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SENATE MEMORIAL 31

44TH LEGISLATURE – STATE OF NEW MEXICO – FIRST SESSION, 1999

INTRODUCED BY

William H. Payne

A MEMORIAL

REQUESTING THE UNITED STATES FOREST SERVICE AND THE BUREAU OF LAND MANAGEMENT TO COMPLY WITH THE FEDERAL ORGANIC ADMINISTRATION ACT AND THE WATER RESOURCES PLANNING ACT TO RESTORE WATERSHEDS ON THE NATIONAL FORESTS AND BUREAU OF LAND MANAGEMENT RANGELANDS IN NEW MEXICO FOR IMPROVED WATER PRODUCTION OF THESE LANDS FOR THE CITIZENS OF NEW MEXICO AND DOWNSTREAM STATES.

WHEREAS, the federal government owns more than thirty–four percent of the state of New Mexico; and

WHEREAS, more than ten million acres of New Mexico are in the national forests, thirteen million acres are controlled by the bureau of land management and most of the national forests are in the higher elevations where the vast majority of the state’s water supply originates; and

WHEREAS, under the Pecos River Compact, New Mexico agreed not to deplete the river by an amount greater than that amount diverted under the 1947 conditions of that

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1 compact, and as a result New Mexico has accumulated a water debt on the Pecos of about
2 three hundred eighty-six thousand acre-feet; and

3 WHEREAS, the Rio Grande Compact was signed in 1938 and New Mexico ran up a
4 deficit in the 1940s and 1950s of five hundred thousand acre-feet; and

5 WHEREAS, federal agencies are involved in litigation against the state seeking to
6 claim water from the state for federal purposes while mismanaging federal lands from which
7 the state's water supplies originate; and

8 WHEREAS, the federal Organic Administration Act and the Water Resources Planning
9 Act require federal land management agencies "to improve and protect the forest... for the
10 purpose of securing favorable conditions of water flows" and to cooperate with state and
11 local governments for the "conservation, development, and utilization of water and related
12 land resources"; and

13 WHEREAS, the Water Resources Planning Act is intended to provide a mechanism for
14 states and local jurisdictions to work with federal agencies in achieving water management
15 objectives through the federal water resources council; and

16 WHEREAS, the United States forest service and bureau of land management have
17 systematically suppressed fire and otherwise altered natural ecological forces in ways that
18 reduce the overall production and conservation of water supplies in New Mexico; and

19 WHEREAS, New Mexico's economy, culture and social well-being is tied to water that
20 must be delivered downstream to Texas and federal resource management agency
21 prerogatives;

22 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO
23 that the United States forest service, the bureau of land management and the
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1 environmental protection agency be requested to cooperate with the interstate stream
2 commission, the soil and water conservation districts and the state land office in restoring
3 watersheds for the purposes of favorable water flows, to maintain and enhance riparian
4 water storage and to protect and maintain the state's aquifers; and

5 BE IT FURTHER RESOLVED that the interstate stream commission present sections of
6 the state and regional water plans that identify the state's water supply needs to the
7 federal water resources council pursuant to the Water Resources Planning Act; and

8 BE IT FURTHER RESOLVED that a cooperative management plan be developed and
9 submitted to the appropriate interim committee by November 1999; and

10 BE IT FURTHER RESOLVED that the interstate stream commission present its regional
11 water plans to the United States forest service and bureau of land management for the
12 purpose of federal compliance with the Organic Administration Act and the Water Resources
13 Planning Act; and

14 BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the New
15 Mexico congressional delegation, the interstate stream commission, the secretaries of the
16 United States departments of agriculture and interior and to the soil and water conservation
17 commission and the commissioner of public lands.