

**MINUTES OF THE
2,155th REGULAR MEETING
OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT
OCTOBER 14, 2019**

Directors having been duly notified, Madam Chair Dunning called the regular meeting to order at 3:00 pm at the MRGCD General Office. The following Directors and Staff were present:

DIRECTORS		STAFF	
Karen Dunning, Madam Chair	Present	Mike Hamman	Chief Engineer/CEO
Joaquin Baca, Vice-Chair	Present	Dr. Chuck DuMars	Chief Water Counsel
John Kelly, Director	Present	Lorna Wiggins	General Counsel
Valerie Moore, Director	Present	David M. Fergeson	Secretary-Treasurer
Michael T. Sandoval, Director	Present	DeAnna Philips	GIS Tech/Board Liaison
Barbara Baca, Director	Present	Jason Casuga	Engineering Manager
Stephanie Russo Baca, Director	Present	David Gensler	Water Operations Manager
		Becky Burnham	Budget Analyst
		Lorenzo Benavidez	Socorro Division Manager
		Mike Lopez	Construction QC Manager
		Alicia Lopez	Engineer 1
		Adrienne Martinez	Engineer 1
		Yasmeen Najmi	Planner/RRA
		Marta Moerch	HR Generalist II
		Steve Kinberger	HR Generalist I
		Joe Brem	Albuquerque Division Manager
		Anne Marken	Hydrologist I
		Jessica Howe	Hydrology Tech I
		Rebecca Thompson	Assessment Clerk II
		Doug Stretch	GIS Manager
		Socorro Division Office Crew:	
		Dennis Lucero	
		Freddie Martinez	
		James Mishoe	
		Jeff Greenwood	
		Richard Montano	
		Tim Townsend	
		Ruben Reyes Jr.	

The following names of individuals were interested viewers and/or participants:

Adam Triolo, Carrie Tingley Hospital Foundation	Craig Hoover, Bohannon Huston Inc.
Monet Silva, Carrie Tingley Hospital Foundation	Andrew Swartswalter, Bohannon Huston Inc.
Jeff Willis, AMAFCA	John Friedman
Dagmar Llewellyn, BOR	Santiago Chavez

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

In honor of Indigenous People's Day, Director Sandoval led the Pledge of Allegiance.

Madam Chair Dunning declared a quorum and welcomed guests, as well as noted that the meeting was publicly noticed.

AGENDA ITEM NO. 2 – APPROVAL OF THE MRGCD BOARD MEETING AGENDA

Madam Chair Dunning noted that, because today is a federal holiday (Indigenous People's Day), the Bureau of Reclamation and the Bureau of Indian Affairs will not be making their usual presentations.

Madam Chair Dunning added Item 12.e. Schedule Various Committee Meetings

Director Moore made the **MOTION TO APPROVE THE MEETING AGENDA WITH THE ABOVE NOTED CHANGES**. Vice Chair Baca seconded the motion. The **MOTION CARRIED unanimously**.

AGENDA ITEM NO. 3 – CONSENT AGENDA

- a. Consideration/Approval of Payment Ratification - October 14, 2019
- b. Consideration/Approval of September 2019 Invoice for Wiggins Williams & Wiggins, PC
- c. Consideration/Approval of September Invoice for Law & Resource Planning Associates, PC
- d. Consideration/Approval of Minutes for Regular Board Meeting - September 10, 2019
- e. Memo on MRGCD Approved Licenses for September 2019 (For Informational Purposes Only)

Madam Chair Dunning noticed that in the L&RPA billing the name Henry Coors came up. She asked Dr. DuMars if the Board needed to know anything. Dr. DuMars responded that Mr. Coors passed away. He does not think it will come up again.

Director Moore referred to the minutes of September 10, 2019, and noted that she would be interested in the NMED Implementation of the HB-546. Madam Chair Dunning asked that the Board Members be notified of this.

Director Sandoval made the **MOTION TO APPROVE THE CONSENT AGENDA**. Director Moore seconded the motion. The **MOTION CARRIED unanimously**.

AGENDA ITEM NO. 4 – REPORT ON THE 25TH ANNUAL MUDD VOLLEYBALL TOURNAMENT - Adam Triolo, Carrie Tingley Hospital Foundation


Adam Triolo introduced Monet Silva, who explained what the Foundation did in terms of providing support to patients of Carrie Tingley Hospital and other families and children around the state that have physical disabilities. Director Kelly questioned if the location has been locked in for future events. They reported that the site for the tournament has been secured for 2020.

Ms. Silva presented a thank you plaque to the MRGCD for its support.

**BOARD OF DIRECTORS
EXECUTIVE COMMITTEE**
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President
Lisa Leyva
President-Elect
Phillip E. Prevender, CFP
Vice President
Lori Steward
Treasurer
Tony Ramirez
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Barbara Lewis, CPA
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Sandy Mann
Mario Sanchez
Paul Sanchez
Andres Steneros
Walt Taylor
Todd Trautwein
Dan Westbrook
Ex-Officio
Doris Tinagero, RN, MSN
Executive Director
Monet Silva

August 27, 2019

Middle Rio Grande Conservatory District
PO Box 91750
ABQ, NM 87103


Carrie Tingley
HOSPITAL FOUNDATION

Dear Friends,

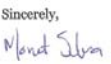
Thank you for making the 25th Annual Mudd Volleyball Tournament such a huge success! In 1995 we started with 40 teams – a quarter of a century later, we have expanded to over 430 teams with over 6,500 participants. This accomplishment means we can do even more for the patients of Carrie Tingley Hospital and children with special needs and families of New Mexico.


Middle Rio Grande Conservatory District's support is deeply appreciated and will impact the lives of thousands of children with physical disabilities right here in New Mexico! With the money we raised, we are able to:

- Expand our Adaptive Sports Programs and provide more children throughout the state with adaptive camps, sports and recreation
- Support the Carrie Tingley Hospital by funding equipment and research that helps over 42,000 children in New Mexico annually
- Maintain our Patient and Family Assistance Program that provides emergency financial assistance and home and vehicle modifications to over 900 families in need of our support

We are very thankful and honored that you participated in our Mudd Volleyball Tournament on this milestone year. Because of you, we can continue to serve children with physical disabilities and their families across New Mexico.

Thanks again for being a part of the 25th Mudd. We'll see you next year!

Sincerely,

Monet Silva
Executive director



Carrie Tingley Hospital Foundation is a 501(c)(3) nonprofit organization. EIN 85-6012236

PO Box 25424, Albuquerque, NM 87125 • info@carrietingleyhospitalfoundation.org • P: 505-243-6626 • F: 505-243-7323
www.carrietingleyhospitalfoundation.org

Our Mission: To improve the lives of Carrie Tingley Hospital patients and special needs children and their families throughout New Mexico.

AGENDA ITEM NO. 5 – REPORT ON WaterSMART GRANT TO COMPLETE DROUGHT CONTINGENCY PLAN FOR MRGCD - Anne Marken, MRGCD Hydrologist, and Dagmar Llewellyn, BOR Hydrologist/Civil Engineer

Anne Marken reported that the District has been working with the Bureau of Reclamation for the past three years to develop the drought contingency plan. This plan was developed with help from the BOR through the WaterSMART program, where 49% of the money spent by the District to develop the plan was reimbursed by the Bureau of Reclamation. She highlighted some of the areas that were outlined in the handout dispersed through Board Member packets, i.e., drought tool, drought response, vulnerability assessment, recommendations for long term drought mitigation, and identified members that would be a part of drought evaluation team.

Dagmar Llewellyn extended her congratulations to MRGCD for completing this momentous effort. The Plan looks at short-term drought, what to do when drought is forecast, and develops a number of steps that the District can choose to take over time to mitigate increasing intensity and frequency of drought throughout the rest of the century. She strongly encouraged the Board Members to read the Plan and become familiar with the appendices, which looks at the vulnerabilities of the District. She is hopeful that the Board will formally adopt the Plan at today's meeting.

Madam Chair Dunning asked how this Plan would be disseminated to the various agencies and people that need to see it. Anne Marken responded that the Drought Plan and the Drought Tool will be posted on the MRGCD website as well as the Bureau of Reclamation site.

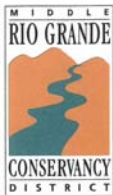
Directors Moore and Baca were very complimentary about the Plan and thanked all members who worked on it for being very detailed and forward thinking.

Director Kelly noted that he does not want this Plan to sit on a shelf somewhere. He would like to start planning on some of the big budget items (referencing Table 6: Recommend Mitigation Actions) within the Drought Contingency Plan. Mr. Hamman replied that this is a great starting point.

Dr. DuMars then explained from his review of the Plan to indicate what it doesn't do is as important as what it does do. He then stated what it doesn't do is it does not affect the water rights of an individual, of a Pueblo, or an irrigator within a Pueblo. It doesn't affect the water rights of the District nor does it affect the water right of any individual pre-1907 water user. It's not designed to do that, rather it's a Plan that is designed to improve the efficiency and distribution of the water. Many of these DCPs, as they call them around the country, get crossways with the prior appropriation doctrine and the reserve water rights. This one does not do that. This one is magnificent in the way in which it independently provides for a number of positive things and has no effect on anybody's water right.

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Memorandum



To: Middle Rio Grande Conservancy District Board of Directors
From: Anne Marken, Hydrologist I
Date: October 11, 2019
Re: MRGCD Drought Contingency Plan

Background: Over the past three years, the MRGCD ("the District") has been working to develop a Drought Contingency Plan that will enable the District to increase its resilience to drought. The plan was developed through a grant with the Bureau of Reclamation under the WaterSMART Drought Planning Program. The plan includes an assessment of the vulnerabilities that face the District, a method for monitoring drought conditions, operational guidelines for when drought conditions are met, and a list of projects that will mitigate the District's long-term vulnerabilities to drought.

The developed plan has passed the Bureau of Reclamation's technical sufficiency review, where they have deemed that the report meets all the requirements of their Drought Planning Program. The final component is for the Board of Directors to approve the developed plan and begin the drought monitoring as laid out in the plan. If the Board moves to adopt this plan it is important to note that implementation of the plan will always be at the discretion of the Board of Directors and that is explicitly stated within the plan itself.

Recommendation: MRGCD staff recommends that the MRGCD Board of Directors move to adopt this plan and begin the drought monitoring process as laid out in the report provided.

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 87103-0581
 1931 Second St. SW
 Albuquerque, NM
 87102-4515
 505-247-0234
 Fax # 505-243-7308

AGENDA ITEM NO. 6 – REQUEST FOR BOARD OF DIRECTORS TO FORMALLY ADOPT MRGCD'S DROUGHT CONTINGENCY PLAN - Mike Hamman, CE/CEO

Mike Hamman formally requested the adoption of the Drought Contingency Plan under the amendments recommended by staff and attorneys to alleviate potential legal interpretations of our flood control authority and ESA commitments.

Director Moore made the **MOTION TO ADOPT MRGCD'S DROUGHT CONTINGENCY PLAN (with the amendments suggested by Chief Water Counsel Chuck DuMars)**. Vice Chair Baca seconded the motion. The **MOTION CARRIED unanimously**.

AGENDA ITEM NO. 7 – DISCUSSION AND APPROVAL OF THE NOVEMBER AND DECEMBER 2019 BOARD MEETING SCHEDULE - Mike Hamman, CE/CEO

a. November 11, 2019, Veteran's Day - Holiday Observed

Mike Hamman recommended moving the November 11th Board Meeting to November 12th, due to the Veteran's Day holiday. Discussion ensued on suspending the field division Open House meetings for November and December, due to the various holidays, with reactivation in January.

Director Kelly made the **MOTION TO MOVE THE NOVEMBER 11TH BOARD MEETING TO NOVEMBER 12TH, KEEP THE FIELD DIVISION MEETINGS IN OCTOBER, SUSPEND FIELD DIVISION MEETINGS IN NOVEMBER AND DECEMBER, AND REACTIVATE FIELD DIVISION MEETINGS IN JANUARY**. Vice Chair Baca seconded the motion. The **MOTION CARRIED unanimously**.

AGENDA ITEM NO. 8 – ITEMS FROM THE FLOOR (Comments are held to six (6) minutes)

Ryan Crawford

Mr. Crawford is concerned about a collapsed return near Garfield Middle School. He wanted to just make sure that MRGCD knows about it and to make sure that it won't impact the next irrigation season.

Mr. Hamman responded that the District already knows about the dead end ditch, and he is trying to work closely with the City to get permission to utilize a storm drain system that they're going to be redoing for that whole intersection work in order for us to have an outfall for that ditch.

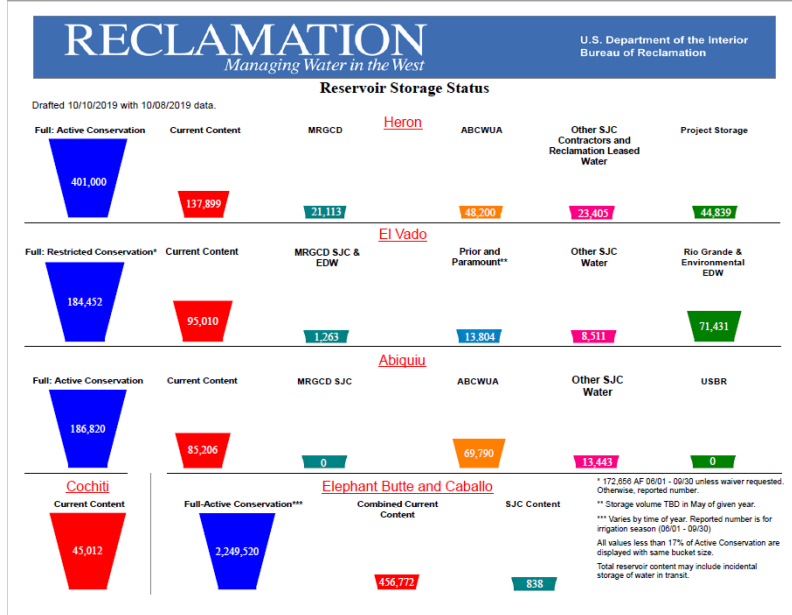
John Friedman

Mr. Friedman lives at 605 Los Arboles NW, which is across the street from Garfield Middle School. The District put up signs asking for comments about blocking motor vehicle access on the maintenance road along the Alameda Drain off 4th Street at 12th Street. This is of concern to him; however, he thinks there are options and will meet with the District's Engineering Department.

AGENDA ITEM NO. 9 – REPORT(S) FROM THE DEPARTMENT OF THE INTERIOR

a. Bureau of Reclamation - Jennifer Faler, Area Manager

Jennifer Faler was not in attendance of today's meeting due to it being a holiday.



b. Bureau of Indian Affairs - Viola Sanchez, Designated Engineer

Viola Sanchez was not in attendance of today's meeting due to it being a holiday.

AGENDA ITEM NO. 10 – REPORT(S) FROM THE MRGCD CHIEF ENGINEER - Mike Hamman, CE/CEO

a. Water Operations and River Flow Outlook - David Gensler, Water Operations Division Manager

The season is wrapping up. Things are pretty quiet out there now. Natural flow is fairly low. Even for this time of year, flows are down pretty good, especially considering the big runoff we had in the spring. We're down to roughly under purely natural conditions. We would see something like 300 CF per second entering the valley, and that's mostly consumed by the trees and seepage loss through Albuquerque.

We're in that time of year (early fall), where the river really gets lean, but we have been releasing from storage and propping it up, sending enough water to make it down to Isleta and also down to San Acacia at times.

Starting last week, we increased our supplemental release. We had some rain in the middle valley, and it rewet the river down at the southern portion. Because we have so much water that needs to get moved before the end of the year, we went ahead and chased that rain down with a release out of El Vado. We've been holding a steady 1,000 CFS release from Cochiti Reservoir since last Monday afternoon. We should see that water start to arrive down at the Butte probably about Thursday of this week. We will get an idea then of our transport efficiency in moving it down there.

The outlook, as of September 30th, was for roughly 80,000-acre feet of debit by the end of the year. Coincidentally, at that time, the sum total of Rio Grande storage in El Vado was just about 80,000-acre feet. Most of that is MRGCD's. I think about 13,500 is the Bureau's Prior and Paramount reserve water up there.

We are anticipating right now that probably most, if not all, of that water needs to come out and get moved to Elephant Butte by the end of this year. We are hoping to get it down there fairly efficiently. We are waiting to see how this movement does and see what our carriage losses are and see if we've got enough water to bring that debt to zero by the end of the year. We're hoping for a little bit of rains and some luck from the weather. It looked good last week with the cooler temperatures and the rain coming in, wetting up the system. However, now we have kind of transitioned back into that typical, nice, warm fall afternoons. Our evaporative losses are still up there, not terrible for this time of year, but there definitely still is some riparian evapotranspiration going on and some evaporation from the river surface. Our hope though is to be able to zero out that debit by the end of the year so that we don't start out 2020 having to have water locked in the storage at El Vado Reservoir.

For next year, assuming that we do wind up sending most of that Rio Grande down to Elephant Butte, we should start out the year with about roughly 25,000-acre feet of San Juan-Chama water in the bank. So, we're not destitute by any means. There probably will be some minor paybacks to us from other sources (some of the later water this winter that gets arranged and moved around). So, we will probably get a little bit more than that by the end of the year or early next spring.

Mr. Gensler suggested that next year we should probably expect to have a full San Juan-Chama delivery. I know that it's early in the year. We don't know what the snowpack is going to bring, but we don't see anything right now, any indicators, to suggest a bad year is looming out there for us in terms of winter snowpack. Mike Hamman added that the National Weather Service is currently predicting a normal to below normal winter.

Reclamation has 40,000-acre feet in storage at Heron Reservoir this year for project water. So, they don't have to park as much next spring to make a full allocation as they would any year. Just because this year was so good, they got some extra water into the project. So, we expect we will probably get a full allocation next year and, especially with this movement of water down to Elephant Butte, it's very likely that we will be out of Article VII in the spring and able to store normally. We are currently out of Article VII. There's already plenty of water at Elephant Butte, and we're looking at sending 80,000 more down there by the end of the year. So, we probably will be well above the magic 400,000-acre foot number. We should start out next year looking at something on the order of 45,000 to 50,000-acre feet of San Juan-Chama water available to us and probably some Rio Grande storage.

b. Request to Release 10,000 Acre-Foot of MRGCD 2019 San Juan-Chama Water During the Winter Months for Payment to ABCWUA - David Gensler, Water Operations Manager, and Mike Hamman, CE/CEO

We have an outstanding debt to the Water Utility Authority that's been on the books now for a long time, and we were making pretty good progress, whittling away at that debt until about two years ago, when we got concerned about the poor snowpack up north. We decided to hold onto what little water we had, which turned out to be a very wise decision.

Mr. Gensler is recommending that we try and resume making installments on that debt and work to start getting it paid off. Since we do look to be having a pretty good year next year, he thinks

now is a good chance to do that. He normally recommends an installment of 5,000-acre feet. Since we have skipped two years now, he would like to make that installment 10,000-acre feet.

There is a concern about fishery flows on the Rio Chama this winter and being able to provide a little extra water for Reclamation then to move from Heron and El Vado down to Abiquiu would sure help them out this winter with their fishery flows.

Madam Chair Dunning asked if we just have a normal or below normal snowpack, as well as experience really warm temperatures with resultant rapid melt off, will we regret the decision to double the installment amount? Mr. Gensler responded that, of course, there is always that chance, but we don't know what we're going to get till we get there. Mr. Gensler believes that if it turns out to be a bad decision, the WUA would allow us to send the water right back up. He believes the risk is small. Every year is a gamble.

Mr. Gensler added that we are going to be moving a lot of water on the Chama between now and about December 15th. Today, there was a 750 release, and Mr. Gensler is hoping to ramp it up a little bit, once we see what the conveyance efficiencies are and move a little bit on the front-end and then start backing it down so we don't shut the Chama off so dramatically in December. So, we will push down a little bit more, maybe in early and mid-November, and then start ramping down.

Mr. Gensler explained there are multiple consequences if we end up with some debit water at the end of the year locked up in El Vado. If we wind up owing water, then under Article VIII*, Texas can request at the Compact Commissioner's meeting that whatever the volume of debt that we have generated out of Article VI is carried over in storage in El Vado, and they can call on it the following year. They would notify New Mexico that New Mexico has to retain 80,000-acre feet in El Vado and hold it throughout the summer. This would not be such a terrible situation for us except that we're already limited in storage at the reservoir. Our total capacity there is about 115,000-acre feet right now, before we bump into their storage restriction. Plus, we are going to have to take our San Juan water down from Heron too. So, we're going to be sitting with about 100,000 to 105,000, probably, in the reservoir, and if that water were to be locked up in there, we would only have 10,000-acre feet of space available for us in the spring. It really presents a problem for us to have that locked up storage sitting there.

Chuck DuMars gave a history on the reason we owe ABCWUA water; the entire debt that we owe to the Albuquerque Bernalillo County Water Utility Authority the reason that exists is that we were in a very, very difficult mediation with then Forest Guardians and the City of Albuquerque, ISC. And we were facing the possibility of cutting back native water to irrigators or we could go to the Utility Authority and borrow some water from them. Dr. DuMars agreed that it would be a good idea to pay the 10,000 amount this year.

Director Kelly made the **MOTION TO FOLLOW STAFF'S RECOMMENDATION TO RELEASE 10,000 ACRE-FEET OF MRGCD 2019 SAN JUAN-CHAMA WATER DURING THE WINTER MONTHS FOR PAYMENT OF DEBT OWED TO ABCWUA.** Director Moore seconded the motion. The **MOTION CARRIED unanimously.**

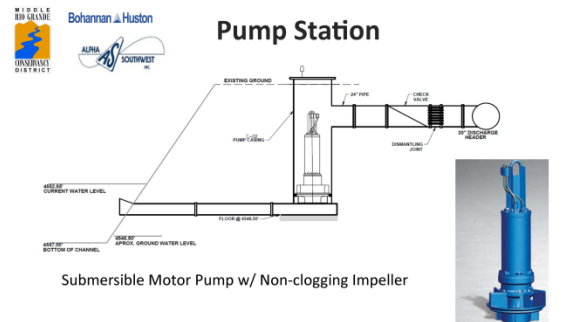
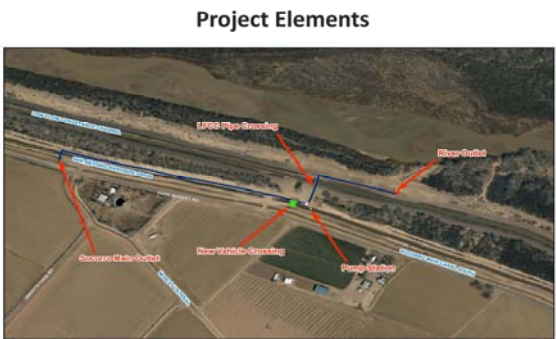
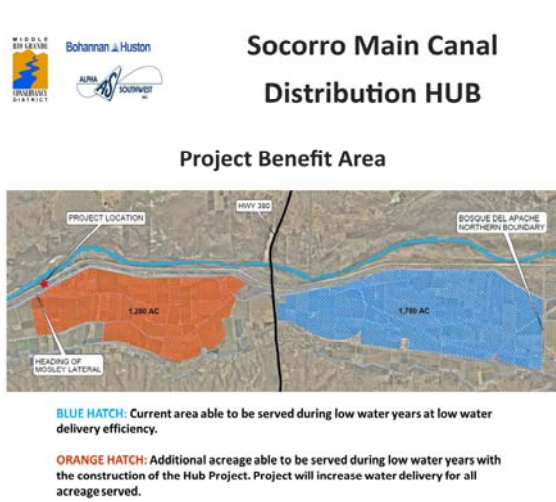
c. Report on the Socorro Hub WaterSMART Grant Project Completion - Jason Casuga, Engineering Division Manager

Jason Casuga gave his presentation to the Board regarding the completion update. The Socorro Hub Project was a drought resiliency project. The purpose was to provide operational flexibility for water operations and also work on habitat. He started off by thanking Bohannon

Huston, the structural engineering team, and Alpha Southwest, the pump supplier and contractor. He also thanked all of the MRGCD staff that contributed to the project, which is the biggest project undertaken by MRGCD staff to date. The project location is at the Socorro Main Canal South off of Farm Market Road (San Antonio, NM) which started in 2016 and was completed in 2019. The Ribbon Cutting Ceremony is scheduled for October 23rd at 10:00am.

Jason Casuga and Mike Lopez reviewed (and explained) many construction photos with the Board of Directors and meeting attendees. It should be noted there were no lost-time accidents during the course of the project.

All Members of the Board gave their kudos and appreciation for the hard work done by the crew.





Pipeline and Outlet Construction



Pipe Connections and Channel Lining



d. Recognition of Staff for Construction of the Socorro Hub Project - Mike Hamman, CE/CEO

The following individuals at today's meeting were recognized for their part in the project: Freddie Martinez, James Mishoe, Jeff Greenwood, Lorenzo Benavidez, Richard Montano and Tim Townsend. These team members were not present at the meeting but were also major players: Allen Gonzales, Anthony Turrietta, Arlene Chavez, Benjamin Davila, Brian Olney, Cole Benjamin, Danny Grubbs, David Silva, Dustin Armijo, Edward Gonzales, Erica Alvarado, Felipe

Baca, Judy McSweeney, Julian Avalos, Melin Villegas-Vargas, Richard Deloia, Robert Jeremy Adams, Sefie Esquivel, Tarah Jaramillo, Thomas Padilla, Tino Gonzales, and Ricardo Varela.

Mike Hamman also commented on the recurring can-do attitude that we have in this organization makes us a very effective team. And this is just one major example of it, but we've shown we can do even tough projects like this, and we know that we will optimize other resources to do many more of these projects that are on our Drought Contingency Plan going forward.

In appreciation of the crew's hard work for this project, as well as helping out when there is flooding, Director Moore would like to host a dinner or lunch for the crew. She will get together with Lorenzo Benavidez to coordinate it.

e. Report on the Division Office Open House Meetings, September 24-27, 2019 - Mike Haman, CE/CEO

Mike Hamman reported that, as expected, some of the division had a good turnout and some only had a couple of people show up. Socorro had the highest turnout. Attendees had interesting ideas and questions. All in all, it was a worthwhile experience and it demonstrated that it's really difficult to get people to come, unless they actually have a problem to solve.

Director Moore felt that this is a really good idea. She believes more people will turn out during irrigation season. Director Russo Baca felt that it was a very positive experience. She valued the time that she spent with division staff. Director Baca felt it was very helpful. She suggested maybe in the future doing a value analysis and perhaps adjusting meetings to every other month, depending on attendance. She also thought that perhaps someone could present a topic, i.e., Drought Contingency Plan during the division office hours.

October's schedule:

Monday: October 28th at Albuquerque/ER&T Divisions

Tuesday: October 29th at Cochiti Division

Wednesday: October 30th at Belen Division

Thursday: October 31st at Socorro Division

f. 2019 / 2020 Elk Population Control Program in Valencia and Socorro Counties - Mike Hamman, CE/CEO

Mike Hamman distributed a memo in the Board packet, which discusses how the hunts will be expanded this year. There will be nine total weeks of hunts, starting on November 2nd, ending on February 26th, that will alternate between antlerless (cow hunts) and then either sex hunts. So, there would be five cow hunts and four either sex hunts that would be distributed throughout those dates with every other week off. There will be 15 hunters per each 5-day hunt. Seven of the permits would be allocated to the District to distribute to participating landowners in a unit-wide hunt setting, and eight permits would be retained by the Game and Fish to use for their call-out hunters list, which are people that haven't drawn a tag but have checked the box on their application that makes them eligible for these types of hunts.

Mr. Hamman is recommending that the District withhold five of those permits to do one drawing for each of the five cow hunts so that either sex hunts are available for the landowners permits, which would be similar to the way it was handled last year. Mr. Hamman was informed by Mr.

Wiggins that it would be best if we charged a fair price to avoid any conflict or potential conflict of anti-donation or anything with our employees. Therefore, he recommends charging \$100 cow permit fee for employees.

Discussion ensued with all board members with suggestions and questions on how to handle the employee lottery permits. Vice Chair Baca reminded Mr. Hamman about using some of the funds for educational outreach; however, Mr. Hamman noted that being our second year this is new, and we are not there yet but will keep it in mind as we forge forward.

MEMORANDUM



TO: MRGCD Board of Directors
 FROM: Mike A. Hamman, CE/CEO
 DATE: October 10, 2019
 RE: 2019/2020 Elk Population Control Program in Valencia and Socorro Counties

As a brief description of the elk population control program, the District and the New Mexico Department of Game and Fish (NMDGF) jointly developed an inaugural program with Board approval in 2018. The District engaged with NMDGF to initiate a unit-wide hunting program utilizing District lands adjacent to the Rio Grande bounded by the south boundary of Belen and the north boundary of Socorro to help reduce the elk population that, by all accounts, are causing significant damages to property of District constituents. Two hunts were conducted in February with 20 permits being issued that yielded good results.

In preparation for the 2019/2020 season, the District has worked out procedures for nine hunts to be conducted beginning on November 2, 2019 and ending on February 26, 2020. Hunts will be conducted as follows:

First hunt will be a five-day antlerless hunt followed by nine days off then the second hunt will be a five-day either sex hunt followed by nine days off. The remaining hunts will follow this pattern through the last hunt in February. The NMDGF will issue a total of 15 permits for each hunt, eight for the Department to manage under the deprivation hunt rules and seven to the District to distribute how it desires to participating landowners, including the District. That results in a total of 63 permits that will be available under the landowner unit-wide MRGV population reduction program.

The District has requested interest of participating landowners primarily in the Lemitar area as this area has the most active elk herds as a result of receiving several reports of damaged fields and reports from District and NMDGF staff that live and work in the area. I have received affirmative interest from nine separate landowners resulting in a grouping of 630 plus acres that would be adjacent or near District bosque lands where elk are currently present in large numbers. I propose that the District retain five permits to perform a lottery for one eligible staff member to hunt one of the five antlerless hunts that will occur and the District will charge a fair price of \$100 for each to address any anti-donation concerns.

Furthermore, the District proposes to distribute the landowner permits on the basis of acreage where each 11 acres of land owned and in the program will receive one permit. The landowners will then be responsible to issue permits to whomever they wish provided they are eligible hunters and may charge for those permits if they wish. They will be issued authorization numbers and as long as there are only 15 hunters per hunt, they may schedule as they wish with the NMDGF accordingly.

This is an experimental hunt management procedure and it will be evaluated by the NMDGF and the District to determine the need for changes in subsequent years and, if successful, additional landowners that fall within the MRGV unit will be offered the opportunity to participate in future years. All current landowners that do not participate in this program or fall outside the MRGV unit are still eligible to participate in the secondary management zone process that will allow them to issue permits only for their own deeded land.

I recommend to the Board of Directors that the District moves forward with this program as described above.

FD: Don Selt
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 505-247-0234
 Fax# 505-243-7208

Director Kelly made the **MOTION TO APPROVE THE RECOMMENDATIONS AS SET FORTH IN MR. HAMMAN'S MEMO IN TODAY'S BOARD PACKET, KEEPING THE FAIR PRICE OF \$100 EACH FOR THE SUCCESSFUL PEOPLE ON THE EMPLOYEE LOTTERY.** Director Moore seconded the motion. The **MOTION CARRIED unanimously.**

g. Report on the Board of Directors Tour of District Facilities in Chama, NM, October 2-4, 2019 - Mike Hamman, CE/CEO, Madam Chair Dunning, Directors Russo Baca and Baca

Mr. Hamman and all Board Members who attended felt that the tour was extremely interesting and worthwhile. Everyone especially felt it was important to get an overall view of how things work and run for the MRGCD. In addition, it was nice to get to know staff who also attended. Kudos and thanks were given to DeAnna for coordinating the tour and to all staff who worked on it.

h. Report on the Six Middle Rio Grande Pueblo Coalition Meeting on October 3, 2019 - Anne Marken, MRGCD Hydrologist

Anne Marken, along with Dagmar Llewellyn (BOR) attended the meeting in Mr. Hamman's absence. Ms. Marken reported that she answered what questions she could and punted questions to Mike for next meeting. She reported that the Coalition specifically requested that newly-elected MRGCD Board Members make an effort to attend the next coalition meeting. Directors Russo Baca and Baca will be attending the next Coalition meeting to be held on November 6th at the Isleta Casino Golf Course (Club House).

i. Report on the Inaugural Meeting of the Water Settlement Committee - Mike Hamman, CE/CEO

Mike Hamman gave a brief review that the District asked Chuck DuMars and Tanya Scott to file a protest against the Rio Rancho transfer of the Bosque Del Sol water rights transfer. That spun into lots of different things. The protest resulted in a settlement negotiation process for all parties to convene a semi-regional planning effort. Parties include MRGCD, Bureau of Reclamation, City of Rio Rancho, the three Pueblos, and Wild Earth Guardians. First all parties will try to understand each other's needs and goals.

Chuck DuMars gave insight into some of the attorneys that are involved. He thinks this will be a positive thing.

Madam Chair Dunning asked if this MRGCD should bring this topic to MRCOG board. Mr. Hamman said that over time, it would be good to report it, after the group has a chance to establish its goals and work plan.

j. First Annual National Latino Farm & Ranch Congress on November 1-2, 2019 (For Informational Purposes Only)

Information was dispersed on this topic via Board Packet. No discussion or questions were raised at today's meeting.

AGENDA ITEM NO. 11 – REPORT(S) FROM THE MRGCD ATTORNEY(S) (Chief Water Counsel and/or General Counsel)

There is a suggested executive session regarding the Blue Buffalo transfer up to Santa Fe. Dr. DuMars handed out information in today's Board packets. There will be a status conference, which gives the City and County of Santa Fe an opportunity to come forward to state their position. MRGCD will articulate our position at that time as well. Dr. DuMars is hopeful that the hearing officer will suggest that the parties come up with a methodology and some agreements.

The other topic is detailed in a confidential memo that was sent to Board Members, which Dr. DuMars will not discuss in open meeting. He noted that no executive session is needed on the issue of the Blue Buffalo as details are contained in the memo.

AGENDA ITEM NO. 12 – REPORT(S) FROM THE MRGCD BOARD OF DIRECTORS

a. Report from the Personnel Committee, September 23, 2019 - Madam Chair Dunning, Directors Kelly and Russo Baca

Madam Chair Dunning reported that the Personnel Committee had two meetings: 9/23 and 10/14 (prior to Board Meeting). The staff winnowed down the applicants for the Chief Financial Officer open position (David Ferguson is retiring) to three top candidates. The Personnel Committee has interviewed those three candidates and will make a recommendation to the Board during closed Session. If everything is approved, the announcement will be made in open session.

b. Report on Bureau of Reclamation Upper Rio Grande Tour, September 24-26, 2019 - Director Russo Baca

Director Russo Baca included in the packet all of the information from the tour. She recognized Dagmar Llewellyn who was there on the tour as well and a big proponent of the tour along with Anne Marken, District Hydrologist and Brandon Hughes, Irrigation Systems Operator for the District. She went over all the stops that were made. She encourages other Board Members to attend the next tour, if available.

c. Report on the Conservation Advisory Committee Meeting, September 26, 2019 - Vice Chair Baca and Director Moore

Director Moore reported that topics discussed during this meeting included capacity development, pilot comm tips, introduction of subcontractors etc. She thought it was a very good meeting. Since Vice Chair Baca had prior obligations and missed previous meetings, he was in catch-up mode during this meeting. He thinks it's all good stuff happening with great people. He appreciates the community folks that are involved on this committee.

d. Report on MRCOG Executive Board, October 10, 2019 - Director Baca

Director Baca reported that it was a short meeting but a very informative one. The biggest focus was on the comprehensive economic development strategy. There are ten economic development focus areas, and two of the ten falls under MRGCD control: tourism and outdoor recreation, as well as agriculture and value-added food production. Director Baca believes it is very important that the District keeps tabs on this.

Madam Chair Dunning attended the MRCOG meeting as a committee member on a subcommittee that is in an advisory position to the group. There is \$20M available for grant funding for economic development activities. They really would like to do something in a rural area, such as a co-op or a processing facility. It does, however, have to be a 1:1 match which coming up with a match is difficult. The match could be from a private entity, but the only ones eligible to apply are either a government entity or a nonprofit.

Directors Russo Baca and Moore will meet with Newt McHardy, who is the AG extension agent, about this opportunity.

Director Kelly made the **MOTION TO APPROVE THE REPORT ON MRCOG EXECUTIVE BOARD, OCTOBER 10, 2019.** Vice Chair Baca seconded the motion. The **MOTION CARRIED unanimously.**

e. Schedule Various Committee Meetings - Madam Chair Dunning

Discussion ensued regarding dates for future committee meetings. The Urban Affairs Committee will meet on October 28th at 4 p.m.

Madam Chair Dunning reminded everyone that she must receive the requests for capital outlay. So far, she has only received one. They will be voted upon at the November meeting, and she would like enough time to discuss them with John Thompson as well.

AGENDA ITEM NO. 13 – EXECUTIVE SESSION

Director Moore made the **MOTION TO GO TO INTO EXECUTIVE SESSION.** Director Russo Baca seconded the motion. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED.**

Director Baca	Yes	Vice-Chair Baca	Yes
Director Sandoval	Yes	Director Russo-Baca	Yes
Madam Chair	Yes	Director Kelly	Yes
		Director Moore	Yes

a. NMSA 1978 Open Meetings Act, Section 10-15-1(H)2

1. Limited Personnel Matters - Secretary/Treasurer Position

b. NMSA 1978 Open Meetings Act, Section 10-15-1(H)7

1. Threatened or Pending Litigation - Blue Buffalo Santa Fe Protest

Director Kelly made the **MOTION TO RETURN TO REGULAR SESSION.** Director Russo Baca seconded the motion. Roll call vote was administered with all members voting yes. The **MOTION CARRIED.**

Director Baca	Yes	Vice-Chair Baca	Yes
Director Sandoval	Yes	Director Russo-Baca	Yes
Madam Chair	Yes	Director Kelly	Yes
		Director Moore	Yes

Discussion ensued during executive session regarding a decision on the Chief Financial Officer position.

Director Kelly made the **MOTION THAT THE BOARD AUTHORIZE MR. HAMMAN TO NEGOTIATE AN AT-WILL EMPLOYMENT CONTRACT WITH MR. SANTIAGO CHAVEZ FOR THE POSITION OF CHIEF FINANCIAL OFFICER, IN ACCORDANCE WITH THE BROAD OUTLINES WE DISCUSSED IN CLOSED SESSION.** Vice Chair Baca seconded the motion. The **MOTION CARRIED with Madam Chair Dunning abstaining from the vote.**

With no further comments, questions or concerns, Vice Chair Baca made the **MOTION TO ADJOURN THE MEETING.** Director Baca seconded the motion. The **MOTION CARRIED unanimously.**

The meeting was adjourned at 6:35 pm

Approved to be the correct Minutes of the Board of Directors of October 14, 2019.

ATTESTED:

David M. Fergeson
Secretary/Treasurer

Karen Dunning, Madam Chair
MRGCD Board of Directors