

Forest policy affects acequias

Acequia association head wary of impact on traditional communities

By Staci Matlock | The New Mexican

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Northern New Mexico's Acequia del Llano de San Juan Nepomuceno is the kind of place where sweeping federal policy changes get up close and personal.

It's the kind of place Paula Garcia, executive director of the New Mexico Acequia Association and president of the Mora Land Grant, will be thinking about as she reads the new federal forest management rules unveiled Thursday by U.S. Agriculture Secretary Tom Vilsack.

The rules are intended to govern the management of 193 million acres of national forests and grasslands, establishing a new blueprint to guide everything from logging to recreation and renewable energy development.

The guidelines, which will take effect in early March and apply to all 155 national forests, 20 grasslands and one prairie, represent the first meaningful overhaul of forest rules in 30 years. The George W. Bush administration had issued a management-planning rule for national forests in 2008, but a federal court struck it down the next year on the grounds that it provided inadequate protection for plants and wildlife.

Garcia wants to know if the rules will help or hinder traditional communities with ties to the national forests dating back centuries. "More environmental regulations can mean more red tape for traditional communities," she said. "That's what creates a lot of tension. Even though the rules are well intentioned, that's what creates hardship on the ground."

The Acequia del Llano de San Juan, which is older than the U.S. Forest Service, brings water to about 100 families. But when ditch commissioners from Llano de San Juan and four other ditches in the area needed to make repairs in 2009, they ended up in a tiff with Carson National Forest officials. Portions of the ditches and their diversion structures are on Carson National Forest land. Garcia claims the Forest Service wanted the commissioners to get a special use permit, something never previously requested. The process was time-consuming, stalled much-needed repairs and, Garcia believes, was unwarranted.

Decisions like those "affect people's lives," she said. "Without the repair work, the people would have gone without their irrigation water. This is where these policies that on paper don't look so bad can have huge impacts on the ground."

The Forest Service and the acequia groups, with some political pressure from U.S. Rep. Ben Ray Luján, D-N.M., worked out their problems. But Garcia said more than 50 acequias have portions of their ditches on national forests in New Mexico.

A recent lawsuit against the Forest Service by Rio Arriba County ranchers over decreased livestock grazing is another sign that tension between the agency and traditional Hispanic communities isn't going away.

Those issues were fresh in Garcia's mind when she commented in 2011 on proposed, far-reaching national forest management rules. "The Forest Service controls such a huge land mass in Northern New Mexico," Garcia said. "It plays a huge role in our lives and our livelihoods."

Only pueblos and tribes have a longer relationship than traditional Hispanic communities with lands that are now part of the Forest Service jurisdiction.

Garcia, on behalf of thousands of acequia parciales, made two specific suggestions for the new rule: Make sure Hispanic and land-based communities are specifically mentioned and addressed; and ensure the rule specifically describes the historic rights and uses of acequias.

Until she sees how the rule unfolds, she and the acequia associations in the North won't know if those suggestions were taken seriously.

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