

By AVELINO MAESTAS

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Gov. Bill Richardson on Thursday vetoed \$945,000 for studies of the Gila and San Francisco rivers, a move that further delays the implementation of the Arizona Water Settlements Act.

The money was included in House Bill 2, the state General Appropriation Act. The New Mexico Legislature adopted HB2 earlier this week, giving Richardson three days to act on the legislation. He announced a number of line-item vetoes Thursday, trimming \$57 million from the \$5.6 billion budget.

Jon Goldstein, Richardson's deputy communications director, said the Gila funding was cut "because the appropriation language was problematic" and "didn't include the proper balance."

Congress passed the Arizona Water Settlements Act in 2004, setting aside 14,000 acre-feet of water and \$66 million in funding for water-related projects in southwestern New Mexico. An additional \$62 million is also slated for the area, should a diversion project be implemented along the Gila or San Francisco rivers.

Environmental groups greeted the announcement with enthusiasm, while others expressed concern over the decision.

"It's disappointing that he line-item vetoed that money," Vance Lee, chairman of the Southwest Water Planning Group, said. "I'm sure he was being lobbied from another side, another group, to try to slow us down."

There are 18 members in the group, including counties and municipalities in the southwest part of the state. It was formed in 2004 to develop a plan to use any water allocated by the AWSA.

"We keep coming up against opposition and people trying to sabotage our progress," Lee said.

Jeanne Basset, a spokeswoman for Environment New Mexico, said her group lobbied for the veto to help preserve a balance.

"I think the conservation community was very concerned," she said, "because the Gila is the last free-flowing river in New Mexico. We want to make sure we match both community needs and also preserve and enhance the ecological and recreational uses of the river."

Craig Roepke, Interstate Stream Commission deputy director, said the studies are necessary to assess ecological declines noticed in the Gila River Basin over the past 50 years. The studies would have been conducted under the Gila-San Francisco Coordinating Committee, which includes the ISC, the SWWPG, the New Mexico Department of Game and Fish, U.S. Fish and Wildlife Service, Bureau of Reclamation, and the Office of the Governor.

“The work of the GSFCC is directed to two ends,” Roepke said. “First, to find the causes of the declines in the Gila ecology so they can be corrected, and, second, make that information available to the all the citizens of southwest New Mexico so that they can make an informed choice of how to use the benefits received in the 2004 AWSA.”

According to Roepke, species in the basin have suffered declines as the flow of water on the river has increased.

“The period of permanent record for the U.S. Geological Survey Gila gauge begins in 1927,” Roepke said. “The average flow for the first half of the record is 124 cubic feet per second. The average flow for the last half is 191 cubic feet per second.

“So, while the population of endangered species declined, and the overall ecology declined as well, we had an increase in average flows of more than 50 percent.”

Roepke said it was time to develop an alternative, rather than sitting by and watching the Gila’s ecology diminish.

“If we are to protect endangered species, much less stop or reverse the decline in the basin ecology, we need to do more than just document the symptoms,” he said. “Potential problems are numerous and include non-native species, cross-basin effects from pumping in the Mimbres, irrigation diversions, channel modifications, and watershed degradation.

“We cannot develop corrective actions or mitigating plans for ecologic problems until we understand the underlying causes.”

With Richardson’s veto, that process has been effectively stalled.

“We’re not sure (where we are),” Roepke said. “We hope that no one is going to object to studies of the problems associated with the Gila ecology, and hopefully we can proceed with that.

“This is all pretty much a surprise for everybody.”

Silver City Mayor James Marshall alleged earlier this week that the \$945,000 was being drawn from Silver City’s portion of capital outlay funding. During a Town Council meeting on Tuesday, Marshall said the amount of capital outlay funding allocated for Silver City was trimmed to ensure full funding for the study. He said a staff member for Richardson commented on the study, saying Silver City would be the prime recipient of any AWSA money. Marshall said, “Most of our money went toward the \$945,000.”

Goldstein said he could not confirm the comment, but did indicate politics played a role in the Richardson’s decision to veto the Gila funding.

“The different parties have not reached consensus yet on this issue, and, until that happens, it’s going to be hard to move forward,” he said. “The

governor remains committed to helping the parties reach consensus in the months ahead.”

Marshall noted that Richardson’s 2008 Budget in Brief is the source of the appropriation language regarding “Gila Basin Water Development.” The section states: “Continue steps necessary for the development of 14,000 acre feet of water rights and access to up to \$128 million in federal funds made available as a result of the 2004 Arizona Water Settlements Act.”

“It’s an extremely disappointing action on his behalf,” Marshall said of the veto.

Meanwhile, Lee said the water planning group would try to complete as much work as possible without the state appropriation.

“We’re going to continue to do business as well as we can without the money,” he said. “This will slow us down a little bit, but we’re not just going to put a halt on things.”

Bassett said her group is willing to move forward as well.

“We understand the communities in southwest New Mexico need water, and we need to make sure they have water,” she said. “We also need to make sure to balance those needs with the other needs of the river.”

According to Roepke, the studies will have to be completed at some point.

“Those federal funds all have to go through the National Environmental Policy Act, through an environmental impact analysis,” Roepke said. “So, sooner or later, this work is going to have to be done.”

A breakdown of the Gila funding Richardson vetoed:

- Extinction Risk Analysis for Spikedace and Loachminnow (\$30,000)
- Land-Use and Land Management of the Gila and San Francisco Rivers (\$50,000)
- Characterizing Hydrogeomorphic Conditions and Developing Stage-Discharge-Habitat Relationships for Key Ecological Attributes (\$535,000)
- River Channel Flows, Geomorphology and Habitat (\$100,000)
- Impacts of Nonnative Fishes on Native Fish Assemblages in Gila River Drainage (\$40,000)
- Riparian Vegetation Analysis (\$75,000)
- Bird Surveys on the Gila and San Francisco rivers (\$25,000)
- Aquatic Macroinvertebrate Analysis of the Upper Gila River and San Francisco River (\$50,000)
- Flow Regime Analysis (\$10,000)
- Historic Hydrologic Data (\$10,000)
- Historic Geomorphic Surveys (\$10,000)

- Historic Species Surveys (\$10,000)

TOTAL: \$945,000

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