



*Because Water Matters*

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August 23, 2018

Lucia F. Sanchez

Water Planning Program Manager

NM Interstate Stream Commission

407 Galisteo Street

Santa Fe, NM 87501

Submitted online at: <http://nmose.isc.commentinput.com/>

Dear Ms. Sanchez,

As a statewide water conservation organization dedicated to protecting and restoring New Mexico's waters, Amigos Bravos submits the following comments on the draft New Mexico State Water Plan ("Draft Plan"). Amigos Bravos served on the steering committee for the Taos Regional Water Planning effort and was the co-chair of the Watershed Subcommittee of the recent Taos Regional Water Plan update process. We acknowledge the size and challenge of the task of digesting and synthesizing 16 regional water plans and developing a comprehensive vision for water management in the state. We commend the state for undertaking this task. There is a lot of data presented in the plan that will be helpful to all that work on water issues in the state. Having said that, we do have a number of overarching and specific concerns about the Draft Plan.

### **Overarching Concerns**

Our primary overarching concerns are that the Draft Plan does not adequately address the threats of climate change and generally looks at the state water crisis from the same perspective that led our state to the current water challenges in which we now find ourselves. Our concerns and recommendations related to climate change are provided below in the section labeled "Climate Change and Drought". Regarding our concern that the plan looks at the state water crisis from within the same paradigm that created many of our water challenges, we suggest that the state needs to take a harder look at what types of activities are appropriate in our arid state. This could include looking at promoting less water intensive crops, identifying and then promoting energy development that has low

water impacts (both in terms of quality and quantity), and identifying and promoting new economic development opportunities that consume less water than many of our existing industries. Amigos Bravos has developed a Water Energy Nexus Report (Attachment 1) that calculates that 25% of our state's public water supply is used for energy production. Given that we have less water intensive options available (wind, solar) and we are facing potential water shortages for domestic and municipal use, does continuing to promote and support water intensive energy production make sense for New Mexico? We argue that it does not. Coal-fired power consumes 13% of NM public water supply, equivalent to 271,000 people (4x Santa Fe population). Oil & Natural Gas power plants consume another 2% of NM public water supply, equivalent to 42,000 people. Water that is used by these forms of energy production and is returned to the environment is often degraded by pollutants, which effectively increases the consumptive use beyond the percentages listed above. As an arid state we should be at least asking questions like how much water should be allocated for energy production and what lower water intensive energy production options are available. Another concern is the fact that New Mexico exports a large percentage of energy produced in the state to Arizona. In effect, due to the state's current water intensive energy production methods, we are exporting not just our energy but also our water to Arizona and beyond. As a state we need to have hard discussions about whether this is an appropriate use of our water. The state water planning process should be facilitating these discussions.

We are also concerned that the Draft Plan does not adequately provide clear policy strategies and directives and therefore fails to achieve the explicit requirement under state law to serve as a "strategic management tool" (1978 NMSA, Section 72-14-3.1(B)). It is unclear from the Draft Plan if there are prioritized policies or not. For example, only some of the policies recommended in the separate sections are summarized in the introduction (Part I, pp.1-4). Are these prioritized policies? If so, Amigos Bravos questions how these were determined and finds many of the choices puzzling. In addition, it is not clear what criteria went into singling out the strategies in the separate sections (Part I, Sections 1-8), from the hundreds of strategies identified in the regional water plans. Putting aside the question of which policy strategies are identified, and how they were identified, the plan should go further into flushing out identified policy strategies, and include more than just a list. Each identified strategy should include a roadmap, or at the very least some recommended tactics or steps, for implementation.

### **Climate Change and Drought**

The water plan does not adequately address climate change. The drought sections of the Draft Plan (Part I, Introduction, pp. 2-3; Part I Section 3, pp. 17-21) should be renamed "Climate Change" and expanded to more adequately prepare the state for the impacts of climate change.

Merely focusing on drought, which is a component of climate change but does not represent the full spectrum of impacts associated with climate change, is not comprehensive enough and leaves the state unprepared for many of the impacts of a changing climate. Drought is defined as “a prolonged period of abnormally low rainfall; a shortage of water resulting from this.”<sup>1</sup>, yet climate change is impacting New Mexico’s water more broadly than a reduction in rainfall. For example, climate change is resulting in abnormally high temperatures, which in turn result in higher evaporation and transpiration, which then leads to less water in our rivers as well as higher demand from ranchers and farmers, who now need more water to irrigate the same crops. In addition, climate change is leading to earlier and quicker runoff and increased flooding risk throughout the year. The impacts from climate change are permanent and represent a new normal, while the impacts of drought are typically considered temporary. Therefore, by calling the section that deals with the threats of less precipitation, hotter temperatures, and more evapotranspiration as “drought” instead of “climate change” the Draft Plan downplays the threat and does not do enough to focus on permanent solutions. While Part II of the Draft Plan does summarize some of the impacts of climate change to our water supply (see Part II, Section 6.2, pp. 55-56), the Draft Plan does not translate these threats into concrete actions and strategies in Part I. The drought section of Part I not only needs to be renamed but also needs multiple additional goals and strategies to prepare the state for the impacts of climate change. In addition, climate change focused goals and strategies should be carried over to the other 7 sections of the Draft Plan.

Recommended additional goals and strategies for the Climate Change/Drought section of the Draft Plan (Part I, Section 3, pg. 17):

Climate Change/Drought Goals: The word “drought” should be replaced with “climate change in each goal. In addition the following goals should be added:

- Increase the resilience to climate change in all aspects of New Mexico’s water systems.
- Support dialogue about systemic change in New Mexico’s water management to account for a permanently changed water system due to climate change, including but not limited to decreased precipitation, earlier runoff, increased flooding, and increased evapotranspiration.

### **Water Infrastructure**

Amigos Bravos has the following recommendations for the Water Infrastructure section of the Draft Plan, including the parts of the introduction that summarize the water infrastructure strategies.

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<sup>1</sup> Citation [Def. 1]. In Oxford American Online, Retrieved August 21, 2018, from <https://en.oxforddictionaries.com/definition/drought>

*Part I. Introduction (pg. 2)*

Amigos Bravos recommends adding the following bullet:

- Ensure state matching dollars are available to capitalize on federal funding for water infrastructure projects that require a state match. (This is necessary to ensure that federal dollars are not lost due to the unavailability of state matching dollars).

*Part I. Section 1.( pg. 5)*

Stormwater infrastructure is notably missing from the list of water infrastructure included in the first paragraph.

*Part I. Section 1. (pp. 5-6): Equity, Justice, and Inclusion Considerations*

Equity, justice, and inclusion considerations are missing from the entire Draft Plan. Amigos Bravos therefore recommends that the entire Draft Plan be reviewed through an equity and inclusion lens and appropriate changes be made throughout the Draft Plan. In regards to equity and inclusion related to water infrastructure, Amigos Bravos provides the following comments. Infrastructure deficits do not impact all communities equally. Often times infrastructure decisions are not made based on the most need but rather on political influence and/or the ability of some areas to contribute more funding to maintenance of infrastructure. Equity considerations are crucially important when infrastructure decisions are being made and community engagement early and often is critical. Amigos Bravos has developed a guide to help local governments integrate community input into green infrastructure projects (Attachment 2) that provides an overview of how to create more equitable infrastructure decisions.

Amigos Bravos suggests adding the following bullets to the water infrastructure goals and strategies section to increase equitable water infrastructure outcomes in New Mexico:

Water Infrastructure Goals:

- Ensure equitable water infrastructure investments.

Water Infrastructure Strategies:

- Develop equity principals for water infrastructure.
- Water infrastructure investments should be prioritized to reduce existing disparities in communities.
- Include community representatives at all stages of water infrastructure planning and implementation decisions.

*Part I. Section 1 (pp. 5-6): Green Infrastructure*

Green Infrastructure approaches to stormwater management need to be included in the water infrastructure sections of Part I of the Draft Plan. Amigos Bravos suggests the

following goals and strategies be added to the water infrastructure goals and strategies sections to ensure better stormwater management practices:

**Water Infrastructure Goals:**

- Prioritize stormwater control practices that mimic natural hydrology.

**Water Infrastructure Strategies:**

- Fund green infrastructure and low impact development projects to capture, treat, and infiltrate stormwater.

*Part I. Section 1. Table 1, (pg. 9)*

In column one, change “Public Wastewater Systems” to “Public Wastewater and Stormwater Systems”.

**Data Collection and Monitoring**

*Part I. Section 2. (pg. 13)*

Amigos Bravos suggests adding the following goals and strategies to the Data Collection and Monitoring Sections of the Draft Plan:

**Data Collection and Monitoring Goals:**

- Identify the impacts of climate change to New Mexico’s water resources.

**Data Collection and Monitoring Strategies:**

- Collect data on New Mexico’s water energy nexus – including on what types of energy production use the most water, and on the energy consumption of the different types of methods to treat wastewater and stormwater.
- Collect data on how much forest, riparian and wetland restoration contributes to increased flow and/or more consistent flow regimes.

**Water Quality**

Federal dollars for state assistance grants to address water quality issues are projected to decrease 60.5%<sup>2</sup> which represents a drastic reduction in funding to address water quality issues here in New Mexico. With this reduction in federal dollars it is all the more critical that New Mexico adequately funds state water quality programs with state dollars.

*Part I. Section 7. Table 7. (pg. 39)*

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<sup>2</sup> Public Discussion Draft 2018-2019 State of New Mexico Clean Water Section 303d/305b Integrated Report. (Pg 52)

Amigos Bravos recommends adding USACE to the list of essential organizations for discharging pollutants to surface waters (404 permits).

**Conclusion**

In addition the comments detailed above, Amigos Bravos concurs with and supports the comments submitted by the New Mexico Environmental Law Center. Thank you for the opportunity to comment on the Draft Plan. Please contact me, Rachel Conn at 575-758-3874 or at [rconn@amigosbravos.org](mailto:rconn@amigosbravos.org) if you have any questions about these comments or attached reports.

Sincerely,

A handwritten signature in cursive script that reads "Rachel Conn".

Rachel Conn  
Projects Director  
Amigos Bravos