

**MINUTES OF THE**  
**SANTA FE COUNTY**  
**WATER POLICY ADVISORY COMMITTEE**

**August 8, 2019**

**Santa Fe, New Mexico**

**I.** This Santa Fe County Water Policy Advisory Committee (WPAC) meeting was called to order by Chair Mary Helen Follingstad at approximately 5:00 p.m. on the above-cited date at the Santa Fe County Projects Complex, 901 W. Alameda, Santa Fe, New Mexico.

**II.** A quorum was achieved with the following members present:

**Members Present:**

Mary Helen Follingstad  
Shann Stringer, Soil & Water Conservation  
Ken Kirk, District 2  
Steve Rudnick, District 5

**Member(s) Absent:**

Bryan Romero, District 1  
Denise Fort, BDD Board

**Staff Present:**

Anjali Bean, Utilities Department  
Deborah Leyba, Utilities Department

Ms. Bean advised the Committee that the modified WPAC resolution was approved by the BCC in July and she anticipated it would be posted shortly.

**III. Approval of Agenda**

The June minutes were incorrectly listed as June 13<sup>th</sup> rather than 9<sup>th</sup>.

With that correction, Mr. Rudnick moved to approve the agenda. His motion was seconded by Mr. Stringer and passed without opposition.

**IV. Approval of Minutes: June 13, 2019 and July 11, 2019**

Upon motion by Mr. Kirk and second by Mr. Rudnick, the June 13, 2019 minutes were unanimously approved.

Upon motion by Mr. Kirk and second by Mr. Rudnick, the July 11, 2019 minutes were unanimously approved.

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- V. **Introductions** - Deemed unnecessary
- VI. **Matters from the Public** - None were present
- VII. **Action Items** - None were listed

**VIII. Discussion Item**

**A. Continuation - Draft Outline for a Santa Fe County Drought Management Plan**

The Fall 2013, *Dialogue*, published by the New Mexico Water Dialogue, was provided for discussion. Chair Follingstad referred to two articles regarding shortage sharing. The states within the Colorado Basin recently met and developed a drought management agreement which does not address drought in a clear manner.

Mr. Rudnick identified a problem for New Mexico and that is that the northern states could be cut off because there is a provision for the southern district to make a call and another concern Navajo rights.

The discussion highlighted the following concepts and concerns:

- Santa Fe's water systems are tied to San Juan-Chama and anything could potentially impact that
- Lakes Mead and Powell currently have dangerously low minimum pools
- A shortage sharing on the San Juan River was reached without outside input and following the signing it rained
- The current ISC may bury the Gila project and expand discussions. It was recommended that staff open a dialogue with the ISC. Rolf Schmidt-Petersen has been named the director. Mr. Rudnick volunteered to stay current on ISC matters
- The ISC or the OSE Drought Task Force has not met since September 2018. A representative of the task force should be invited to WPAC
- The OSE website has sparse information on drought
- There are high level meetings regarding managing resources in emergencies that have occurred with BOR, Army Corps, and the State government that project out water availability for the upcoming year
- There were informal donations from San Juan-Chama water users (MRGCD, City and County of Santa Fe) to keep the river wet through the Albuquerque region. The releases were probably from Abiquiu and El Vado
- The City is concerned about drought and looks forward to discussing it at a joint meeting with WPAC
- ASR is a viable answer to drought
- The City recently had a major issue at their treatment plant resulting in using potable water to irrigate golf courses
- The City is meeting with Las Campanas to promote a proposal of building a pipeline to develop return flow credits – the City may take over LC's treatment plant and use that effluent to generate effluent to recharge the aquifers of the wellfield by BDD
- BDD and WPAC member Fort has argued against the City taking water out of the Santa Fe River

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- Politically there are issues but the City is aware that their ability to address future water shortages is imperative
- The timeline for the pipeline is two to five years

The consequences of not putting water into the Santa Fe River are ecological – regarding Ms. Fort’s concern; the questions are political and probably not legal. La Cienega may benefit from the river water but not actually have water rights. There may be water rights at the bottom of La Bajada. The City of Santa Fe has senior rights and releases more water than they are legally obligated to.

- Shortage Sharing agreements exist with Albuquerque Bernalillo County Water Utility Authority water system
- The notion of a County stakeholder group to discuss shortage sharing could include City, County, NPT, Eldorado, community systems, Las Campanas, Rancho Viejo, well users, acequias
- A discussion regarding Cañoncito and Eldorado’s water arrangements came up
- Chair Follingstad advocated working on a framework for shortage sharing
- The Rio Chama Shortage Sharing Agreement was part of the adjudication lawsuit on the Rio Chama and would be useful to review
- Rio Arriba County has a land use ordinance that development on irrigated agricultural land has to be clustered by the road which protects the irrigated land
- The overarching concept is sharing and to make sure everyone has some water in a drought situation.

Chair Follingstad said the executive director of the New Mexico Acequia Association, Paula Garcia, sets out an argument that it is because of the Spanish tradition on water sharing, which evolved from a fundamental principle that water was essential to life and must be shared for the common good (the practice is referred to as *repartimiento* or *auxilio*, a cultural notion of helping when others are in need) that there has not been a priority call in New Mexico.

Mark Sanchez, Executive Director Albuquerque Bernalillo County Water Utility Authority and ISCA member, would be a valuable guest to discuss BCWUA’s drought management included in their 100-year water plan.

- The question of who has the water and who is sharing – upstream or downstream?
- Building resilience in the watershed is paramount
- Typically there are sharing agreements with water and wastewater utilities around the country but primarily they focus on flood events, major impacts on the utility that knock them out. In New Mexico, the National Guard delivers water
- The City and County are holding informal shortage sharing conversations, i.e., what if BDD went down for a month, etc.
- In time of a drought, is the State Engineer going to sue the City or County for unmet return flows? probably not
- The State is considering adding monitoring of mutual domestic wells in the regulations. The County may be more successful instituting the monitoring process

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Aside from Cañoncito and Magdalena in New Mexico and Chennai in India, Mr. Stringer said googling the number of cities about to run out of water is “terrifying.”

- In terms of the long term, aquifer storage is the answer
- Push for aquifer storage – when there is precipitation it should be captured
- It was mentioned that renegotiating the Colorado River and Rio Grande compacts would be beneficial to New Mexico
- Should the drought plan include water sharing or another word for “sharing?”
- Eldorado drilled a new well and replaced its capacity and is pumping plenty of water
- Gathering the data on what exists in the County is necessary to develop a sharing concept
- It will take political will to direct the public
- Work on drought triggers
- What is the step to follow when a shortage flow has been realized; entities on the Rio Grande use data to determine the snowpack, the flow in the streams, levels in the reservoirs which determine the year’s projection of water use
- Developing a drought management plan requires looking at triggers to determine the drought stage
- When is a drought?
- The County wants to see its residents on surface water within the next five years
- When a drought is called - how will the community deal with it?
- It was mentioned that the ongoing discussions between the County and Eldorado are quite complex

#### **IX. Matters from the Committee**

A joint meeting date has not been established. With a joint meeting in the immediate future, Ms. Bean recommended working on general categories and developing what is known and what is unknown.

#### **X. Matters from County Staff**

##### **A. Aamodt Regional Water System**

Ms. Bean said the 611(g) agreement was presented to the BCC on July 30<sup>th</sup>. The system capacity was reduced to 2,500 acre-feet instead of 4,000 acre-feet. Construction is slated to start January 2020. There is an EIS and the Record of Decision has yet to be signed.

##### **B. Community Systems**

No new information. Unless a new system is proposed, this item can be eliminated from the agenda.

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**C. Status of Member Vacancies**

Emily Wolf will be appointed to the committee at the next BCC meeting. Staff will discuss who will participate on WPAC from BDD. Mr. Stringer commented that he serves on a Board when three absences effects a removal.

**Future Agenda Items**

- Review/locate the Rio Chama Shortage Sharing Agreement
- Invite Mark Sanchez to the October meeting
- Eldorado & Cañoncito water arrangement

**XI. Adjourn**

Chair Follingstad declared this meeting adjourned at approximately 7:00 p.m.

Approved by:



Mary Helen Follingstad, Chair

Respectfully submitted by:

Karen Farrell, Wordswork

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STATE OF NEW MEXICO ) ss PAGES: 5

I Hereby Certify That This Instrument Was Filed for  
Record On The 18TH Day Of November, 2019 at 01:18:52 PM  
And Was Duly Recorded as Instrument # 1902182  
Of The Records Of Santa Fe County



Witness My Hand And Seal Of Office  
Geraldine Salazar  
Deputy County Clerk, Santa Fe, NM

