

MINUTES OF THE
SANTA FE COUNTY
WATER POLICY ADVISORY COMMITTEE

March, 2018

Santa Fe, New Mexico

I. This meeting of the Santa Fe County Water Policy Advisory Committee (WPAC) was called to order at approximately 5:30 p.m. by Mary Helen Follingstad, Chair, on the above-cited date at the Santa Fe County Projects Complex, 901 W. Alameda, Santa Fe, New Mexico.

II. A quorum was established with the following members present:

Members Present:

Mary Helen Follingstad, Northern Planning, Chair
Steve Rudnick, District 5, Vice Chair
Bryan Romero, District 1
Ken Kirk, District 2
Shann Stringer, Soil & Water Conservation District
Martha Trujillo, Acequia Association
JC Helms, BDD Board [Alternate]

Member(s) Excused:

Denise Fort, BDD Board
[Five vacancies]

Staff Present:

Jerry Schoeppner, Utilities Division, Hydrogeologist
Claudia Borchert, Sustainable Growth Manager
John Dupuis, Utilities Division Director

Guest(s):

Andrew Erdmann, City of Santa Fe Water Resources Coordinator

III. Approval of Agenda

Chair Follingstad recommended adding a review and prioritization of the WPAC work list. The two items on regionalization (VII. B. 1 and 3) could be combined. Next month's agenda will reflect the work list priorities.

Mr. Helms moved to approve as amended and Mr. Rudnick seconded. The motion passed without opposition.

SFC CLERK RECORDED 07/16/2019

IV. Approval of Minutes: February 8, 2018

Mr. Helms moved to approve and Mr. Rudnick seconded. The motion carried without opposition.

V. Matters from the Public

No public was in attendance.

VI. Action Items

None were presented.

VII. Discussion Items

A. Drought Management

Santa Fe County Ordinance 2000-009, declared drought conditions in Santa Fe County warranting the adoption of water use restrictions on the customers of the Santa Fe County water utility. It was identified as the most recent County ordinance and refers to the City of Santa Fe's Code, Chapter 25.

Chair Follingstad observed that in the year 2000, the Santa Fe County water utility was in its infancy and having matured over the past 17 years a new ordinance may be warranted. Mr. Schoeppner noted that the restated and amended water resource agreement between the City and County specifies that the County follow the City's drought management plan. That restated/amended agreement did not come before the WPAC because it was conducted in a mediated settlement that addressed multiple issues.

Mr. Romero said the agreement was comprehensive but he was unaware of any background documentation on how those decisions were made. He recalled the negotiations began with Las Soleras issues.

Chair Follingstad recommended that WPAC review the agreement and should they determine recommendations are warranted move forward with that.

Mr. Schoeppner said the County gained 850 acre-feet to its back-up supply through the settlement agreement.

Mr. Dupuis noted that the settlement agreement restates much of Santa Fe County Ordinance 2000-009, "...whenever the City of Santa Fe imposes any stage of water restriction on its customers, Santa Fe County will have the authority to impose the same stage water restriction on its customers." He said it clearly makes sense and promotes good policy that the County will impose restrictions in tandem with the City.

Mr. Erdmann said the City is also working toward consistency and recently changed its time restrictions on watering to match the County's. The City is currently revisiting its drought restrictions and this is well timed with WPAC reviewing the County's restrictions.

Mr. Dupuis said the City has shown a good-faith effort in wanting to work with the County and he thanked Mr. Erdmann for attending this meeting.

The greater the County and City's regulations/restrictions match the more integrated the systems, an example of a de facto regionalized system. Mr. Schoeppner said in time the Pojoaque Basin Regional Water System may serve as a backup supply from Bishop's Lodge to tie into the City's system.

Mr. Schoeppner said the shortcoming for the County is it lacks its own independent backup supply and would need to develop triggers for when the use of an independent supply would be implemented. While it would be difficult to implement and police, the City policy assists the County in periods of drought. WPAC could be very helpful in providing feedback regarding the backup system.

Chair Follingstad recalled a County effort to develop a backup supply for the County's system that proposed drilling large capacity wells. Mr. Schoeppner said he assumed that was put on hold because the City provided a cost effective backup. He added that Ms. Borchert is looking at sustainability and Mr. Dupuis is looking for triggers to start and stop restrictions.

Mr. Erdmann said the City is considering revisions to Chapter 25 which governs the water utility. The formula – a ratio of available water rights to demand – that triggers a water emergency was written before BDD came on line. At the time it was enacted, demand was higher and available water rights were a lot lower. At this point, through the City's conservation efforts, demand has been reduced by 30 percent and BDD has increased supply by almost 40 percent. Thus, the trigger is no longer applicable.

Currently, declaration of a water emergency/drought restrictions is at the discretion of the City Manager and things were delayed during the City's elections. Staff has discussed a formula wherein if the aquifer levels reach a certain point or if the rate at which the aquifer is being depleted exceeds a certain rate that would trigger the emergency, thereby taking politics out of the trigger. A current project is underway to determine how the City will run its wells to obtain water when surface water is limited. Surface water is used as the first source and groundwater is used when there is a shortage of surface water. Last year, approximately 85 percent of the City's demand was met from surface water and the wells have been recovering.

Mr. Erdmann noted that approximately 75 percent of the water pulled out of the river goes through drains and is returned through the sewer system. OSE has restrictions on the Buckman wellfield permit and monitoring and modeling are required. Because the City wellfield permits are older they do not have the same OSE restrictions. The older wells produce below 400 gpm and he discussed the different measurements taken at the wells along the river and those at the former dog park.

Mr. Dupuis said without the agreement, the County, which lacks adequate backup sources, would have different triggers. The backup from the City is critical with regards to sustainability of the County's system.

Mr. Erdmann identified the City's four water sources: surface storage source/Santa Fe River; two reservoirs – Nichols and McClure; the 7+ wells within the City along with the Buckman wellfield. Wells #1-9 built in the 1970s are clustered around the BDD intake and wells

#10-13 were built in the 2000s are spread out over several miles along the transmission line that brings that water into town. The fourth source is the BDD.

Last year the City's demand was 8,500 acre-feet and this year with the lack of precipitation it could be closer to 10,000 acre-feet. Mr. Erdmann said the last drought restrictions which included outside watering cost the City a great many trees.

City staff will be presenting potential water restrictions to the Public Utilities meeting with the new councilors. He hoped to have more concrete information to provide to WPAC once the new council is in place.

Mr. Dupuis said a general goal of conserving water is to make sure the City and County are acting in parallel.

Referring to regionalization, it was mentioned that the City's concern is fairness in regards to its investment in the utility. That is the primary reason why regionalization has been opposed, stated Mr. Erdmann.

Chair Follingstad questioned whether it was City residents, bonds or state and federal money that everyone pays for. She suggested additional education was needed on thinking that through.

The discussion on regionalization needs to highlight why it is good for the City as well as the County. Mr. Erdmann said benefits to the City for participating in a regional system did not develop. He said he'd like to develop a list of pros to present to the new council.

Mr. Dupuis said a positive could be seen in the budgeting and payment to BDD for the County's expenses to produce water.

Chair Follingstad said she was taken aback by the City's stance against regionalization and mentioned that BDD and the new Pojoaque Basin system could be considered regional and the success of SWMA should be noted.

Mr. Romero said the County encompasses a great span of land and the area needs to be defined as to exactly what regional means. Ms. Borchert said there are many different models for a regional system and that too should be fleshed out. Perhaps the County getting out of the utility business could be one model. Identifying service areas and models and then developing pros and cons for different agreements would be a fruitful conversation.

Mr. Erdmann identified geographic creep as a City concern regarding regionalization. Without a clearly identified map the City is concerned.

Mr. Dupuis said the County has stated in the event of emergency water regulations, the County will use Santa Fe County groundwater rights first before surface water rights.

Ms. Borchert noted that the City is now providing sewer and water on the southern side of the river in the Agua Fria community demonstrating further co-mingling. To further highlight the complexities, Mr. Dupuis outlined the wheeling agreements between the City and County.

Returning to emergency water regulations/drought triggers, staff agreed that Chapter 25 and the County's Ordinance are in step allowing the County to implement restrictions before the City does. Further, Mr. Dupuis reminded the WPAC that the County's backup supply from the

City is limited and County must be cognizant not to over extend its delivery obligations. In the event BDD went down, it would be beneficial for the County to implement emergency water restrictions.

Mr. Dupuis suggested WPAC ensure that the County delivery obligations and backup supply – whether from the City or another source – stay in sync.

Ms. Borchert said the City has the ability to supply all of its demands from its variety of sources and provide the County's backup supply.

Mr. Dupuis recommended the County should be pursuing additional backup water supplies. He added that the demand exceeds its backup. Chair Follingstad recalled a location study was conducted for additional wells.

Mr. Rudnick said the issue of neighbors having different restrictions should be addressed.

Mr. Romero asked whether water rates rise in the event of emergency water regulations. Ms. Borchert said Eldorado implements rate hikes in the event of restrictions but neither the City nor County does. Lowering the tiers may be appropriate to advance conservation. Again, that falls within the City Manager's discretion.

It was suggested that the County attorney determine whether Ordinance 2000-09 grants the County Manager the authority to declare an emergency and raise rates as does City Chapter 25. With BDD now running, the ordinance which is 18 years old, may require an update to include the County's need to impose restrictions without the City having done so.

Further complicating the issue, Ms. Borchert said a 2002 County action that declared Stage 2 water restrictions is technically still in effect. Perhaps an automatic rescission date/clause is necessary.

Mr. Schoeppner recommended that WPAC participate with the City in revising Chapter 25.

Mr. Helms recommended the County Commission be advised if WPAC proposes to interact with a City committee regarding Chapter 25 updates. Mr. Dupuis agreed and said an update regarding the WPAC's direction can be provided to the Commission.

Mr. Erdmann said there is a lot of opportunity for public input regarding Chapter 25 revisions.

Chair Follingstad extended an open invitation to Mr. Erdmann to attend WPAC meetings.

Mr. Rudnick said he was unaware whether Eldorado has ever implemented the draconian measures established in its water regulations.

Mr. Kirk said Las Campanas has water restrictions and a few years ago they carved out 25-30 percent of the golf course irrigated area in an effort to conserve. A sustainability committee will be focusing on conservation measures and Las Campanas is strengthening its

relationship with the County to further explore conservation-related issues. Water management needs to be integrated within a defined area.

Ms. Borchert noted that even Las Campanas has a dividing line with Estates I and II as direct County customers and the remainder as Las Campanas' water and sewer co-op customers which, again, could create neighbors with different restrictions. Mr. Romero said Las Campanas has an accurate customer database and is providing educational information and discussing an automatic meter reading system which can be integrated with drought management measures.

B. Items from February 8, 2018 Meeting Work List and Future Agenda Items

Chair Follingstad asked which items the committee wanted to keep on the agenda and continue to visit. The County's Aamodt manager, Sandra Ely, is retiring in May and Mr. Dupuis said the County will double-fill the position to ensure continuity.

Regionalization will remain on the list with a focus on defining "region."

The City's resolution regarding a reclaimed water feasibility study continues with Carolla Engineering. The City received criticism that the study lacked public outreach and Mr. Erdmann said WPAC will be advised of advancements in the study.

VIII. Matters from the Committee

The Committee thanked Mr. Erdmann for attending and looked forward to seeing him at the next meeting.

IX Matters from County Staff

None were provided.

X. Adjournment

Having completed the agenda and with no further business to come before this Committee, this meeting adjourned at approximately 7:05 p.m.

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

WATER POLICY ADVISORY
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Approved by:

I Hereby Certify That This Instrument Was Filed for
Record On The 16TH Day Of July, 2019 at 01:34:49 PM
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E. Strella Witness My Hand And Seal Of Office
M. Martinez Deputy County Clerk, Santa Fe, NM
Geraldine Salazar

Mary Helen Follingstad
Mary Helen Follingstad, Chair

Respectfully submitted by:

Karen Farrell, Wordswork

