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## **COMING OUT OF OUR BOX: ALBUQUERQUE'S BUSINESS COMMUNITY ENTERS THE WATER ARENA**

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Good morning. I am here today representing the New Mexico Chapter of the National Association of Industrial and Office Properties—a group of about 150 firms employing some 19,000 New Mexicans associated with real estate development and the Economic Forum, whose membership represents over 100 businesses in Albuquerque. The mission of both organizations is to sustain and enhance the economic welfare of our city, county, and state while helping to preserve and protect the clean environment and rich cultural heritage that make this “the land of enchantment.”

Until about a year ago, the Albuquerque business community was not really engaged in water policy

discussions. Then the drought, coupled with threats to the security of our city's San Juan/Chama water posed by the critical habitat designation of the Rio Grande silvery minnow, aroused us from our complacency. The late Adlai Stevenson once said, “man is a curious animal, he never sees the wall until his back is up against it.” We did not like how close our back was getting to that wall. We realized we could not continue to sit idly by as long as the sustainability of our community --- our children and their children's future--- was at risk.

Our organizations formed a joint water task force and for the following 12 months, we met regularly to listen to water experts from around the

state. It didn't take long for us to realize that it was not just Albuquerque that was beset with water woes, but the rest of the state as well. We learned about the external threats to our state's water supply posed by both adjacent states and California, and how the water supply and quality problems of Mexico could impact us in the future. We became aware of the many apparent attempts at federalization of our waters going on in virtually all of our river basins—actions which if left unchallenged, could rob us as New Mexicans of control over our own economic destiny and traditional ways of life.

We began seeing internal threats to our water future as well: in attacking each other to save our own piece of what looked like a shrinking water pie, the state might become polarized and engaged in a civil war, thus less able to protect New Mexico's waters for all New Mexicans.

We decided that the business community had to become proactive. We could not afford to just keep on talking to one another. We had to come out of our box and take a place with other water stakeholder groups from around the state at the various tables where water policy plans were being forged. We joined the Middle Rio Grande Water Assembly, the Governor's Blue Ribbon Task Force on Water and the Middle Rio Grande ESA work group. While we were still on a learning curve, circumstances required us to begin speaking up and putting our money where our mouths were:

1. To support the sanctity of Albuquerque's San Juan/Chama water, we hired attorneys and entered an *amicus curiae* position in the *Minnow v Martinez* lawsuit;
2. To register our conviction that the federal government gave inadequate consideration to the economic impact on the people of the Middle Rio Grande in its designation of critical habitat for the silvery minnow, we hired more attorneys and became a Friend of the Court in the *MRGCD v Babbitt* case. (We were gratified to see Judge Mechem's November ruling in that case echo the arguments we had made in our brief);
3. We submitted comments to the EPA opposing their proposed arsenic standards on the grounds that such costly standards need to be based on sound scientific data;
4. We met with the Middle Rio Grande Conservancy District concerning water use efficiencies within irrigated agriculture, and

encouraged the district to proceed expeditiously with their plans to complete metering both their diversions and return flows; and,

5. Realizing we all bear individual and corporate responsibility for being wise stewards of our water, we began internal discussions of how, where and at what cost the business community could save more water.

To become a true partner with others in crafting viable water plans for New Mexico, we have felt the need to dispel some unfair misperceptions that cast Albuquerque as a monstrous water consumer and ourselves as "greed-is-good" business people advancing massive growth, whatever the cost:

1. We keep hearing that by our size, Albuquerque will be threatening water availability for rural areas of the state, and that sustainable growth for Albuquerque will be an oxymoron. We need to tell everyone that just because Albuquerque is big does not mean the city is a 1,000-pound gorilla. (That's unless we don't get our San Juan/Chama water for which we have been and are continuing to pay.) And in response to the charge of being the state's water hog, we are told that municipalities consume only between 5 and 15% of the state's water pie.
2. Albuquerque's developers and the business community-at-large do not blithely or greedily seek growth for growth's sake. We understand that between 60 and 70% of our growth is natural growth --- our kids having kids. The decisions to have this natural growth are not made in boardrooms by the business community, but in everyone's bedrooms. The business community tries to build the shelter and provide the good-paying jobs necessary to accommodate this "growth" so as to ensure an enhanced standard and quality of life for all the city's residents. So yes, we do want to ensure that there is sufficient water available in our city environment to allow our kids and theirs to live here, maintaining their traditional urban way of life, but this is nothing more or less than the aspirations every other group of folks in the state have for their own kids.

We recognize the contribution that all geographic areas of the state and all sectors of the economy make to New Mexico's overall economic well-being, as well as how the state is enriched by the cultural heritage of its people and by its natural environment

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and biological diversity. Correspondingly, we realize that all these areas of the state, sectors of the economy, the traditional life-styles, and quality of our environment are at risk because we do not have our water house in order. Thus, our organizations have come up with a legislative agenda which we hope will help get us on the right path. It includes requests for adequate funding for the State Engineer and the Interstate Stream Commission to:

- complete the waters database project which involves the transfer of priceless water records into a digital format;
- complete adjudication efforts on the Lower Rio Grande and on the Pecos River, and eventually throughout the state, so that we know who owns what water, where, and since when. (While we realize that we are not senior water rights holders, like the Native Americans or the acequia associations and their parciantes, we know that the only way our state will ever get its arms around its water resource problems is to know what we have and who has title to how much of it. How else can we devise a state water plan that provides for our individual and collective futures?);
- hire the staff necessary to defend the state's water for New Mexicans in ESA-related litigation and collaborative process efforts while meeting interstate compact and treaty obligations; and,
- complete the state's 16 regional water plans.

In addition, we support the funding requests of our conference host, the WRRI at NMSU--- ranked by the U.S. Geological Survey as one of the top 4 institutes of its kind in the nation--- to administer peer-reviewed scientific research grants that will help identify the habitat requirements of our endangered aquatic species.

We also support the NMSU College of Agriculture and Soil and Water Conservation Districts proposals to help private landowners develop Best Management Practices that will offer enhanced water-shed restoration and management, thereby maximizing water yield and improving water quality.

We support our legislature requesting our congressional delegation and the appropriate federal agencies to give Sandia National Laboratory and Los Alamos National Laboratory the funds necessary to become the national test beds for water research and development in areas of critical significance to the

state, such as desalination, evaporation suppression, arsenic treatment, and integrated water resource management modeling.

Last, but not least, the business organizations I represent urge the creation of an Endangered Species trust fund, much like the Native Species Conservation Trust Fund in Colorado, to provide the state's necessary cost share for endangered species recovery programs and/or the creation of a water trust fund to finance needed capital outlay projects that would include monies to finance the endangered species programs. We believe, in a legislative session where oil and gas severance tax funds and other unanticipated state revenues have provided us a huge surplus, that the time is right to create water legacies that can protect present and future generations of New Mexicans.

It is clear that we in "the big city" cannot not worry solely about our own water woes. We must listen and be responsive to the water needs of our rural neighbors as we ask them to be empathetic to ours. We will never have windows of opportunities through which we can resolve our water problems if we don't build in windows... together we can create sensible yet visionary water plans for New Mexico that lead somewhere positive for all our citizens. We must do this because, in truth, we will either all hang together or we will hang separately.

Here's to doing all we can to conserve, preserve, and wisely use our most precious liquid resource for our children and future generations of New Mexicans. As Yogi Berra once said, "...the future ain't what it used to be..." – but it still can be good if we all pitch in.

Thank you for your attention and again for extending to me the invitation to address you today.