair, Rio Grande Trail Commission, and deputy secretary, Energy, Minerals and Natural Resources Department (EMNRD), provided the committee with an update on the Rio Grande Trail project, including established and planned trail designations and opportunities for involvement. The presentation can be found here:

<https://www.nmlegis.gov/handouts/WNR%20081221%20Item%204%20Rio%20Grande%20Trail%20Commission.pdf>.

Northern Rio Grande National Heritage Area Update (3:16 p.m.)

Margaret C. Campos, executive director, Northern Rio Grande National Heritage Area, provided the committee with a presentation on the Northern Rio Grande National Heritage Area,

including a financial summary, areas of impact and grantee project examples. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=WNR&Date=8/12/2021&ItemNumber=5>.

Conservation Funding Needs and Opportunities (3:36 p.m.)

Alexandra Navas, director, New Mexico Outdoor Recreation Division, Economic Development Department; Ralph Vigil, owner, Molino de la Isla Organics; Demis Foster, executive director, Conservation Voters New Mexico; Garrett VeneKlasen, northern conservation director, New Mexico Wild; Lesli Allison, executive director, Western Landowners Alliance; Michael Dax, western wildway director, Wildlands Network; and Conor Hall, conservation finance director, The Trust for Public Land, provided the committee with presentations on conservation programs in New Mexico, including funding needs and opportunities, approaches to sustained conservation funding and social justice initiatives. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=WNR&Date=8/12/2021&ItemNumber=6>.

Recess

The committee recessed at 5:43 p.m.

Friday, August 13

Reconvene

The committee reconvened at 9:10 a.m.

Wildlife Management Reform (9:13 a.m.)

Michael Sloane, director, Department of Game and Fish; Kevin Bixby, executive director, Southwest Environmental Center; Chris Smith, southwest wildlife advocate, WildEarth Guardians; Colleen Payne, New Mexico regional director, Mule Deer Foundation; Loren Patterson, president-elect, New Mexico Cattle Growers' Association; and Kyle Jackson, hunt manager, Vermejo Park Ranch, provided the committee with a presentation on the pros and cons of reforming wildlife management in New Mexico to be more inclusive of nongame species, including the current scope of the regulatory authority and responsibilities of the State Game Commission and the Department of Game and Fish, funding needs for current and changed wildlife management responsibilities and the possibility of changing the names of the agencies to reflect a broader wildlife management mission. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=WNR&Date=8/12/2021&ItemNumber=7>.

Upper Pecos Watershed Water Quality Concerns (11:08 a.m.)

Mr. Vigil, Joseph Brophy Toledo, cultural advisor, Pueblo of Jemez, and Jerry Schoeppner, director, Mining and Minerals Division, EMNRD, provided the committee with a presentation on water quality concerns of the Upper Pecos watershed with regard to potential mineral mining in the watershed, as well as a status update on the Terrero Mine exploration permit. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=WNR&Date=8/12/2021&ItemNumber=8>.

Public Comment

There was no public comment.

Kit Carson Expansion and Renewable Energy Development (12:32 p.m.)

Luis Reyes, Jr., chief executive officer, Kit Carson Electric Cooperative, provided the committee with a presentation on the Kit Carson Electric Cooperative, including information on the serviced area, electric vehicle charging stations, broadband expansion and expansion of the cooperative's model to other communities in need of services. The presentation can be found here:

<https://www.nmlegis.gov/handouts/WNR%20081221%20Item%209%20Kit%20Carson.pdf>.

Adjournment

There being no further business before the committee, the meeting adjourned at 1:52 p.m.