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3 members of Interstate Stream Commission resign in 24 hours

The resignations of three members of the Interstate Stream Commission, including allies of Republican Gov. Susana Martinez, follow the departure of several senior water policy staff members from state government in the past year.

One commission member who stepped down this week pointed to State Engineer Tom Blaine, a Martinez appointee who is responsible for managing New Mexico's water. Jim Dunlap of Farmington accused Blaine of interfering with the commission's oversight and leaving his office with a lack of leadership.

"We couldn't follow the law as the Legislature set it out," said Dunlap, 85, who had served on the commission since 2003 and has been involved in New Mexico water policy for decades.

He also said that senior staff, including the commission's director, have left the agency and that resources have been stretched thin amid budget cuts across state government.

The governor appoints eight of the commission's members to four- or six-year terms. None receives a salary. The governor also appoints the state engineer, who serves as the ninth commissioner. But his office and the commission have traditionally filled different roles. The Office of the State Engineer usually regulates water rights, while the Interstate Stream Commission handles issues of water policy and management, such as negotiating water rights with neighboring states and developing water supply projects.

The round of resignations began Tuesday when commission Chairman Caleb Chandler of Clovis — whose son Matt Chandler has been a longtime close political ally of the governor — sent Martinez a three-sentence email stating he was stepping down immediately.

Another commission member, James Wilcox of Carlsbad, followed Wednesday morning with a short email tendering his resignation.

And a few hours later, Dunlap wrote to Martinez announcing his decision to step down and raising concerns about a "lack of direction from the State Engineer and adherence to New Mexico State Statutes."

Some seats on the commission were already vacant, and the resignations leave only four of nine commissioners, Dunlap noted.

Melissa Doshier-Smith, a spokeswoman for both the Interstate Stream Commission and the Office of the State Engineer, said Blaine, the state engineer, was not available for an interview Thursday about the departures.

According to Dunlap, Blaine viewed the nine-member commission as subservient to his office rather than as a separate body that serves an independent role in setting water policy. Dunlap offered a list of examples of Blaine's interference that, he said, undermined the commission's efforts.

For instance, he said, Blaine told the commission's former director to drop a challenge to water rights applications by a major mining company. Blaine also met with representatives of the firm without giving the commission's attorneys a chance to attend, he said.

"This is just a total departure from what our job is, Dunlap said, "and we weren't allowed to do our job."

Doshier-Smith maintained, however, that Blaine does not interfere in the application process.

Asked about the commissioners' resignations, Doshier-Smith said in an email: "We appreciate their service to New Mexico with the Interstate Stream Commission, and wish them well in their future endeavors."

Commissioners sought out the governor to intervene.

"We tried to talk to the governor," he said. "The governor has never let us in her office."

The Governor's Office referred questions to Doshier-Smith.

For some observers, the exodus at the Interstate Stream Commission was a surprise, stemming mostly from what they described as a vacuum of leadership rather than policy disputes.

Norm Gaume, a former director of the Interstate Stream Commission who has become a leading critic of the Office of the State Engineer, said it has lost a lot of institutional knowledge amid budget cuts and staff resignations.

"It takes resources to manage water in this state," he said.

Gaume said Blaine has undermined the commission by insisting that it act as subservient to his office.

"The Interstate Stream Commission should be independent," Gaume said.

Representing an arid state with several major rivers flowing through it, the commission has landed at the center of plenty of controversy, not least for ongoing battles with neighboring states and for its handling of a slow-moving and expensive project to divert water from the Gila River.

Environmentalists have accused the commission of going along too readily with such controversial projects.

Jen Pelz, the wild rivers program director at WildEarth Guardians, said she thought the leadership issue was behind this week's resignations. "But I don't think this really gets fixed," she said, "until the administration changes and the agency or system is reformed or completely overhauled."

For Dunlap, the decision to step down was a difficult one.

"I have a great love for New Mexico and a great desire to do the right thing for the people of New Mexico," Dunlap said Thursday. "... I've worked with quite a few state engineers that recognized the balance between the Interstate Stream Commission and the Office of the State Engineer. This state engineer won't even let the Interstate Stream Commission do their job."