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New county ordinance creates water advisory board

By J.R. Logan

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Taos County has approved an ordinance that will create an advisory and informational committee charged with investigating changes to the use of local water resources.

The body is intended to educate the public on proposed changes to water use. It is also designed to investigate the impacts proposed changes would have locally.

The committee would report those findings to the Taos County Commission and make recommendations as to whether a protest to an appropriation or a change in point of diversion should be made to the state engineer.

The intent, according to the ordinance, is to create a knowledgeable board that can provide local insight on the implications of changes to the use of the county's water resources.

The committee will be known officially as the "Advisory and Informational Committee on Public Welfare Impacts of Water Appropriations and Changes in Point of Diversion, Place of Use or Purpose of Use."

Environmental attorney Simeon Herskovits was hired to help put together the language in the ordinance. He said it would provide a mechanism for the county to better exercise rights already within its power.

"The ordinance allows for a more thorough and well grounded process," Herskovits said.

Opposition to the ordinance came from representatives of the Taos Valley Acequias Association.

Association president Palemòn Martinez called the ordinance "overreaching." He and fellow association officer Stephen Trujillo stressed their concerns that adopting the ordinance could derail the Taos Pueblo Settlement Agreement — an agreement between Taos Pueblo, the town of Taos and various community water organizations in the Taos Valley that would settle water rights claims and pay for the settlement.

The settlement, which has taken decades to put together, is in the final stages of receiving approval and funding from Congress. Martinez and Trujillo were wary that the county's ordinance would throw a monkey wrench into the agreement before it is made official. Herskovits dismissed those concerns. He said the committee created by the new ordinance would play a purely informative role and would have no authority to make final decisions on water use issues.

Members of the commission agreed.

"We would not want to meddle in the approval of that document that you all have worked so hard to do," Commissioner Andrew Chávez told Martinez. "This is just in addition to that."

Commissioner Nicklos Jaramillo added that members of the acequia associations were eligible

to apply for positions on the committee.

The committee will be made up of nine members A notice is supposed to appear in The Taos News within two weeks of passage of the ordinance requesting applications from residents interested in serving on the board. The ordinance states that those chosen to serve on the board should be knowledgeable about surface and groundwater resources in the county.

The ordinance states that applicants should submit a letter of interest to the county manager.