

**MINUTES OF THE
2,161st REGULAR MEETING
OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT
MARCH 9, 2020**

AUDIO DIFFICULTIES - RECORDING STOPPED

Directors having been duly notified; Madam Chair Dunning called the regular meeting to order at 3:02 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 Gensler	Water Operations Manager
Michael T. Sandoval, Director	Present	Adrienne Martinez	Engineer I
Barbara Baca, Director	Present	DeAnna Philips	GIS Tech
Stephanie Russo Baca, Director	Present	Yasmeen Najmi	Planner/RRA
		Christina Nardi	Human Resources Director
		Jason Casuga	Engineering Manager
		Joe Brem	Albuquerque Division Manager
		Willie West	Albuq. Asst. Division Manager
		Sloan Washburn	Belen Division Manager
		Doug Stretch	GIS Manager
		Melin Villegas-Vargas	Accountant Supervisor
		Casey Ish	Water Resource Specialist
		Francesca Shirley	Conservation Specialist

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

Larissa Gordon, Farm Credit of NM
Sue Small, Valencia Soil & Water Conservation District
Anders Lundahl, Interstate Stream Commission
Sharon Kindel, Office of State Engineer
Santiago Maestas, South Valley Regional Association of Acequias
Arcie Chapa, University of New Mexico

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

John Thompson led the Pledge of Allegiance at today's meeting.

Madam Chair Dunning declared a quorum and noted that the meeting was publicly noticed.

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

Madam Chair Dunning suggested moving Item 8.f., (Personnel Committee Meeting) to just above Item 6.i., as well as inserting Item 5.a.1., just after 5.a., for Vice Chair Baca to report out on the legislative session.

Mike Hamman requested to reword item 6.e., to "Discussion and Approval to Increase Funding of the CESOSS Agreement".

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

AGENDA ITEM NO. 3 – CONSENT AGENDA

- a. Consideration/Approval of Payment Ratification - March 9, 2020
- b. Consideration/Approval of February 2020 Invoice for Wiggins Williams & Wiggins
- c. Consideration/Approval of February 2020 Invoice for Law & Resource Planning Associates, PC
- d. Consideration/Approval of Minutes for Regular Board Meeting - February 10, 2020
- e. Consideration/Approval of Fresno Slide Gates for \$117,689 - Richard deLoia, Purchasing Agent
- f. Memo on MRGCD Approved Licenses for February 2020 (For Informational Purposes Only)

Director Moore asked how many ISOs attended the California Polytechnic State workshop. Mr. Hamman reported that eight ISOs plus one supervisor, as well as a designated travel person, attended the workshop. Attendees are determined by David Gensler working with the supervisors to determine would benefit most from the workshop.

Vice Chair Baca made the **MOTION TO APPROVE THE CONSENT AGENDA**. Director Baca seconded the motion. The **MOTION CARRIED unanimously**.

AGENDA ITEM NO. 4 – ITEMS FROM THE FLOOR (Comments are held to six (6) minutes)

Santiago Maestas

Mr. Maestas with the South Valley Regional Association of Acequias wished to discuss the water transfer from the Arenal Acequia. Per the bylaws and state statute, they are able to invite the applicant of a water transfer to an open meeting, which they have done and which will occur on March 10, 2020, at the Senior Multipurpose Room. Dr. DuMars reported that he and Mr. Lerwill looked into this transfer. This transfer is a six-year proposed lease to Scott Edeal and one of his properties in Valencia County. Mid-April is the deadline to protest. The acequia has the right to be consulted, and if the acequia does not agree with the transfer, the water cannot be transferred.

Director Kelly noted that this transfer is not one that would fit the usual District criteria for protest to which, at least at this time, Dr. DuMars agreed. Dr. DuMars does believe it stresses the importance of the acequia being vigilant to look at the transfers.

AGENDA ITEM NO. 5 – REPORT(S) FROM THE DEPARTMENT OF THE INTERIOR

a. Bureau of Reclamation - Jennifer Faler, Area Manager

Ms. Faler was not in attendance of today's meeting.

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

Ms. Sanchez did get a message to us that she would not be in attendance of today's meeting.

AGENDA ITEM NO. 6 – REPORT(S) FROM THE CHIEF ENGINEER (Mike A. Hamman)

a. Report on the 2020 Legislative Session - John Thompson, MRGCD Lobbyist

John Thompson reported that 918 bills were introduced this year with 88 passed. There is an issue currently as oil is down 26% to \$30/barrel. The budget is based on mid-\$40s per barrel. May head to special session for this reason. Capital outlay is a line-item veto, so the Governor can veto any line. Mr. Thompson did not foresee the District having an issue prior to this problem with oil prices. There were not a lot of irrigation or water-related measures this year, probably because last year was a good snowpack.

That all being said, the PERA bill was a big bill, which will have an impact on the District. The agricultural land trust fund did not go anywhere for a variety of reasons. One piece of election legislation died in the waning hours on the Senate floor and was never voted on. Water rights for cannabis production was never ruled germane. House Bill 2 had quite a few things of interest: funding from the State Engineer's Office, New Mexico Stream Commission, dam safety projects, and funding for the strategic reserve.

As far as the District's capital outlay venture, Mr. Thompson felt it was successful for the most part. He didn't like that he did not come back with 100%. Overall, he believes that he had very good reception.

The spring, fall, and summer will be very busy with interim committees and water committee, and the normal things, as well as many seats in the House and the Senate being up for reelection.

Madam Chair Dunning asked when an appointment of a new member is made for a deceased member, does that newly-appointed member take the same committee positions that the now-deceased person had? John Thompson responded that usually that person that is newly-appointed will fill in the same seats the deceased member had. Sometimes that is not the case, but that is usually the case. Madam Chair Dunning thanked Mr. Thompson for all his hard work.

Director Baca thanked Mr. Thompson for his hard work. She then asked about strategy for meeting with Senator Ivy Soto regarding the election bill that was pulled during the session. Mr. Thompson reassured Director Baca that he will be meeting with Senator Ivy Soto on this issue, and it is one of his top priorities.

Director Russo Baca also thanked Mr. Thompson for his hard work. She then asked if he knew off the top of his head, out of the 34 Representative within the District, were there any not seeking reelection. Off the top of his head, none were glaring to Mr. Thompson; however, filing deadline is the 10th. He will get back to the Board with who is and who isn't seeking reelection.

1. Report on the 2020 Legislative Session - Vice Chair Baca

Vice Chair Baca reported that Mr. Thompson set him up on the roster at the legislative session. He was introduced by MRGCD Former Chairman Derrick Lente. Vice Chair Baca met with Representatives Armstrong, Ruiloba, and Andres Romero (to name a few). MRGCD is working with Rep. Ruiloba in partnership with PNM, taking care of some power lines and trees. Regarding capital outlay, he thanked Director Russo Baca for all of her work on the Whitfield Valencia County Bridge; as well as Mr. Thompson's work during the session.

Director Kelly made the **MOTION TO APPROVE THE REPORT ON THE 2020 LEGISLATIVE SESSION**. Director Russo Baca seconded the motion. The **MOTION CARRIED unanimously**.

b. Report on Water Supply Conditions - David Gensler, Water Operations Manager

The 2020 irrigation season is off and running. The March 1 forecast is out. It's down, which is unfortunate and not unexpected. The latter part of February was very dry up in the mountains. We've seen a few small snow accumulations since then, and the coming week promises some more snow showers.

SNOTELs around the basins still range from less than 80% to a little bit over 100% in places. The Sangre de Cristo range still seems about average, while the San Juans remain below average. Cumbres Trestle is sitting at 87% of normal today with 19.4 inches of water up there, waiting to come at us. For comparison this day, "normal," we would expect it to be at 22.4 inches. He feels we've got a ways to go yet, but as long as it continues to rain and snow through March and April, we've got a shot at getting there okay.

The March 1 stream flow forecast puts us at 64% of average for inflow to El Vado, which is down quite a bit. That's 144,000-acre feet and 30,000-acre feet less than the February forecast predicted. Even that lower volume is still more than enough water to fill the space that we're going to have available at El Vado this spring. Likewise, we still anticipate a full allocation of San Juan Chama water for 2020.

Mr. Gensler is cautiously optimistic that we will have enough water to get us through the year. As you know, spring is very volatile in the mountains, and snowpack can go down quickly. It can also just as easily go up. We saw that very dramatically last year, where we were looking at a below-normal February forecast, a moderately-normal March forecast, an above-normal April forecast, and one of those moments of sheer terror by the time we got to May (it was a good kind of terror though).

All we can do now is watch and see how it develops, but Mr. Gensler is confident that we've learned over the last 20 years how to operate the District with very little water, should things continue to tighten up on us, and we'll stretch every drop out to make sure that our farmers stay in water this year.

Mr. Gensler is a little less optimistic about the river and our species issues. Last year it was a really good year for the Rio Grande silvery minnow. Those high and sustained flows produced a lot of fish. It was remarkable how quickly that population rebounded after the non-existent reproduction we had in 2018; however, the downtick in the forecast, while it looks like it's enough for us, it does not leave much excess for the river now, beyond the normal consumptive needs of the river itself. Just about 50% of the water that we deal with every irrigation season goes to deal with the evaporative loss and the Bosque riparian consumption.

What we need to store on top of that, there is just not going to be a whole lot left over. Reclamation has a fair amount of minnow water going into this year, approximately 39,000-acre feet available. They will be able to use that water this summer to help keep the river healthy for the fish, but it is possible, perhaps even likely now, that we will not have much in the way of spawning flows for the Rio Grande silvery minnow this year.

c. Irrigation Startup Plan - David Gensler, Water Operations Manager

Start-up began March 2nd and has been going remarkably well. So far, this is likely the smoothest and quickest startup that Mr. Gensler can recall. Diversions have not yet started for Cochiti. The U.S. Army Corps of Engineers should have pulled the bulkheads this morning. Cochiti will probably start up Friday or Monday.

Mr. Hamman met with the Pueblo Coalition last week, and there is probably no need for water up there by the tribal entities until late March or early April. That gives the Cochiti guys some much-needed extra time to finish up their work up there. There have been a lot of maintenance issues they have been addressing, and it is a very short window of time for those guys to do the work that they need to do.

Diversions begin March 2nd at Angostura. All of the mains and many laterals in Albuquerque area have been run. Diversions had been minimal. We started up with a big push of water on March 2nd, approximately 140 cubic feet per second, and then dialed back by early in the afternoon. We've been running mostly 40 CFS on the Albuquerque Main since then and using that to run all the laterals.

Isleta diversions begin February 27th, routing water to Socorro. Just a small diversion at first. Things ramped up quickly March 2nd. To date, all of the mains, virtually all their laterals, and many small acequias and ditches are up and running. The Belen crew especially has really been on it this spring. It is just amazing to see so much of the division with water running just eight days into the season. Our diversions at Isleta have been averaging right around 230 cubic feet per second.

The Socorro Division cranked up on March 2nd as well. They always run fast down there, just due to the simple linear canal layout. No water is being diverted at San Acacia Dam, and San Acacia Dam remains unchecked. Belen is now supplying about 180 CFS to the Socorro Main. Most of the water that Belen is diverting or receiving as inflow from Albuquerque is flowing straight on down to Socorro now. That system has been flushed and charged and is just running beautifully right now.

Word went out late last week to begin allowing limited irrigation in areas where water is present and when it won't affect the crews running canals. Mr. Gensler has not heard yet, but he would be surprised if, over the warm weekend, if somebody didn't use some somewhere.

If things keep on track, we should be functioning essentially normally by the end of this week, with the exception of Cochiti.

Vice Chair Baca has been asked to speak on this topic at the acequia associations in the South Valley and asked Mr. Gensler to send him a report to speak too. Director Baca also asked for the same thing.

Madam Chair Dunning asked reminded Mr. Gensler about the water being dangerous with it being too cold for people. Director Moore asked if some kind of notification was being publicized. Mr. Gensler responded that he is always getting items out to the media. He did say, however, that people should not be in the ditches, period, and that is what is being communicated.

d. Report on the 8th Annual Irrigation Operations & Management Training Workshop, January 29-30, 2020 - Jason Casuga, Engineering Manager

Jason Casuga reported that the theme of this year's workshop was messaging, finance, and training future leaders. One of the best discussions was regarding urbanization and how we are linking urbanization together with farming culture.

One of the really interesting pieces is that irrigation districts have been engaging, not only the municipalities, but even in developers themselves, of how to make use of the historical irrigation system with their developments, which is something that Mr. Casuga and Mr. Hamman have discussed.

They took a tour of Roosevelt Water Conservation District, and they are doing some things that MRGCD may be doing in the future in regards to renovations and some replacements of buildings. Mr. Casuga felt that what was interesting about this were the unique set of challenges that they encountered plus the messaging and why it is important to reach out to constituents about the importance of the facilities (what they have, and they are able/unable to accomplish with those facilities). Some of their board members were there, and their CEO talked about the challenges.

The last part of the conference that is interesting to the District (we've had many conversations about this) is what they called canal friendly power. It seems like others are taking a look at ways in which we can make canals and the energy that's in the water produce power. So, there was a company there called Emergy that had an interesting product. A pilot project was just done in Denver on one of the canals through downtown.

Overall, Mr. Casuga thought the conference was great.

Director Kelly asked, given the state of the practice that Mr. Casuga saw at this conference through presentations and field trips, where does MRGCD exceed the state of the practice, and where is it well in deficit of the state of the practice?

Mr. Casuga responded that he believes folks were envious of what MRGCD's Board has done over the last four years in the investment of our engineering department. The area where MRGCD could improve is in messaging. Basically, for decisions to be quick and getting that communication out to constituents. Discussion was had on Facebook being used for messaging (some folks at the conference were conflicted with one saying no Facebook and another saying it was necessary).

e. Discussion and Approval to Increasing Funding of the CESOSS Agreement to Fund an Acequia/MRGCD Film Project Telling the Story, Past, Present, and Future - Mike Hamman, CE/CEO

Mike Hamman reported that Enrique de Madrid, a member of the Conservation Advisory Committee, came to him with a request to help consider extending the means of an acequia film project that was funded by the legislature. The funding was dropped midstream in making of the film, and it has a direct connection to MRGCD. Mr. Hamman met with Arcie Chapa, from UNM, who is also an independent filmmaker for 30 years. They discussed many facets of MRGCD to include outreach, extending relationships with the South Valley Acequia Association, North Valley Acequia groups, relationships and support of farmers, the history of MRGCD, the future of MRGCD, and MRGCD's work with the pueblos. Mr. Hamman explained his enthusiasm for this project.

Arcie Chapa reported to the Board that this is a state funded film and that was funded by legislature five years ago although the funding was cut mid-stream. She is just now able to

return to working on the film for a variety of reasons. The film started out regarding northern New Mexico acequias. As she was working on it, she saw the huge portion of history that MRGCD shares and how everything is intertwined through MRGCD. She decided the film could not be made without MRGCD being a major part of the film.

The trailer has made its way to Facebook. She has already received requests to show the film when done to Taos Valley Association, and many teachers have contacted her wanting a copy to aid in teaching their classes regarding acequias and New Mexico history. She also anticipates this film airing on PBS like much of her work.

Madam Chair Dunning expressed her excitement about the film. She believes that MRGCD has a storied history with the acequias, and she believes it is important to tell the story of how MRGCD evolved, and also just as importantly, the future of MRGCD and acequias must be told as well.

Director Kelly asked how much of the film has been completed. Ms. Chapa reported that about 50% of the shooting/photography has been done, and she is currently in the production phase. Director Kelly supports the project, but he does not want to lose sight of the large farmers that make a living off of farming, since that is very important throughout the District, as well as the tribal farmers up and down the Valley in the six pueblos.

Madam Chair Dunning asked for more detail on where the film would be shown and distributed. Ms. Chapa responded that, again, she has had associations and teachers contacting her with interest to receive the film. Her previous work at UNM premiered at such venues as the National Hispanic Cultural Center, the Kiva, Popejoy, etc. She is happy to take any requests for suggestions for premiers, and she is also happy to moderate a panel for the film after the showing.

Madam Chair Dunning then asked, since the state has paid for a large part of the film already, is the film subject to state funding rules regarding credit, copyrights, etc. Is this going to be a UNM project or an MRGCD project? Ms. Chapa responded that UNM does not own it nor will they control or dictate content. She believes that UNM has the copyright. Since MRGCD is partially funding the film, it would also hold copyright, as well as a new contributor to the film, The Raindrop Foundation.

Madam Chair Dunning then asked who carried the bill for the funding at the state legislature. Ms. Chapa responded that it was the late Rep. Kiki Saavedra, who was very instrumental in helping pass the funding.

Director Russo Baca then asked if the funding at UNM must pass through the Office of Special Projects, since Ms. Chapa is a UNM employee and how that would impact UNM's overhead charges. Ms. Chapa responded that Mr. Hamman can go into more detail; however, she has already spoken with the Provost's Office at UNM, who are her immediate supervisors. The funds would not funnel through UNM, and as such, would not be subject to their overhead rates.

Director Baca was also excited about the film. She reiterated the desire for the story of the MRGCD to be told in the film as well as where the District is heading. Ms. Chapa agreed.

Chuck DuMars then asked what the theme of the film would be. Ms. Chapa responded that the theme would be MRGCD within the context of New Mexico history, the water law history. MRGCD is going to fit in as the biggest piece of the puzzle in the entire film. People who watch the film will learn about New Mexico history, acequia history, which includes pueblo irrigation

prior to Spanish contact, Rio Grande Compacts, challenges of climate change, and farming in New Mexico and the people trying to bring farming back to New Mexico, just to name a few of things.

Madam Chair Dunning wanted to point out that this film is a documentary, started as state funded and that she expects Ms. Chapa to have full artistic freedom for the film.

Director Sandoval commented that there are certain processes that must be adhered to with the pueblos insofar as photography and filming. He strongly urged Ms. Chapa to get permission from tribal leaders prior to start work on the pueblos. Ms. Chapa responded that she has tried to speak to the Governors of the various pueblos but has not had much luck, but she will continue trying. Director Sandoval offered his help to get her in contact with those leaders.

Mike Hamman explained the financial situation. The funding request is for \$28,000. MRGCD has a preexisting agreement with CESOSS that allows MRGCD to fund specific projects through that agreement. CESOSS will be the fiscal agent for the project, and Arcie (Chapa) would be the project manager and follow the rules that CESOSS must follow. Mike Hamman then read passages from the MOU with CESOSS to provide clarity and show the flexibility within

**Exhibit A
To Memorandum of Agreement**

Grantee's work in the middle Rio Grande, funded by this Agreement, may include various combinations of the following tasks, as reasonably determined by Grantee and Grantor:

1. Conduct public outreach and education to promote agricultural land and water conservation efforts to stakeholders in the MRGCD. Organize, publicize, coordinate, or participate in at least four community workshops per year. Participate in community events, and produce articles and public service announcements in various media sources (print, online, radio, social media) acknowledging the funding and contribution of Grantor.
2. Research, and make application to, prospective third-party funding sources to fund development of alternative public/private funding partnerships for meeting the MRGCD's and the Grantee's goals related to land and water preservation and conservation.
3. Coordinate with appropriate MRGCD staff and partners in efforts to protect and promote agricultural lands and water preservation and conservation in the MRGCD service area.
4. Coordinate with other private and public partners, on efforts that promote and preserve the ecological, cultural and quality of life values within the middle Rio Grande valley.
5. Coordinate with other private and public partners, on efforts to promote and further develop educational outreach specific to acequia protection and preservation in the middle Rio Grande valley.
6. Initially work with Bernalillo County and MRCOG to capitalize on existing networks and programs to optimize efforts to raise community awareness regarding the importance of sustaining agricultural practices and ecosystem resiliency in the middle Rio Grande valley. As capacities expand, CESSOS will expand into other counties and communities within MRGCD's service area.
7. This program will emphasize the need to educate area youth regarding the importance of the preservation of farm lands and water within the MRGCD while supporting efforts to recruit and sustain young farmers interested in small farm agribusiness.

Grantee may use the funds received within project area as determined by Grantee in its reasonable discretion.

the agreement.

There is a small overhead fee that CESOSS will charge to cover the costs of administering the

grant funds. Ms. Chapa added that she will not be paid for her work at all in association with the film that the funding is strictly for contractors who would be doing the filming, photography, graphics animation, musical score, etc.

Insofar as the timeline, Ms. Chapa reported that the goal is for a fall premier.

Director Kelly made the **MOTION TO INCREASE THE FUNDING IN THE CESOSS CONTRACT BY \$28,000 TO COMPLETE THE FILM AS DISCUSSED, WHICH DOESN'T INCLUDE THE ADMINISTRATIVE OVERHEAD FOR CESOSS.** Director Moore seconded the motion. The **MOTION CARRIED unanimously.**

f. Report on the National Fish and Wildlife Foundation Grant Application for Phase II of the MRGCD Conservation Program, January 30, 2020 - Mike A. Hamman, CE/CEO

In the board packets, Mr. Hamman included a letter from MRGCD's delegation, recommending the District be awarded the grant that was put together with the National Fish and Wildlife Foundation ("NFWF"). This work has to do with the pilot project work that is going to be done in some areas of fairly small scale but easily implemented for system-on-system improvements, on-farm improvements, with various landowners, as well as outreach and education in several ditches that Mr. Gensler has identified (in phase two of the grant project). In phase one, is the development of internal capacity with our Conservation Advisory Committee, staffing with Casey Ish, developing the outreach project, and a number of preliminary issues that we need to put in place prior to phase two beginning.

The application was for \$1M, and MRGCD was informed that it was awarded the full \$1M. The grant money will be available soon.

CONGRESS OF THE UNITED STATES

DELEGATION OFFICE
STATE OF NEW MEXICO
HART SENATE OFFICE BUILDING
WASHINGTON, D.C. 20510
(202) 224-8962
January 30th, 2020

National Fish and Wildlife Foundation
1133 Fifteenth St NW, Suite 1000
Washington, D.C. 20005

Dear National Fish and Wildlife Foundation:

The New Mexico Congressional Delegation writes in support of the application submitted by the Middle Rio Grande Conservancy District for a Southwest Rivers Program grant as administered by the National Fish and Wildlife Foundation. This grant will allow the Middle Rio Grande Conservancy District (MRGCD) to continue the development of a water conservation program in the middle Rio Grande basin to further develop regional drought resiliency and protect the habitat of the endangered Rio Grande silvery minnow.

MRGCD is a water management authority that has overseen the complex array of ditches, canals, and levees directing the flow of the Rio Grande to communities throughout central New Mexico since the authority was founded in 1923. Today, MRGCD manages the irrigation of approximately 60,000 acres along a 150-mile stretch of this river and helps sustain an aquatic environment vital to species such as the Rio Grande silvery minnow.

Currently, MRGCD and communities throughout New Mexico are faced with the task of planning for a future of increasingly constrained Rio Grande water supplies due to the intensifying effects of climate change. Accordingly, this MRGCD grant proposal seeks to increase the flexibility and efficiency of their water delivery network in order to protect the Rio Grande silvery minnow from the adverse consequences of low flow periods that imperil the species' spawning and refuge sites.

Specific goals for this project include improving the efficiency of MRGCD-supported irrigation, implementing a District water bank to help compensate for low flow periods, as well as restoring vital riparian and aquatic habitat along the Rio Grande. We believe these improvements are likely to make a significant contribution towards conservation priorities within this important water system and commend MRGCD for its innovative proposal to protect one of New Mexico's most endangered species.

The New Mexico Congressional Delegation proudly supports the application submitted by the Middle Rio Grande Conservancy District for a Southwest Rivers Program grant as administered by the National Fish and Wildlife Foundation and we request that you give their application thorough consideration within your review guidelines.

Sincerely,


Tom Udall
United States Senator


Martin Heinrich
United States Senator


Ben Ray Lujan
United States Representative


Deb Haaland
United States Representative


Xochitl Torres Small
United States Representative

g. Report on the Approval of State Engineer Permit to Change Point of Diversion and Place and/or Purpose of Use of Surface Water for Acequias Nortenas to Store Water at El Vado Reservoir – Mike Hamman, CE/CEO

Chuck DuMars gave some personal history on how he is tied to this agreement. Mike Hamman reported that this agreement ties into a bigger agreement between the Rio Chama Acequia Association and the Acequias Nortenas to the north. In order to help avoid a priority call from the lower basin to the upper basin, they came up with a shortage sharing agreement in some cases, but also a way to create a mechanism to use various sources of water to help ameliorate shortages down on the lower part of the basin. One of them is this agreement. Mr. Hamman then referenced Exhibit 4 of Application No. SD-0946 into SP-1690.

EI VADO STORAGE AGREEMENT

WHEREAS, the Middle Rio Grande Conservancy District, a political subdivision of the State of New Mexico ("MRGCD"), owns El Vado Reservoir located on the Chama River in New Mexico, and

WHEREAS, the Asociación de Acéquias Norteñas de Río Arriba (the "Acéquias Norteñas") owns certain water rights on a tributary of the Chama River that it would like to store in El Vado Reservoir; and

WHEREAS, the MRGCD holds the rights to store water in El Vado Reservoir under New Mexico State law and is willing to make Storage available to the Acéquias Norteñas, on terms as specified below.

NOW, THEREFORE THE PARTIES AGREE AS FOLLOWS:

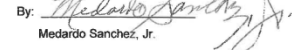
1. The MRGCD agrees to provide storage to the Acéquias Norteñas for up to 1,340 acre-feet of water on an annual basis at El Vado Reservoir.
2. The right to store water in the Reservoir is contingent upon a finding on an annual basis by the MRGCD that there is space to store the water in El Vado Reservoir.
3. MRGCD in its sole and absolute discretion will determine whether in any year there is sufficient space in El Vado Reservoir to permit the storage of the water held by the Acéquias Norteñas.
4. The price for storage shall be three dollars per acre foot per year of water stored in El Vado Reservoir at the request of the Acéquias Norteñas to be paid upon release of the stored water for irrigation purposes.
5. Water released at the request of the Acéquias Norteñas for non-irrigation purposes shall be at the then prevailing market rate for storage of municipal and industrial water. This storage price shall be paid not later than December 31 of the year in which release of water is requested by the Acéquias Norteñas. The method for calculating the storage price for irrigation water and for municipal and industrial water upon release from the reservoir shall remain fixed for the initial five (5) years of storage. This storage price for storage shall be re-negotiated by the parties every five years from the effective date of this Agreement. The effective date of this agreement shall be the date it is signed by the MRGCD. Failure of the parties to agree on a re-negotiated price or upon the market price for storage of non-irrigation water will result in automatic cancellation of this Agreement.
6. Any water stored in El Vado Reservoir that has not been released from storage by December 31st of the year in which it is deposited into El Vado Reservoir shall automatically become the property of the MRGCD.

7. Once water is stored in El Vado Reservoir, it can only be released to accomplish a beneficial use under New Mexico law. The water stored by the Acéquias Norteñas will be accounted as top water and will be the first to spill and will suffer its proportionate share of evaporation loss.
8. The Acéquias Norteñas agree to be solely responsible for all costs relating to transfer of the water held by it to El Vado Reservoir, in addition to the storage fee, and additional reasonable costs associated with the storage of water in El Vado Reservoir as determined by the MRGCD.
9. The MRGCD in its sole discretion may cancel this Agreement on thirty (30) days notice to the Acéquias Norteñas, at any time prior to the actual transfer of the water for storage into El Vado Reservoir. The MRGCD in its sole discretion may cancel this Agreement on six (6) months notice after water is stored in El Vado Reservoir.
10. The Acéquias Norteñas agree to indemnify the MRGCD for any damages or costs incurred by the MRGCD as a result of transfer or storage of water to El Vado Reservoir.
11. This Agreement constitutes the entire Agreement between the parties and shall be governed by New Mexico law.

MIDDLE RIO GRANDE
CONSERVANCY DISTRICT

ASOCIACIÓN DE ACÉQUIAS
NORTEÑAS DE RIO ARRIBA

By: 

By: 
Medardo Sanchez, Jr.

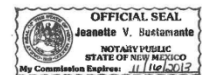
ACKNOWLEDGMENT

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me this 5th day of March, 2011 by Janet Jarratt, Chair MRGCD Board of Directors, Middle Rio Grande Conservancy District.


NOTARY PUBLIC

My Commission Expires:

11/16/2013



Director Moore asked about the location which Mr. Hamman explained they are north of El Vado reservoir up to headwaters in areas above Chama, NM. He continued to say this is designed to be offset storage amount. Dr. DuMars then added to the logistics.

AUDIO DIFFICULTIES - RECORDING STOPPED HERE

h. Report on the Letter Sent to Assistant Secretary of Army (Civil Works) R.D. James on February 21, 2020 - Mike Hamman, CE/CEO

Mike Hamman reported on the letter sent to the ASA for Civil Works, R.D. James, to reiterate the need for temporary storage of native Rio Grande water in Abiquiu Reservoir, and asking for

support on the Isleta West segment constructed with 100% federal funds, the MRGCD will assume the O&M on that segment in perpetuity as well.

February 20, 2020



The Honorable R. D. James
Assistant Secretary of the Army for Civil Works
108 Army Pentagon, Room 3E446
Washington DC, 20301-0108

RE: ASA (CW) Recent Trip to New Mexico

Dear Assistant Secretary James:

It was a great pleasure meeting and accompanying you on the January 22nd tour to view the location of the proposed Mountain View segment of the Bernalillo to Belen Levee (B to B) project in the beautiful middle Rio Grande valley. I was particularly gratified by your deep concern for the welfare of the farmers that we serve and your understanding of the immense benefits that a new engineered levee system will provide to thousands of properties and water delivery facilities within the central portion of our service area. We shared the common understanding that our joint missions require that we get projects constructed as soon as practicable to serve folks on the ground. I am writing to confirm my verbal commitment to you, on behalf of the Board of Directors, that the Middle Rio Grande Conservancy District (MRGCD) is and will be a willing partner and local sponsor on this and future Corps projects within the middle Rio Grande valley. The MRGCD has a great working relationship with your dedicated and highly capable staff at the Albuquerque District.

As to timing, the Albuquerque District Commander, Lt. Colonel Caswell, assured me on February 11, that the Chief's Report will be signed in March. Ideally, this will set the stage for authorization in the 2020 WRDA and a new start designation for the B to B project. By this letter I am requesting that you consider and ideally include this project for new start authorization in the 2020 WRDA Bill or sooner if possible.

As was clear from our conversation, you fully understood the extent of the MRGCD's efforts in keeping the existing spoil levees intact. To remind you, we spent over \$1M in shoring up riverside drains that were suffering serious sluffing at numerous sites during the 2019 spring runoff. I appreciate the time you took to observe several examples of that work while on the tour. Clearly, it would be ideal to be utilizing the MRGCD's scarce financial and other resources as cost-share toward the construction of an engineered levee in lieu of expensive and wasteful maintenance. This approach alone would provide piece-of-mind for our constituents and staff who recognize the danger if the levees are not adequate to withstand anticipated events. Your understanding of the MRGCD's and the State's limited financial capacity will be very helpful to the MRGCD. As you are aware, through correspondence from New Mexico's congressional delegation in 2018, MRGCD has requested that the project be "grandfathered" in and be incorporated into the Section 7001 report using the original cost-share of 25% for this project.¹

¹ "Grandfathering" the original cost-share as authorized for the Middle Rio Grande Flood Protection project in 1986 (section 401, P.L. No. 99-662), is expressly contemplated in section 202(a)(1)(B) of WRDA 1996

P.O. Box 581
87103-0581
1931 Second St. SW
Albuquerque, NM
87102-4915
505.247.0234
Fax # 505.243.7306

within the middle Rio Grande. The significant storage restrictions will likely continue in effect through years two and three while the spillway replacement is under construction. The Abiquiu authorization will mitigate the impacts to farmers while facilitating the dam safety work which will strengthen flood control protection throughout the middle Rio Grande region. In addition to these benefits, storage in Abiquiu will also maintain the ability for water users to make late season releases from storage which provides late season habitat in an otherwise drying Rio Grande, avoiding negative impacts on the endangered silvery minnow. In sum, Abiquiu storage availability will assist with completion of the dam safety work while assuring the availability of late season water supplies when the farmers and the river needs it the most. These results further the Corps' primary missions of flood risk management and aquatic ecosystem restoration while addressing other water management actions related to those primary missions.

For the record, some of the other actions and benefits related to Abiquiu storage include the fact that historically, every three years in ten, the Corps water operations staff faces the possibility of flood flows being locked in storage due to Rio Grande Compact requirements and restricted channel capacity below Abiquiu Dam. The MRGCD believes that gaining this added flexibility will help in managing for this possibility. To reiterate, this added flexibility would create no risk to space reserved in the reservoir for floods. Finally, senior water rights holder below Abiquiu on the Rio Chama could also be helped and environmental and recreational water users within the Wild and Scenic portion of the river above Abiquiu would benefit greatly from this storage. Importantly, the State Engineer is ready to issue an emergency storage permit to assist MRGCD and Reclamation with the dam safety issues at El Vado Dam and is equally willing to issue long-term storage permits at Abiquiu under the appropriate conditions. Many partner agencies of the Corps believe that this is the right step to take for the many reasons stated above.

Your consideration to include these critical projects for WRDA 2020, as well as funding design for the B to B levee project either through supplemental work plan funds or authorizing the reprogramming of San Acacia Levee funds, would be greatly appreciated and will provide lasting benefits for many of our mutual constituents and partners for decades to come.

Sincerely,

Mike A. Hamman, PE, CEO

Cc: Lt. Colonel Caswell, Albuquerque District, USACOE
Mr. John Stomp, CDO, ABCWJIA
Ms. Jennifer Faler, Area Manager, US Bureau of Reclamation
Mr. Rolf Schmitt-Peterson, NM Interstate Stream Commission
Mr. John D'Antonio, NM Office of the State Engineer
NM Congressional Delegation

Also, due to the exposure that Isleta Pueblo faces as part of the MRGCD, we have asked that the Isleta West construction costs for their portion of the levee sitting on federal trust lands be constructed at 100% federal cost. Your support of this issue would be immensely helpful. If the Isleta West segment is constructed with 100% federal funds, the MRGCD will assume the O&M on that segment in perpetuity as well.

Commander Caswell also informed me of the disappointing news that his District's Fiscal Year 2020 workplan request for preconstruction, engineering and design (PED) funding was not included in the Corps priorities, potentially delaying the start of design for at least another year. If reserve work plan funds are available, I request that they be used to start PED. There is, however, another alternative that I request you consider. Because we are the local sponsor of the San Acacia Levee project, we are aware that there are funds remaining that could be reprogrammed for the B to B project providing for geotechnical analysis and design of the Mountain View and Isleta West segments. These funds could be as much as \$1.5M. Utilization of these funds immediately would go a long way toward keeping the B to B project on track, supporting not only the MRGCD, but also its partners, Bernalillo County and AMAFCA (you met their senior leadership on the tour), who have reserved the necessary cost-share funds for this purpose. The New Mexico Interstate Stream Commission is the state agency that has assisted in cost-share support on the San Acacia Levee and will also assist with the B to B project.

Separate and apart from the obligation to build and maintain flood control structures, the MRGCD has an important congressional request that is critical to MRGCD and its partners. This is an amendment to authorize storage of native Rio Grande water in Abiquiu Reservoir. This matter was discussed in the District Office conference room with you and representatives of the Albuquerque Bernalillo County Water Utility Authority (COO John Stomp), the US Bureau of Reclamation (Area Manager Jennifer Faler), the NM Interstate Stream Commission (Page Pegram) and me. Mr. Stomp did an excellent job in describing the benefits of allowing storage of not only federal San Juan-Chama imported water but also native Rio Grande water within the currently authorized space. The District staff assured you that allowing both sources of water in the space would not in any way impinge upon flood easements available for Abiquiu Reservoir. Both water sources constantly move into and through Abiquiu Dam routinely and there is a sophisticated accounting model that keeps track of all sources, ownership and institutional requirements. These models would ensure that under no circumstances would the quantity of water stored exceed the currently authorized space.

One of the many reasons an Abiquiu authorization is vital is the condition of El Vado Dam. Ms. Faler and I explained the dire condition of the 85-year old El Vado Dam located 40 miles upstream of Abiquiu reservoir that is currently scheduled for major dam safety work in 2021. As a result of this dam safety work, for at least one year, the reservoir will be drawn down to a small hold pool so work on the face plate can be completed. This activity leaves no option, other than Abiquiu Reservoir, for a supplemental water supply for 60,000 acres of farmland within the middle Rio Grande. The significant storage restrictions will likely continue in effect

(P.L. No. 104-303). We were able to find at least one example that applies the grandfathering provision. See section 366 of WRDA 1999 (P.L. No. 106-53) regarding the American River project.

i. Review and Approval of the MRGCD Business Continuity Plan in Anticipation of Potential Impacts to MRGCD Operations Resulting from the COVID-19 Virus Outbreak – Mike Hamman, CE/CEO

Mike Hamman explained in order to protect our employees and constituents during this pandemic the District will limit its person to person contact, downsize operations in each division to base levels as to continue to run water and pay bills. The District will implement the Plan in a phased approach starting with social distancing and then ramping up with work-from-home for those that can or need to due to childcare issues then follow state guidelines to perform other measures as required.

Employees will be made aware of the use of masks, gloves, etc. He also stated the possibility of closing the office can happen. He stated the District will continue to pay employees to work online at home. If any are tested positive, stay home and use sick leave until leave is exhausted and if this happens, leave donations can be made by co-workers.

Chair Dunning would like the approval process to include the public events cancelations, etc.



**MIDDLE RIO GRANDE CONSERVANCY DISTRICT
BUSINESS CONTINUITY PLAN (BCP) FOR ADDRESSING PANDEMIC OR OTHER
EVENTS REQUIRING REDUCTION OR SESSATION OF OPERATIONS**

This BCP will provide guidance under the District's general Emergency Response Plan to address circumstances where a portion or all of the District's operations must be suspended if a catastrophic natural or disease driven event results in or requires a temporary reduction or re-deployment of the workforce as part of the response.

First and Highest Priority: Protection of District personnel, its constituents and the general public during implementation of the response.

Following are the critical response mechanisms for the BCP:

A. Create Business Continuity Team (BCT) consisting of:

- Team Lead – CEO: Sets the priorities to be scaled and implemented based upon the severity of the event – coordinates with District leadership and other agencies as necessary – face of the District for media inquiries and public outreach
 - IT – assures continuity of connectivity for critical information flow
 - HR – assures critical personnel are in place for response level. Payroll processing; emergency hiring as needed
 - Accounting/Acquisitions – assures critical acquisitions; payment processing and cash flow for response level; emergency contracting
 - Division Managers – implements required response level in the field, provides consistent messaging to constituents and personnel as provided by CEO
1. Business Continuity Team (BCT) implements plan to address critical operational support for appropriate response level. Sets priorities based upon needed operational support and develops a plan for each priority.
 - **During irrigation season:** Scheduling and delivering water to irrigators; supporting system operations with equipment and other services; responding to emergency overflows; critical maintenance.
 - **Year-round:** Performing payroll and accounts payable functions; assisting constituents with billing, payment and land matters; critical construction and/or maintenance work. Emergency response.
 2. Identify the trigger based on but not limited to the NM Department of Health advisories and guidelines, the BCT will make the decision on implementation plan and timing how operations will be affected; coordinate with State Public Health or

Emergency Response Teams to assist in determining appropriate response level as well as timing window.

3. Identify essential personnel for business operations to continue; each Division will assess needs and essential staffing required and make recommendations to the CEO on employee rotation plan for appropriate response level. Divisions' will provide a response plan staffing sheet to be attached to the BCP and will be updated annually with names and contact numbers of key Division personnel.
4. Identify constituents who will be most affected and communicate our intent and identify how we will contact them and/or assist them.
5. Identify how we contact non-essential personnel/employees during release and call-back periods.
6. Ensure appropriate offices have emergency kits and basic supplies if employees must remain on the District's premises or in the field for extended periods.
7. Prepare for employees' absences:
 - Determine minimum staffing levels required to perform identified priorities and determine operational strategies during an interruption.
 - Determine what other considerations need to be addressed such as helping employees assure family safety particularly if school age children are impacted by school closures, etc., and what other external factors/processes may affect the District such as fuel shortages or utility failures.

B. ASSURING MRGCD OPERATIONS

To assure the safety and welfare of employees and its customers during a pandemic or other catastrophic event the following will be implemented:

1. Increase telecommuting arrangements or relax requirements in reporting to work.
2. Implement staggered shifts or other alternative work schedules:
 - Create work schedule rotation of skeleton crews to report directly to their work areas and not report to or congregate in the main office locations to limit exposure.
 - Implement extended on-call work schedule.
3. Employ social distancing measures (3 to 5 feet separation) among employees and constituents:
 - Eliminate handshaking and/or "side hugs".
4. Post information and updates to District website (identify who is responsible for this task and what they will communicate).
5. Avoid travel to high risk areas, any scheduled training and/or work travel may be postponed or canceled.
6. Employ technology strategies to help the District function despite employees' inability to work together:
 - Install VPN Client on designated workstations that may be set up in appropriate employees' residences.
7. Employ exposure preventive measures:
 - Limit face-to-face meetings.

- Provide tissues, hand sanitizers, sanitizing wipes, and masks to employees.
 - Provide PPE (gloves) to employees engaging with the public and handling money, credit cards and checks.
 - Consider limiting public access on a temporary basis with proper notice to the public.
 - Educate employees on proper hand washing techniques and reminding them to not touch their faces.
 - Send symptomatic employees home.
 - Temporarily shut down operations, if necessary.
 - Limit engagement with Independent Contractors and the general public.
- 2. Communicate to all employees that business has returned to normal and when normal operations will commence requiring resumption of normal work schedules.
 - 3. Notify employees and customers that policies or rules that were temporarily lifted, added or changed to accommodate the crisis are now back to normal.
 - 4. Perform lessons-learned session with BCT and others to refine BCP and Emergency Response Plan.

C. Employee Pay and Benefits Considerations:

1. Decide payroll strategies to assure employees continue to receive pay during operational slow down or shut down and for how long.
2. Provide a "no-fault" attendance policy and temporarily forgo counting absences during an operation shut down.
3. Decide how to handle paid leave benefits for:
 1. "Excessive" absences related to employees' illness.
 2. Accommodating family illnesses.
 3. Apply the District paid leave policy in the event of a school or childcare facility closing.
 4. Prolonged absences due to illness will require substantiation (i.e. doctor's notes as per District policy).
 5. Implement flexible leave policy on a temporary basis, if necessary.
 6. Use donated leave policy for employees who exhaust leave banks to require employees who are sick and have no leave to stay at home.
4. Review legal obligations to employees:
 1. Generally, we will have to ensure that we are not exposing employees to any known threats, and we must provide reasonable accommodations to employees.
 2. Careful to not unnecessarily discipline employees who refuse to come into work during peak pandemic period out of fear of contracting the virus; will need to consult state health officials on decreasing level of exposures in order to have a work call back procedure that then negates employees' self-determination stance.
 3. Employees' leave to take care of themselves or family members are likely protected under various leave laws such as the Federal Family Medical Leave Act ("FMLA").

D. Business Recovery

1. Communicate to constituents that business has returned to normal and provide effective date when they can expect normal operations to commence, i.e. water delivery, making payments, picking up keys, etc.

3

4

Director Baca made the **MOTION TO APPROVE THE MRGCD BUSINESS CONTINUITY PLAN IN ANTICIPATION OF POTENTIAL IMPACTS TO MRGCD OPERATIONS RESULTING FROM THE COVID-19 VIRUS OUTBREAK**. Director Kelly seconded the motion. The **MOTION CARRIED** unanimously.

j. Report on the Six MRG Pueblo Coalition Meeting, March 5, 2020 - Mike A. Hamman, CE/CEO

Mr. Hamman reported that he and Director Sandoval attended the meeting which was fairly routine. Good conversations between working groups were had on such topics as, water operations start dates, snow pack scenarios, storing P&P water, etc. although there was no update on PBU.

Director Sandoval added that there was not an exact date for startup but there would be ditch clean up scheduled at the Pueblos this week and next.

Vice Chair Baca made the **MOTION TO APPROVE THE REPORT ON THE SIX MRG PUEBLO COALITION MEETING**. Director Moore seconded the motion. The **MOTION CARRIED** unanimously.

k. Report on an Invitation for the Primer Agua Event, March 21, 2020 - Casey Ish, Water Resource Specialist

Casey Ish, the District's Water Resource Specialist, explained the MRGCD, in collaboration with CESOSS and SVRAA, invites the board and the public for the Primer Agua Event. It will include food and music to celebrate the first water that flows throughout our acequias and the start of the irrigation season.

Director Moore shared her interest in attending but asked about the location of the event. Mr. Ish replied that directions will be posted on the MRGCD website, that it will be on Central and the west side of Sunset.

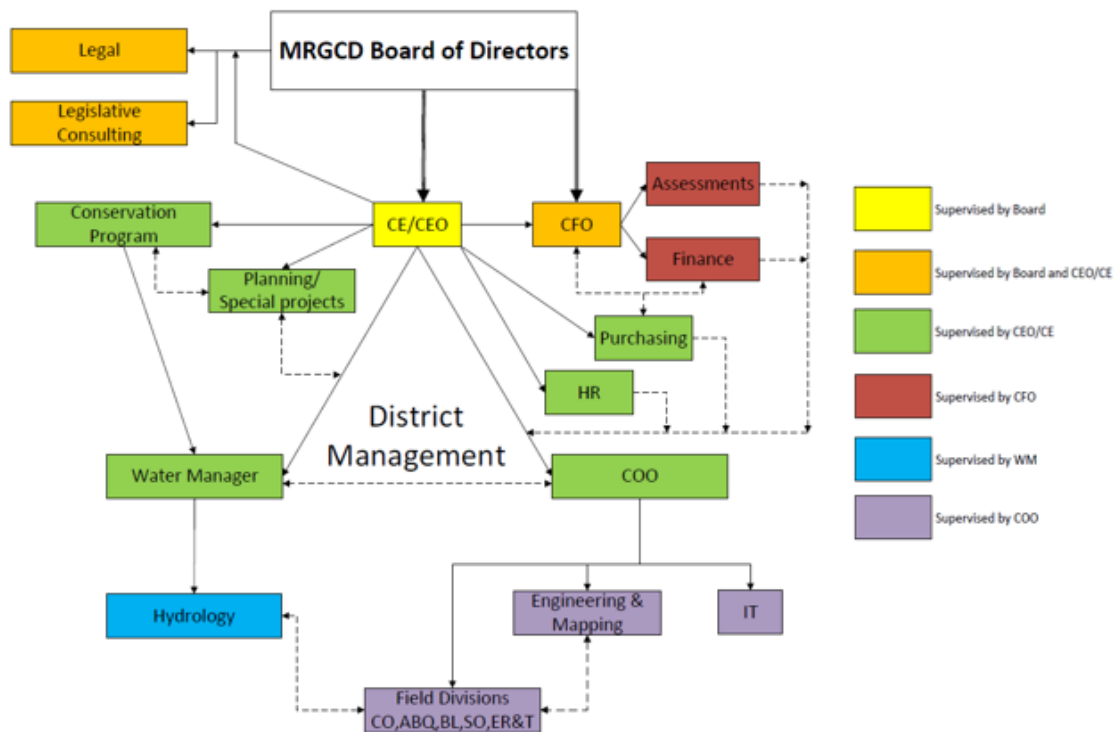
Director Baca shared her appreciation for the collaboration. Mr. Ish said it will be a great opportunity.



I. Presentation and Approval of the MRGCD Reorganization Plan - Mike A. Hamman, CE/CEO

Mike Hamman reflected on the four years he's been with the District. It's come into focus to create efficiency on all levels of the District with new programs coming in. Discussion was had on how a Chief Operating Officer would be an important role among the Division Offices, the Conservation Program, as well as senior management, like Doug Strech who built GIS and mapping, create special projects and data systems; workflow process to create three new positions, (COO, Conservation Program Manager and Special Projects Manager). Mr. Hamman hopes to implement this in this fiscal year; will be meeting with the Finance Committee soon on the FY21 budget.

MRGCD Management Chart



Director Kelly made the **MOTION TO APPROVE TO RE-INSTATE THE CHIEF OPERATING OFFICER POSITION, CREATE A CONSERVATION PROGRAM MANAGER POSITION, CREATE A SPECIAL PROJECTS MANAGER POSITION AND APPROVE THE NEW ORGANIZATION CHART SUBSTANTIALLY THE SAME AS ATTACHED SUBJECT TO NO INCREASE IN FULL TIME EMPLOYEES AND PRESENTATION TO FINANCE COMMITTEE ON FUNDING IMPACTS IN THE FY21 BUDGET AND EARLY IMPLEMENTATION VIA FY20 SALARY SAVINGS.** Director Baca seconded the motion. The **MOTION CARRIED** unanimously.

m. Discussion Regarding Valencia County Informational Meeting Agenda - Mike A. Hamman, CE/CEO

Discussion was had about the agenda of the Valencia County Information Meeting to be held at the Valencia County Commissioner Chambers, at 444 Luna Avenue, Los Lunas, NM. Mike Hamman said he would like to explain the District's gate policy and standard ADA on rural/urban land.

Madam Chair Dunning would like to devote more time to the MRGCD gate policy, our water supply, and the conservation program.

Director Russo Baca concurs also suggested discussing the likes of the Western Spirit Transmission, the Bernalillo to Belen Levee Project, and/or water watchers group (bottling).

AGENDA ITEM NO. 7 – REPORT(S) FROM THE MRGCD ATTORNEY(S) - Chief Water Counsel and/or General Counsel

a. Report and Approval of the Blue Buffalo/City of Santa Fe Water Rights Transfer Settlement Agreement – Dr. Charles DuMars, Chief Water Counsel

Dr. DuMars discussed the agreement committing the MRGCD to withdraw its protest contesting application SD-09737 into RG-20516, et al. Proposing to move pre-1907 surface water rights into the Buckman well field and seeking an alternative collaborative process to address such transfers in the future.

He stated that if either of the governing bodies doesn't accept the Collaborative Process proposal, the MRGCD will not have waived any rights to protest that it had before entering this agreement.

a1. Court of Appeals Federal Circuit Claim Court Oral Argument

Dr. DuMars discussed what a water right is, the nature of western water law and how he filed a brief in Supreme Court.

Since the meeting has gone until 6:00 o'clock, and since there are a few more items left on the agenda, Director Kelly made the **MOTION TO CONTINUE THE MEETING THROUGH COMPLETION OF THE AGENDA**. Vice Chair Baca seconded the motion. The **MOTION CARRIED** unanimously.

AGENDA ITEM NO. 8 – REPORT(S) FROM THE MRGCD BOARD OF DIRECTORS

a. Report on Meeting with Representative Torres-Small, February 18, 2020 - Director Russo Baca and Mike A. Hamman, CE/CEO

Mike Hamman and Director Russo Baca both met with Representative Torres-Small. Director Russo Baca felt her meeting with the representative was useful. They discussed the WRDA bill and USDA NRCS. She explained how they went on a tour to show her and staff member Kayla Laywell problem areas on the east levee north of Belen that was a result of the 2019 high runoff.

Mr. Hamman added that they also discussed the Bernalillo to Belen Levee project.

Director Kelly made the **MOTION TO APPROVE THE REPORT ON THE MEETING WITH REPRESENTATIVE TORRES-SMALL, FEBRUARY 18, 2020**. Vice Chair Baca seconded the motion. The **MOTION CARRIED** unanimously.

b. Report on the Conservation Advisory Meeting, February 20, 2020 – Vice Chair Baca

Vice Chair Baca said there was no status updates; they discussed numbers for the leasing program.

Director Sandoval made the **MOTION TO APPROVE THE REPORT ON THE CONSERVANCY ADVISORY MEETING, FEBRUARY 20, 2020**. Director Moore seconded the motion. The **MOTION CARRIED** unanimously.

c. Report on the Family Farm Alliance Annual Conference, February 20-21, 2020 – Directors Moore and Russo Baca

Director Moore said this conference was one of the best conferences she's attended. She discussed the collaboration cooperation, meeting with Brenda Berman, history of hemp and the farm bill.

Director Russo Baca also reported on the collaboration. She requested for the board to meet with Gary Eslinger with the Elephant Butte Irrigation District in the future.

Director Baca made the **MOTION TO APPROVE THE REPORT ON THE FAMILY FARM ALLIANCE ANNUAL CONFERENCE, FEBRUARY 20-21, 2020**. Director Sandoval seconded the motion. The **MOTION CARRIED unanimously**.

d. Report on the Land & Water Summit, February 27-28, 2020 – Chair Dunning, Vice Chair Baca, Directors Moore, Russo Baca, and Sandoval

Chair Dunning discussed the drought contingency plan, Nature Conservancy presentation and climate 2025.

Director Baca spoke of the presentations prepared by Jim Kinney and Laura McCarthy.

Director Sandoval said the conference was informative as it was the first time he's attended.

Director Moore enjoyed the pre-conference tour along the Alameda Drain.

Director Russo Baca discussed the breakout sessions; enjoyed the speakers and thought it was interesting.

Director Kelly made the **MOTION TO APPROVE THE REPORT ON THE LAND & WATER SUMMIT, FEBRUARY 27-28, 2020**. Vice Chair Baca seconded the motion. The **MOTION CARRIED unanimously**.

e. Report on the Isleta Reach Watershed Association, March 5, 2020 – Director Russo Baca

Director Russo Baca said the Isleta Reach Watershed Association (IRWA) was similar to the Save our Bosque Taskforce at Whitfield Wildlife Conservation Area.

Director Moore made the **MOTION TO APPROVE THE REPORT ON THE ISLETA REACH WATERSHED ASSOCIATION, MARCH 5, 2020**. Director Sandoval seconded the motion. The **MOTION CARRIED unanimously**.

f. Report on the Personnel Committee Meeting, March 9, 2020 - Chair Dunning, Directors Kelly and Russo Baca

This meeting was moved to be discussed with Item 6l. Presentation and Approval of the MRGCD Reorganization Plan. The Board of Directors all agreed.

Director Kelly made the **MOTION TO APPROVE THE REPORT ON THE PERSONNEL COMMITTEE MEETING, MARCH 9, 2020**. Director Baca seconded the motion. The **MOTION CARRIED unanimously**.

AGENDA ITEM NO. 9 – EXECUTIVE SESSION

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

- 1. Limited Personnel Matters

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

- 1. Threatened or Pending Litigation

Chair Dunning requested a motion to move into Executive Session.

Director Kelly made the **MOTION TO GO TO INTO EXECUTIVE SESSION.** Director Moore seconded the motion.

Rollcall vote was administered:

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

The **MOTION CARRIED** unanimously.

Chair Dunning adjourned the meeting at 6:18 pm.

Chair Dunning reconvened the meeting at 6:57 pm.

Director Kelly made the **MOTION TO RETURN TO REGULAR SESSION.** Director Moore seconded the motion.

Roll call vote was administered:

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

The **MOTION CARRIED** unanimously.

Chair Dunning said discussion was had and no decisions were made.

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

The meeting was adjourned at 6:58 pm.

Approved to be the correct Minutes of the Board of Directors of March 9, 2020.

ATTESTED:

Mike Hamman, CE/CEO

Karen Dunning, Madam Chair
MRGCD Board of Directors