

MINUTES OF THE
SANTA FE COUNTY
WATER POLICY ADVISORY COMMITTEE
MEETING

March 13, 2025

Santa Fe, New Mexico

1. A. This meeting of the Santa Fe County Water Policy Advisory Committee (WPAC) was called to order at approximately 4:00 p.m. by Chair Shann Stringer on the above-cited date in the Plaza Conference Room, 240 Grant, Santa Fe, New Mexico. The meeting was conducted as a hybrid with people attending in person and on line.

B. A quorum was achieved with the following members present:

Members Present:

Shann Stringer, Chair
Emily Wolf
Amy Jordan
Laird Graeser
Peter Gowen
James Mike Henry
John Kadlecek
Darrin Muenzberg [virtually]
Stephen Schmelling
Commissioner Bustamante, *ex officio*

Member(s) Absent:

Jeff Montoya

County Staff Present:

Sara Smith, Manager's Office, Operations Manager [virtually]
Hvtce Miller, Intergovernmental Outreach Coordinator
Cristella Valdez, Asst. County Attorney
Michael Carr, Public Works, Compliance Officer
Brett Clavio, Planning Manager
Alexandra Ladd, Growth Management Director
Travis Soderquist, Utilities Deputy Director
Brittney Montoya, Constituent Services Liaison
Paul Olafson, Community Development
Valerie Romero, GIS Planner
Jacqueline Beam, Sustainability Manager [virtually]

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Others Present:

Mark Kelly, ABCWUA Water Resources Manager
Joseph Abeyta, Pueblo of Tesuque

C. Approval of Agenda

Mr. Gowen moved to approve the agenda. Mr. Graeser seconded and the agenda was unanimously approved. [Ms. Wolf was not present for this action.]

D. Introduction of WPAC Guests

Those present introduced themselves.

2. Approval of Meeting Minutes

A. February 13, 2025

Mr. Gowen moved to approve the February 13th meeting minutes as submitted with the attachment of his Disclosure of Potential Conflict of Interest. Mr. Graeser seconded and the motion passed without opposition. [Ms. Wolf was not present for this action and arrived shortly thereafter.]

3. Matters from Staff – None were presented

4. Presentations

A. Presentation and Discussion: Albuquerque-Bernalillo County Water Utility Authority Formation Experience

Mark Kelly, ABCWUA, said he has been with the Authority for 15 years. Its formation occurred in 2003. He offered the following:

- The Authority is the largest purveyor of water in the state serving about 650,000 people in the City of Albuquerque and greater Bernalillo County
- The utility provides water and wastewater services
- Resource wise, they have drinking water wells, San Juan-Chama drinking water plant and they also maintain the sewer system and the wastewater treatment plant
- Originally, the system was operated by the City of Albuquerque and it served the city and areas within Bernalillo outside of the city limits. At that time there were problems with the odors from the wastewater treatment plant located in Bernalillo
- Areas within Bernalillo that hooked up to the system were required to annex to the City of Albuquerque and it appeared the city was using its utility as a way to expand the city limits and restrict growth in certain areas
- In 2003, the Water Authority was established by SB 887
- Six months following the passage of the bill it became law and the Water Authority had its first meeting in July 2003
- The Authority's first chief of staff was an attorney from Albuquerque's City legal department

- The Board follows the Open Meetings Act and had an audit through the PRC as required
- An MOU was developed to use Albuquerque city employees to run the plant
- An additional MOU was required for the Authority to get bonding ability
- A permanent chief of staff came onboard in January 2004 and he, Mark Sanchez, continues to be in charge
- In 2004, the Authority engaged with the Public Employees Retirement Association and continued the construction of the San Juan-Chama drinking water plant. It was a heavy lift to figure out bonding and money and the project cost approximately \$500 million
- Bonds were secured with a good rate and revenue remains within the Authority
- The city's rate ordinance was repealed and the Authority adopted its own rates. The sewer rate went down 18 percent and water remained relatively the same
- The Authority pays the city through a franchise ordinance to operate within the roadways, etc.
- In 2003 the final audit went to the PRC which determined that all of the assets and liabilities of the water and wastewater system were transferred to the Authority. All of the pipes, pumps, plants, debt, etc were transferred. There were items that were missed in the asset audit and the Authority was required to negotiate with the city to transfer those assets.
- Authority revenue is only spent within the system
- The Authority has worked to be a good neighbor to the residents of the South Valley and is working to reduce odors with caps on the clarifiers and other odor control mitigating factors
- Appropriate amounts of growth are factored into the system and developers pay for additional water resources and infrastructure. That is not funded by current rate payers

Mr. Muenzberg asked about the mutual domestic acequias in the South Valley operating before the Authority came into being. Mr. Kelly said the Authority has not affected acequia users, adding that that is managed by the Middle Rio Grande Conservancy District. When lines are extended there is an ordinance requiring hookups and there is a program to offset those costs. This is an initiative to get residents off septic tanks and groundwater. The authority serves as a wholesale provider to a small mutual domestic in northeast Albuquerque and there are well users that have maintained their irrigation wells. The Authority also picked up a water system by Paradise Hills.

Mr. Muenzberg said his concern is the autonomy of the local historical water entities.

Bernalillo County users of the utility are close to 100 percent. Tijeras and Cedar Crest areas are not served by the Authority although they provide some wastewater services. Rio Ranch has its own system although the authority provides wastewater service to Intel in Rio Rancho.

Developers are responsible to pay a water resource fee to connect. They are not required to bring in water rights. They have a 100-year water plan, Water 2120, which includes growth and demand. There is a buffer because more growth was anticipated than occurred.

There were no further questions and the Chair thanked Mr. Kelly on behalf of the committee.

Commissioner Bustamante advised the committee that she has requested of the Manager information on which statute(s) allows for the formation of an authority and what steps are necessary for either a joint authority or independent authority. That information will be available at the April meeting.

B. Presentation & Discussion: MS4 Program Update

Michael Carr said the MS4 program revolves around the annual report for the Phase 2 MS4 permit which is just for the County. Currently the efforts are driven by the 2024 Stormwater Management Program Plan which breaks down plan efforts to accomplish over the course of one year, four years, and as far out as 2030. Most of the efforts are supported by Bohannon Huston and that contract will be expiring. And a new RFP will be issued for the annual reporting for stormwater consulting purposes. Mr. Carr has organized the plan into chronological deadlines.

He reviewed the recent completed task which is the stormwater management webpage on the County's website, adding that as the program develops more information will be placed on the website to assist in conveying more stormwater friendly development practices to developers and the general public. Recently the map of Santa Fe County outfalls and conveyance system was finished within the MS4 jurisdiction which includes outlets, culverts, etc. That was generated by a contractor. The majority of the culverts are along the northeast/southeast connector road. Additional training for County staff is required on stormwater management control.

Ongoing tasks include development of informational outreach materials that would be included in Growth Management development permit packets. That information can be built upon in the future. A stormwater pollution prevention inspection and prioritization plan is occurring with a contractor visiting County-owned facilities within the MS4 jurisdiction and management areas. An online reporting system for illicit discharges is being developed. Updates to the SLDC, specifically Section 7.19 for the NPDES, is being addressed. He spoke about the importance of creating a paper trail for projects.

Mr. Carr noted that he sent out information to the stormwater working group. Chair Stringer requested that the information sent to the workgroup be forwarded to all the committee members.

C. Presentation & Discussion: Green Stormwater Infrastructure GSI Master Plan Update

Ms. Beam lauded Mr. Carr for his work with the County. This project promotes healthy soils and infiltration of our stormwater. Rain Catchers was retained to develop a GSI master plan with County facilities. This will assist in setting up demonstrations. The project was launched in January and five County facilities have been identified including fire stations that do training and uses a great deal of water and public works projects that deal with sediment. Rain Catcher was also asked to provide recommendations for the SLDC. A guide will be developed for GSI geared to homeowners and developers to include best practice examples for design and maintenance and also provide maps of locations of successful GSI installations.

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Ms. Beam noted that a wildfire mitigation event is planned for March 29th from 9-12 at the Fairgrounds.

The GSI information will be incorporated as an incentive program into the nature-based climate solutions program which will be launching on Earth Day.

5. Informational Items

A. Stormwater Management Working Group Monthly Report

Ms. Wolf said the working group will be meeting Friday, March 21st via Zoom. Chair Stringer said he heard from people who are very appreciative of the group. Mr. Gowen said he would like to participate and the question of a quorum and notice requirements came up.

B. Drinking and Wastewater Management Working Group Monthly Report

Mr. Gowen said this group has seven tasks that he reviewed.

1. Develop a framework for potential customers for connecting to the system.
2. PFAS report – There is a contractor involved with staff on monitoring
3. Review policy and procedures concerning countywide domestic well monitoring program. Ms. Jordan said she'll be meeting with staff on this.
4. Santa Fe 2100. The working group expects to have a presentation before the projections are sent to the City. Mr. Schmelling is the leader on this.
5. Return flow credits. Mr. Gowen noted there was a provision in the amended and restated water resources agreement between the City and the County **paragraph** that states the County has no right to any return flow credits for water passing through the Paseo Real plant.

Mr. Muenzberg said the current agreement deals with discharge from the Paseo plant. It's a continuing conversation. The City would like to have it be their own byproduct. This is an opportunity for the County to "flex some muscle" and he noted that the pipeline generates paper water. He recommended keeping this item open on the agenda. Mr. Muenzberg offered to provide a historical perspective on this point.

Mr. Gowen noted that only the first four tasks are priorities and this one will be picked up as time permits. He invited Mr. Muenzberg to work on this item.

Mr. Muenzberg invited WPAC members to visit La Bajada at 10 a.m. on Tuesday next to familiarize themselves with the lower river and the traditional community. Assistant County Attorney Valdez cautioned about a quorum and recommended against a field trip because members of the public will not be able to hear what is being discussed.

Chair Stringer asked about the City pursuing what State Engineer return flow credits would be left in the Santa Fe River. Mr. Muenzberg said he understood that was an internal discussion with City staff and has not developed since John Dupuis left the City.

6. Aquifer Storage Recovery/ASR at the Quill Plant

This is an ongoing staff project that no working group member is participating in.

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7. Community Engagement – This is part of the deferred tasks and no member of working group participating in.

Mr. Soderquist provided updates on the tasks. Cañada de los Alamos is currently going through the process of submitting an application for the ICIP which is the budget planning tool for capital projects. He will be developing cost estimates for the operation and maintenance of the project. Casey Cook, the Cañada engineer, is developing an updated budget for the actual project. Mr. Clavio said the ICIP will go through a couple of public meetings and then the BCC will adopt it by the end of the fiscal year.

PFAS reports: There was a community open house on March 9th regarding the project and to obtain signed access agreements for the contractor to collect samples. Staff had hoped to get 40 signed access agreements but got less than a dozen.

Domestic wells: The OSE domestic well data was not provided. Mr. Carr said it is difficult to get the information to compile and track. Wells are not currently being tracked internally and staff will be developing a tracking sheet in collaboration with Growth Management Department to start tracking that data. Ms. Jordan will follow up with this. The materials are accessible but it is terrifically time consuming. Domestic well owners are supposed to report quarterly to the OSE, however, it was estimated that compliance was less than 10 percent. Chair Stringer recommended contacting OSE staff working on the Water Data Act. The Outreach working group has a priority to get OSE to share information with the County to better estimate water use.

Mr. Soderquist said Eldorado is interested in providing data for Santa Fe 2100 and he has a point person there.

Regarding ASR, Mr. Soderquist said the County's amendment to the discharge permit has been submitted to the OSE. The state owns the property the Quill plant is situated on. The monitoring well requires a groundwater permit and the discharge permit identifies what effluent can be used for. Currently it is used for irrigation at the plant which is not a beneficial use.

Mr. Soderquist said the BCC has all the data regarding Cañada's request and WPAC's position.

Chair Stringer advocated reworking the resolution regarding water delivery requests. He commented on the time sensitivity of the grants and Cañada may have invested a great deal of effort to no avail. Mr. Soderquist noted that Cañada has been utilizing its grant funds for trucking water and towards a design, and he understood they will be able to use all the grant funds. The escalating cost of projects is recognized by the County.

C. Outreach Working Group Monthly Report

Mr. Kadlec said headway has been made on the JPA. Mr. Gowen said he developed a proposed plan of action and the first step is working with staff to understand current programs. Once the information is gathered, the working group will evaluate the strengths and weaknesses

of the programs followed by developing proposals to be considered together with the City followed by implementation.

Regarding educational material from the Watershed program, Mr. Gowen said the Santa Fe Watershed Association has been involved in education for over 20 years. He said the working group should partner up with them as well as the City's programs. Having a conflict of interest, he recommended that someone else reach out executive director of the Watershed Association and Mr. Kadlecck said he would be reaching out.

Outreach is also looking to promote greater cooperation between Santa Fe County, NMED and OSE.

Primacy is driving itself. Ms. Wolf said SB 21 which is the primacy and new surface water permitting program will be coming up for a vote. If the bill is successful it will trigger rulemaking and WPAC may want to pay attention to that component. Chair Stringer noted that the downstream condition requires attention.

Ms. Valdez said for the workgroups to communicate with the entire WPAC it would be best to send the information to the liaison who can then send the information out. The Chair suggested labeling the email "do not reply."

6. Action Items

A. Information Packet For Communities To Form 501(c)(3) Non-Profits Watershed Associations

Mr. Gowen provided an informational document for non-profits [*Exhibit 1*] and requested that WPAC approve the document, thus completing #6 task for the Outreach working group. Once approved, it would be posted to a County website.

Mr. Gowen moved that WPAC approve the document, "Comments on Forming Nonprofit Watershed Associations" as presented and upon approval post it on the County WPAC website. Ms. Wolf seconded and the motion carried by unanimous voice vote.

7. Matters from the Public - None were presented.

8. Matters from the Committee

Chair Stringer said Santa Fe-Pojoaque Water and Conservation District has agreed to provide some funding for the Tesuque Peak Fire Camera Demonstration Project. The Anti-Donation Clause prohibits the County from participating in this project; however, the County could contract with the camera group as a service. The cameras cost between \$25,000 and \$30,000 and it would be useful to have three cameras up. The cameras are solar powered and look for smoke tendrils and temperature differences and have automated replies. He said this 24/7 monitoring is a great idea for the County to engage in. He would send out the information.

Mr. Graeser provided an update on the bills moving forward. The legislature is moving on a cut down version of the Strategic Water Supply Act. SB 21, Pollutant Discharge Elimination System Act, has another committee before it gets to the floor. Ms. Wolf noted that SB 21 did go through on the floor and will go forward to the House.

Chair Stringer mentioned the redrawn map for regional water plan. Santa Fe County does not have its own region and is now included in with the Middle Rio Grande.

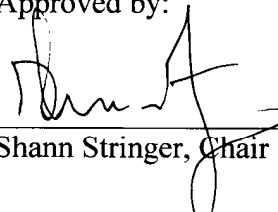
Mr. Graeser also mentioned SB 7 to add stormwater service as a municipal utility.

8. **Next WPAC Meeting: April 10, 2025**

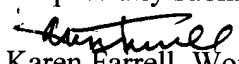
9. **Adjournment**

Following a motion by Mr. Gowen and second by Mr. Kadlecsek, this meeting adjourned at approximately 6:05 p.m.

Approved by:


Shann Stringer, Chair

Respectfully submitted by:


Karen Farrell, Wordswork

COUNTY OF SANTA FE) WATER POLICY ADVISORY
STATE OF NEW MEXICO) ss PAGES: 8

Hereby Certify That This Instrument Was Filed for
Record On The 30TH Day Of May, 2025 at 11:55:34 AM
and Was Duly Recorded as Instrument # 2059961
of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Katharine E. Clark
Deputy County Clerk, Santa Fe, NM
