

HOUSE ENERGY AND NATURAL RESOURCES COMMITTEE SUBSTITUTE FOR
HOUSE JOINT MEMORIAL 3

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

A JOINT MEMORIAL

REQUESTING THE WATER CABINET, IN CONSULTATION WITH WATER USER
AND CONSERVATION GROUPS, APPROPRIATE SCIENTISTS AND OTHER
AGENCIES, TO IDENTIFY STREAMS AT RISK OF DEGRADATION BY
HYDROLOGIC ALTERATION.

WHEREAS, New Mexico's rivers are a keystone of the state's
environmental and agricultural infrastructure; and

WHEREAS, the essential interdependency of New Mexico's
rivers, riparian areas and agricultural lands comprise an
agro-ecosystem; and

WHEREAS, the flow of water in New Mexico's rivers is
critical to healthy agro-ecosystems, in that rivers have
throughout time supported and been essential to economic
prosperity, water supply, agricultural production, food
security, cultural diversity, community viability and the

.176995.2

underscored material = new
[bracketed material] = delete

1 health of people and ecosystems; and

2 WHEREAS, naturally varying stream flows provide valuable
3 ecosystem services, including irrigation, aquifer recharge,
4 flood attenuation, sediment transport, in-channel habitat for
5 aquatic species and river and floodplain habitat for wildlife
6 and native vegetation; and

7 WHEREAS, the advance of invasive aquatic and riparian
8 species with the decline of native aquatic and riparian species
9 may be the result of impaired hydrological function, including
10 altered surface water hydrology and surface-water to ground-
11 water interactions; and

12 WHEREAS, the continued loss of surface-irrigated farmland
13 may result in further loss of habitat, aquifer recharge, water
14 quality and the advance of nonnative species; and

15 WHEREAS, federally listed threatened and endangered
16 species in the state's rivers may be indicators of the
17 declining health of ecosystems; and

18 WHEREAS, additional listings could result in further
19 burdensome and costly conservation and recovery programs; and

20 WHEREAS, New Mexico water management policies and
21 practices are necessary to ensure sufficient river flows to
22 support viable river agro-ecosystems; and

23 WHEREAS, anticipated changes in climate, water rights
24 transfers and continuing increases in urbanization can only
25 magnify the stress on the healthy functioning of river

.176995.2

underscored material = new
[bracketed material] = delete

1 agro-ecosystems and may potentially result in future food and
2 water supply shortages, interregional and interstate conflicts
3 and serious economic and ecological distress;

4 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
5 STATE OF NEW MEXICO that the policy of the state of New Mexico
6 be to use scientifically derived information appropriate to
7 each stream system in managing stream flows so as to protect
8 the environmental integrity of its rivers and riparian areas
9 while maintaining the viability of the surrounding agricultural
10 lands and compliance with legal mandates; and

11 BE IT FURTHER RESOLVED that in furtherance of that policy,
12 the state agencies represented in the water cabinet be
13 requested to work cooperatively in preparation of a preliminary
14 evaluation plan, using existing data and information, for
15 identifying streams at risk of degradation from hydrologic
16 alteration, and to evaluate relevant assessment methodologies
17 and identify data gaps; and

18 BE IT FURTHER RESOLVED that nothing in this plan shall
19 promote a regulatory scheme or a conversion of agricultural
20 lands or practices; and

21 BE IT FURTHER RESOLVED that the agencies be requested to
22 prepare and disseminate an informational report containing
23 results and recommendations from this evaluation; and

24 BE IT FURTHER RESOLVED that the evaluation be developed in
25 consultation with water user, water rights and conservation

.176995.2

1 organizations, appropriate scientific specialists and other
2 agencies; and

3 BE IT FURTHER RESOLVED that copies of this memorial be
4 transmitted to the governor's office; to the secretaries of
5 finance and administration, environment and energy, minerals
6 and natural resources; to the state engineer; and to the
7 directors of the interstate stream commission, the New Mexico
8 finance authority, the New Mexico department of agriculture and
9 the department of game and fish.