

MINUTES

Executive Committee Meeting
Paso del Norte Watershed Council
2:00pm, Friday, October 6, 2004
New Mexico Department of Agriculture
NMSU Campus, Las Cruces



Attending:

Kevin Bixby, Southwest Environmental Center
Tim Darden, NMDA
Doug Echlin, IBWC
Mike Fahy, El Paso Water Utilities
Ed Fierro, El Paso Water Utilities
Inga Groff, League of Women Voters
Joe Groff, Chihuahuan Desert Wildlife Rescue
Nancy Hanks, Program Coordinator
Woody Irving, U.S. Bureau of Reclamation
Conrad Keyes, Consultant
Mike Landis, U.S. Bureau of Reclamation
Julie Maitland, NMDA, Co-Chair
Ari Michelsen, TAES-TAMU, Treasurer
Jennifer Montoya, World Wildlife Fund
Bernardino Olague, IBWC
Valerie Provencio, EPWU, Secretary
Zhuping Sheng, TAES-TAMU
Rosemary Staley, City of El Paso
Sue Watts, Chair

1. Convening the Executive Committee Meeting

Sue Watts convened the meeting at 2:10 pm.

2. Introductions

Doug Echlin introduced Bernardino ("Berna") Olague, who will be representing the IBWC on the Executive Committee. Mike Landis introduced Woody Irving from the U.S. Bureau of Reclamation.

3. Discussion of proposed revision to Bylaws suggested by the NM-TX Water Commission

Nancy reported that Karl Wood, as a member of the MAC/New Mexico-Texas Water Commission (Commission), requested that amendments to the Council's Bylaws require approval by the Commission. The Executive Committee determined that the Commission has had the opportunity to comment on the Bylaws throughout the process of their revision over the past few months. The Council has listened to and taken into account the Commission's comments and modified the Bylaws to address their concerns. Sue Watts will attend the October 29, 2004, Commission meeting and provide the members with copies of the revised Bylaws.

4. Convening a Council Meeting

Because the current Bylaws required a 2/3 vote of the Executive Committee, there was no quorum present for voting to approve them. For this reason the Executive Committee recessed (Jennifer Montoya moved, Kevin Bixby seconded, and it was unanimously approved) so that a Council meeting might be convened to fill two openings on the Executive Committee. The Council was convened and it elected (Julie Maitland moved, Jennifer seconded, and it was unanimously approved) Joe Groff as a citizen representative on the Executive Committee, replacing Marilyn Taylor who had resigned. Also, it was clarified that Berna Olague would take over Jim Stefanov's seat on the Executive Committee. With these two new Executive

Committee members, the Council adjourned (Jennifer moved, Julie seconded, and it was unanimously approved) and the Executive Committee meeting then resumed.

5. Approval of Minutes

Changes were suggested to the minutes from August 30, 2004, and a motion was made by Tim Darden to accept them with changes. It was seconded by Julie Maitland and approved unanimously. Since there had been no quorum of the Executive Committee at the previous meeting on August 30, 2004, the minutes from July 12, 2004, were resubmitted for a vote of approval. Rosemary Staley moved to accept them, Jennifer seconded, and they were also approved unanimously.

6. Approval of Updated Bylaws and Strategic Plan

Julie moved to accept the version of the Bylaws labeled "Proposed Revisions July 12, 2004." Tim seconded and the Committee voted for them unanimously (see attached). Future minor revisions to the Bylaws include the following:

- change Article 8, Section 2 ("Email voting by members of the Executive Committee and the Council shall be allowed.")
- clarification of Article 8, Section 3 ("An alternate designated by an Executive Committee member may vote in the absence of that member.")
- change Article 9 ("These bylaws may be amended by a vote of a two-thirds majority of the members of the Executive Committee of the Council, provided copies of the proposed amendment have first been disseminated to all members of the Council, and a period of not less than 15 days has elapsed since the date of the proposed amendment.")
- if the MAC officially became the New Mexico-Texas Water Commission, then a change in wording would be required at some future date.
- an addition stating that "any projects submitted on behalf of the Paso del Norte Watershed Council must be approved by its Executive Committee." (The proposed location of this was not specified.)

Regarding the Strategic Plan, Nancy suggested that it be changed to have it comply with the objectives listed in the latest Business Plan. These changes were made. Kevin was concerned that the Strategic Plan put forth a more passive role (to review and provide recommendations) for the Council than the Record of Decision called for (oversee implementation of recommendations), but he didn't have the exact language in front of him.¹ After more discussion

¹ Note: The wording in the IBWC's Record of Decision (p. 31) for the El Paso-Las Cruces Regional Sustainable Water Project is as follows:

A Watershed Council (WC) has been established to oversee the implementation of enhancements that, when combined, will provide the greatest blend of benefits to project-area fish and wildlife and their habitat, while not exceeding the budget for environmental commitments (described in the following paragraphs). The WC will have flexibility in recommending the site-specific designs, locations, and frequencies for implementing enhancement actions.

Specific individual enhancements within each of eight enhancement categories will be implemented. In addition, some individual enhancements that are outside of the eight enhancements categories also could be selected by the WC for implementation, if approved by project sponsors. The project sponsors must approve enhancement details and locations recommended by the WC to ensure such enhancements are consistent with long-range project goals and sustainability. Some members of the WC will be

and a few minor revisions, Berna Olague stated that he thought the recommendations of the Council would be incorporated into the enhancement activities. Kevin agreed with the language in the Strategic Plan for the present time. Sue asked for a vote on the Strategic Plan as a matter of record. Berna moved and Zhuping Sheng seconded that the Strategic Plan be approved as shown to the Committee on the Powerpoint projector (see attached). The motion passed unanimously.

7. Budget Report

Ari Michelsen provided the Treasurer's report, pointing out which were past expenditures and which were current. Subcontracts were added to the report to show pass-through money. He discussed the difficulty of finding money to cover the administrative duties of the Program Coordinator once the EPWU funding ran out. Ari mentioned the possibility of future grants, including the Water 2025 Challenge Grant.

8. Business/Work Plan

Sue began discussion of the work plan and there were several corrections made. Nancy suggested that she provide a corrected work plan to the Committee at the next meeting.

9. Date and Location of the Annual Meeting

The 2004 Annual Meeting of the Watershed Council will be Monday, November 22, 2004, at 11:30 am at a location to be determined.

10. Adjournment

The meeting was adjourned at 4:15 pm.

Respectfully submitted by Nancy N. Hanks

members of the New Mexico-Texas Water Commission and the Commission's Management Advisory Committee, thus assuring a balanced process to equally consider and implement enhancements.

As Approved October 6, 2004

**Bylaws of the
Paso del Norte Watershed Council**
(As Approved October 6, 2004)

ARTICLE ONE

Authority

The Paso del Norte Watershed Council (Council) is an advisory body to the New Mexico-Texas Water Commission and was formally recognized by a resolution adopted by that group during its meeting of October 13, 2000. The Council may also seek authority and/or address issues under the purview of bodies other than the New Mexico-Texas Water Commission and outside the scope of the El Paso/Las Cruces Regional Sustainable Water Project.

ARTICLE TWO

Statement of Purpose

The purpose of the Council is to investigate, develop, and recommend options for watershed planning and management and to explore how water-related resources can best be balanced to benefit the Rio Grande ecosystem and the interests of all watershed stakeholders. The Council will focus on the Paso del Norte Watershed (Watershed), defined as the Rio Grande basin between Elephant Butte Dam/Reservoir in southern New Mexico and Fort Quitman, Hudspeth County, Texas.

ARTICLE THREE

Objectives

The Council will provide an open and inclusive forum for stakeholders who want to establish and maintain a healthy Watershed.

Due to the complexity of interests and jurisdictions in the Watershed, there is a need for a coordinated system to facilitate communication and promote cooperation for the purpose of balancing the needs of all stakeholders. The Council will provide such a system for exchanging data and other information pertinent to Watershed management.

The objectives of the Council are as follows:

- (1) Under the direction of the New Mexico-Texas Water Commission, the Council will serve in an advisory capacity regarding the selection, planning, and implementation of environmental enhancements and mitigations associated with the El Paso-Las Cruces Regional Sustainable Water Project.
- (2) The Council will recommend policies for cooperation, coordination, and the sharing of information concerning planning and management activities of projects affecting the Watershed.

ARTICLE FOUR

Membership

Section 1. *Members.* Membership in the Council will be open to all individuals and organizations that support the purposes and objectives of the Council. The Council will seek representation from municipalities, water agencies, researchers, educators, businesses, environmental, agricultural interests, volunteer organizations, and concerned citizens. An organization or individual may become a member by submitting a letter of interest.

ARTICLE FIVE
Administration

Section 1. Executive Committee. The Council will elect, from its membership, an Executive Committee (Committee) consisting of not more than twenty (20) individuals. The composition of the Committee should equitably represent the stakeholders of the Watershed.

Section 2. Term of Membership. Any individual elected to serve on the Executive Committee will serve for a period of at least three (3) years. An election will be held annually during which time the Council will elect members of the Committee for the forthcoming year. The terms of members will be staggered such that experienced councilors are present every year. No term limits will restrict individuals from continuing to serve on the Committee.

Section 3. Attendance at meetings. Members of the Executive Committee will endeavor to attend all of the meetings scheduled. In the event that a member of the EC cannot attend, they are encouraged to send an alternate. Those who miss more than four (4) consecutive Committee meetings may be asked to step down from the Committee so that another representative for that stakeholder group may be elected by the Executive Committee. Those who do step down may be elected again when the position becomes vacant.

Section 4. Program Coordinator. The Council, through its Executive Committee, may hire a Program Coordinator to help further goals of the Council and coordinate Council activities.

Section 5. Officers. The Executive Committee will select its officers during its first meeting following its election by the Council. Officers will serve for three years, or until a successor is elected. Officers may be re-elected to serve for additional terms. The following four offices are hereby created:

Executive Committee Chair: The Chair will develop an agenda for meetings of both the Council and its Executive Committee, and will preside at said meetings. The Chair will also serve as a non-voting member of the Management Advisory Committee of the New Mexico-Texas Water Commission.

Executive Committee Assistant Chair: The Assistant Chair will assume the responsibilities of the Chair whenever he or she is absent or otherwise unable to fulfill his or her responsibilities.

Executive Committee Secretary: The Secretary will be responsible for maintaining Council records and representing the Council when needed.

Treasurer: The Treasurer will maintain accurate and up-to-date books of accounting showing the receipts, disbursements, and assets of the Council. The Treasurer will present a budget report quarterly and will prepare an annual financial statement.

ARTICLE SIX
General Role and Activities

Section 1. Executive Committee Responsibilities. The Executive Committee, acting on behalf of the overall Council, will have the power to:

- a) meet as needed to attend to Council business, as stated in the Business and Strategic Plans;
- b) submit recommendations on watershed issues and projects; and
- c) hire and supervise administrative support.

Section 2. *Delegation of Responsibilities.* The Executive Committee may create subcommittees and delegate responsibilities to individuals or groups as necessary to further the objectives of the Business and Strategic Plans.

Section 3. *Council Recommendations.* Any recommendation issued by the Council will be reviewed by the Executive Committee and be subjected to a formal vote for acceptance. If the Council is not in complete agreement, then a disclaimer will be included in the recommendation stating that the comments may or may not reflect the views of the individual members of the Council. Recommendations or comments prepared by the Council in response to publication of Draft Environmental Impact Statements will be presented to the membership of the New Mexico-Texas Water Commission prior to final submission.

ARTICLE SEVEN

Meetings

Section 1: *Open Meetings.* The Council will endeavor to conduct all its meetings openly and encourage the broadest practical awareness and discussion of issues by all affected parties. Venues for all meetings of the Council will be physically accessible to persons who are mobility-impaired.

Section 2. *Quorum.* A meeting of the Executive Committee may be called to order when a simple majority of the EC is present.

Section 3. *Frequency.* All Council members will be invited to attend at least one meeting per year. The Executive Committee may meet as often as deemed necessary.

Section 4. *Minutes and Record-keeping.* The minutes of the Council and its Executive Committee will be public record.

Section 5. *Procedure.* The rules contained in the current edition of *Robert's Rules of Order* will govern the Council in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Council may adopt.

ARTICLE EIGHT

Voting

Section 1. *Voting on Motions.* Voting for acceptance or rejection of a motion will be determined by a simple majority of eligible members present and voting.

Section 2. *Email Voting.* If a deadline does not permit a formal Executive Committee meeting, email voting by members shall be allowed.

Section 3. *Other Voting.* An alternate designated by an Executive Committee member may vote.

ARTICLE NINE

Amendments

These bylaws may be amended by a vote of a two-thirds majority of the members of the Executive Committee of the Council, provided copies of the proposed amendment have first been disseminated to all members of the Council, and a period of not less than thirty (30) days has elapsed since the date of the proposed amendment.

**2004-2007 Strategic Plan
for the
Paso del Norte Watershed Council
(As Approved October 6, 2004)**

MISSION

The mission of the Paso del Norte Watershed Council (Council) is to investigate, develop, and recommend options for watershed planning and management and to explore how water-related resources can best be balanced to benefit the Rio Grande ecosystem and the interests of all watershed stakeholders. The Council's focus is the Paso del Norte Watershed (Watershed), defined as the Rio Grande basin between Elephant Butte Dam/Reservoir in southern New Mexico and Fort Quitman, Hudspeth County, Texas. The Council provides an open forum for the encouragement and development of activities that promote a healthy watershed.

GOALS and OBJECTIVES

Seek and evaluate funding methods to attain the following goals and objectives plus Council administrative expenses:

- A. Promote watershed planning and management and provide recommendations**
 - 1. Identify water quality issues of salinity control and salinity management techniques.
 - 2. Compile existing information about natural resources.
 - 3. Develop modeling tools for Watershed planning and management.
 - 4. Provide official input to sponsors of activities that affect the Watershed and recommendations for watershed planning and management.

- B. Support restoration and enhancement projects in the Watershed**
 - 1. Create and prioritize recommendations for Watershed restoration and enhancement.
 - 2. Review, provide recommendations, and perform other tasks as authorized for restoration, mitigation, and enhancement projects related to the El Paso-Las Cruces Regional Sustainable Water Project or other regional watershed agencies or groups.

- C. Facilitate communication among stakeholders and within the Council**
 - 1. Provide opportunities for improving communication among Watershed stakeholders.
 - 2. Provide opportunities for improving communication among Council members.
 - 3. Provide opportunities for communication with watershed councils outside the region.

- D. Provide education and outreach to the public and to Council members**
 - 1. Develop a drought education program.
 - 2. Develop an agriculture outreach program.

Specific projects and activities with timelines to achieve these goals and objectives are provided in the Paso del Norte Watershed Council Business/Work Plan.