

Environmental Flows Bulletin

2nd Edition

August 2012

Published by the Utton Transboundary Resources Center at the University of New Mexico School of Law, Environmental Flows highlights ideas, strategies, and successes of organizations and individuals across New Mexico who are working to ensure environmental flows for the state's rivers and streams.



Gila River by Dennis O'Keefe

Quick Links

[Utton Center](#)

[Statewide Resources and Organizations](#)

[Environmental Flows Editorial Statement](#)

Articles by

**Laura Paskus,
Managing Editor**

Unless otherwise attributed

Director's Note

Denise Fort

The drought that encompasses much of the West is once again bringing water to the forefront of public life. Cattle, wildlife, crops, recreation, tourism: no aspect of our world is untouched by it. The land is dry and our often divided state is joined in our desire for the dark clouds and bursts of rain that summer usually brings.

This issue is full of inspiring actions by people and agencies across the state. Our hope is that we can connect the doers in New Mexico with each other and contribute to what academics are now calling "learning communities." Please share your ideas with us as to how we can help support your work. The recently published report by Audubon New Mexico, *Hanging in the Balance*, is a persuasive document which explains why this community pursues restoration.

In Albuquerque, Mayor Richard Berry's vision for the Rio Grande reminds us of the linkages between city planning, economic development, and environmental protection. Albuquerque will be attractive to the mobile entrepreneurs who are choosing among locations for their businesses if it can promise bike paths, nature trails, recreation on and near water, and other signs that we value our environment. There is a long history of care for the Rio Grande, and I was gratified to see that it continues today.

New Mexico began a promising initiative to fund river restoration, but it is withering without additional state funding. The drought in

funding can be remedied by the legislature, and we will keep you posted on who steps forward to build a new program to protect and restore our rivers.

Restoring Flows and Ecosystems on the San Juan

Two decades ago, the San Juan River Basin Recovery Implementation Program was established to recover two endangered fish, the Colorado pikeminnow and razorback sucker, in the San Juan River and its tributaries in Colorado, New Mexico, and Utah. Today, a diverse group of partners is working toward that goal.



U.S. Fish and Wildlife Service Biologist Bobby Duran with Colorado pikeminnow. Photo: Upper Colorado and San Juan Recovery Programs.

The program came about through a cooperative agreement signed by the governors of Colorado and New Mexico, the US Secretary of the Interior, the Southern Ute and Ute Mountain Ute tribes, and the Jicarilla Apache Nation. And it came as the result of a Reasonable and Prudent Alternative to an Endangered Species Act jeopardy opinion related to the development of the Animas-La Plata water project.

One of the Reasonable and Prudent Alternative's provisions includes the development of environmental flows for the river and guaranteed water for the fish. That's in addition to the development of a recovery program for the two endangered fish.

[full story here](#)



Berry's Call to the River

A businessman and former state legislator, Albuquerque Mayor Richard J. Berry may seem an unlikely advocate for the Rio Grande. But with a new proposal in hand-and a personal commitment to make the river a part of his daily life-the Republican mayor is making waves.

As part of "ABQ the Plan," Berry is championing a river corridor initiative he hopes will bring more people to the banks of the river. The plan does not address the river's flows, but it may re-connect the public to the river and inspire new activists. Working on the project has sparked the mayor's interest in the Rio Grande, and also in statewide water policy and history.

In May, Environmental Flows Bulletin sat down with Berry in his office. Below, you can read a few excerpts from the transcript of that interview.

[full story here](#)

Keeping Water in Traditional Communities

There's a movement afoot in the acequia community to keep water flowing for traditional uses. While it doesn't necessarily relate to environmental flows, the environmental community may find inspiration-or at the very least, better understand rural communities, the challenges they face, and their attempts at protecting the waters flowing through acequias and ditches.

Acequia communities have long struggled to hold onto their water rights. The issue is all the more complex today as fewer young people take over farms and fields from older irrigators. This demographic reality, combined with the difficulty of making a living off farming, means that some users are selling off their water rights to developments and municipalities. And while the sale of water rights might benefit one family, it can negatively impact the entire community: The less water in the system, the less push there is to move it to the furthest reaches of the ditch.

[full story here](#)

Reconnecting the Pecos River

Ten years ago, the Pecos River as it flowed through Bitter Lakes National Wildlife Refuge provided no quality habitat for riverine fish. During the early part of the 20th century, the river had been



channelized to create ponds that would attract waterfowl. Barricaded behind a wall of invasive salt cedar, the Pecos had also become disconnected from the plains through which it flows.

But on a 12-mile stretch of river, all of that is changing. A three phase project on the Pecos has reconnected an oxbow, repaired floodplain connectivity by lowering the riverbank and removing salt cedar, and removed salt cedar from another four river miles and 1,300 acres.

"Now it's really cool," says Paul Tashjian, senior hydrologist with the US Fish and Wildlife Service (FWS). "It's wide open. It's like the old pictures of the Pecos-wide open where you can see for miles." Working in partnership with other federal and state agencies, nonprofits, and the Carlsbad Irrigation District, Tashjian has watched a pipedream transform into a healthy stretch of river.

[full story here](#)

What's Next for River Restoration in New Mexico?

In 2007, as part of Governor Bill Richardson "Year of Water" initiative, he requested that the New Mexico State Legislature fund a new program, the River Ecosystem Restoration Initiative, or RERI. Its purpose was to restore instream ecosystem functions and watershed health to major water basins throughout New Mexico. Denise Fort, the governor's appointee to the Water Trust Board and a member of the governor's Transition Team for water, had suggested it to Richardson as a means of balancing the state's water development programs with a program to further environmental values in rivers.

Once the legislature appropriated the money each year, the New Mexico Environment Department solicited proposals; each was evaluated according to more than a dozen criteria by a committee made up of representatives from the state's natural resource agencies. The proposed projects had to be scientifically sound and sustainable, says Karen Menetrey, Environmental Scientist/Specialist with RERI, and also have stakeholder support and a commitment to ongoing maintenance and stewardship.

Over the course of four years, RERI supported 48 projects across the state to the tune of \$8.2 million.

[full story \(with graphic\) here](#)

News Around New Mexico

In June, Audubon New Mexico completed a reader-friendly brochure on environmental flows restoration. Titled "Hanging in the Balance: Why our rivers need water and why we need healthy rivers," it includes information on environmental flows, the economic benefits of healthy rivers to New Mexico, and an overview on a recent EPA-funded study about which rivers in the state are most in need of environmental flows restoration. The brochure also details two collaborative projects currently underway as well as recommendations for restoring elements of natural flow patterns to New Mexico's rivers. The brochure is available [online](#).

A new report from the Natural Resources Defense Council looks at 15 water pipeline projects. Authors Denise Fort and the NRDC's Berry Nelson argue these projects do not account for climate change, the availability of water or energy use. And they argue that more cost-effective alternatives, such as water efficiency, are often ignored or not assessed adequately. "Pipe Dreams: Water Supply Pipeline Projects in the West" is available [online](#).

In May, The Nature Conservancy released a new report, "A Practical Guide to Environmental Flows for Policy and Planning: nine case studies in the United States," which explores how six states and three interstate river basins are effectively developing and implementing regionalized environmental flow criteria to water resource planning, water withdrawal permitting, and multi-dam re-operation. The report is available [online](#).

When visiting Albuquerque in July, US Interior Secretary Ken Salazar announced that \$1.7 million has been made available from the Land and Water Conservation Fund in 2012 to enable the first phase of the purchase of Price's Dairy, as part of the US Fish and Wildlife Service's proposed Middle Rio Grande National Wildlife Refuge.



[Forward this email](#)



Try it FREE today.

This email was sent to alexander@law.unm.edu by uttoncenter@law.unm.edu | [Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).

University of New Mexico School of Law | MSC11-6070 | 1 University of New Mexico | Albuquerque | NM | 87131