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MINUTES OF THE
SANTA FE COUNTY
WATER POLICY ADVISORY COMMITTEE

May 7, 2015 (Approved July 9, 2015)

Santa Fe, New Mexico

I. This meeting of the Santa Fe County Water Policy Advisory Committee (WPAC) was convened at 5:00 p.m. by Chair Charles Nylander on the above-cited date at the Santa Fe County Public Works Building Conference Room, 424 NM 599, Santa Fe, New Mexico.

II. The following members were present and a quorum was not established:

Members Present:

Charles Nylander, District 2
Bill King, Soil & Water Conservation
Mary Helen Follingstad, Northern Planning Area
Anna Hamilton, District 4
Sigmund Silber, Central
Martha Trujillo, Acequia Association

Member(s) Absent:

Mukhtiar S. Khalsa, District 1
Gil Tercero, Mutual Domestic Water
Rita Loy Simmons, District 3
Consuelo Bokum, BDD Board
Rik Thompson, Estancia Valley
Water Planning Committee
Steve Rudnick, District 5

Staff Present:

Claudia Borchert, Public Utilities Division Director

III. Introduction of Newly Appointed Member

Chair Nylander welcomed Mary Helen Follingstad to the Committee and she provided an overview of her employment as a planner with Santa Fe County, regional water planner with the Office of the State Engineer, director of the City/County Regional Planning Authority, as well as serving on the Governor's Blue Ribbon Task Force on water.

The members introduced themselves.

Chair Nylander said he was advised this evening by Mr. Tercero that because of commitments, he would be tendering his resignation.

IV. Approval of Agenda

V. Approval of Minutes: March 12, 2015

Ms. Hamilton provided a few corrections that were incorporated into the minutes.

SFC CLERK RECORDED 05/24/2016

Lacking a quorum no action was taken on these items.

VI. Matters from the Public

None were presented

VII. Discussion Items

A. Update from WPAC Allocation Working Group: Consuelo Bokum, Steve Rudnick, Andrew Erdman (Charlie Nylander)

Chair Nylander pointed out that he was trying to participate with each of the working groups.

This working group has reviewed Ms. Borchert's memos to the BCC regarding allocations, the infrastructure to convey the allocations, and the City/County 2005 Water Resources Agreement, which is an agreement that apportions the mutually shared water between the two entities. In general, the themes which the working group considered included: At what point does the BCC take on all requests for water regardless of infrastructure? Should the County reserve a certain percentage of its water budget for future growth and unexpected demands? Should the County provide bulk water to any requestor? How can the County equitably apportion its water to serve the peoples' needs?

Chair Nylander said the question has come up of whether the County needs to be aggressively pursuing water rights to meet its future demands. It could be considered a question for the utility master planning process to determine how far the County will extend water resources to be cost-effective and efficient

B. Update from WPAC Sustainable Land Development Code Working Group: Martha Trujillo, Anna Hamilton, Rik Thompson, Bill King (Charlie Nylander)

Ms. Trujillo said the working group was tasked to review the SLDC portion regarding water, Section 17, including definitions, to determine whether it's user friendly, review developer water requirements, conservation and to be mindful that it relates to new development.

Ms. Hamilton said the group is working directly with the document and relying on the expertise brought to the table by Chair Nylander and Ms. Borchert.

Chair Nylander said the subcommittee is looking at the water portion of the SLDC through a different lens: an administrator's eyes, developers' eyes and from the point of view of the individual lot owner. He mentioned that the requirement for a commercial development to hook up to County water is tied to the size of the building, which triggered a discussion that square footage does not necessarily equate to water use, i.e., a warehouse. The document should better focus on water use. Rather than rewriting the document, the group is striving to clarify it.

As a separate note, Mr. Silber mentioned he is a member of the San Marcos neighborhood and has observed there is a problem in that the SLDC tends to treat all parts of the county in a similar manner.

Ms. Trujillo noted that in the Aamodt region the SLDC seems to dictate “shall have” water and/or wastewater. This is an area that has neither yet.

Ms. Borchert said the plan calls for water distribution via the sustainable development areas (SDA) starting with zone 1.

In regard to a timeframe for the adoption of the SLDC, Ms. Borchert said once the community plans are incorporated, the zoning maps can be adopted. She recommended that the working group provide a redline version to Planning staff by July. It is important the Code consider domestic wells, wastewater, future supplies and raw water.

Mr. Silber recommended developing a matrix with the working groups and topics that are being addressed, recognizing that there will be an overlap.

Leased water was mentioned as an important topic.

The SLDC group was meeting on Tuesday, June 2nd and Tuesday, June 16th at 3 p.m.

C. Update from WPAC Development Working Group: Sig Silber (Charlie Nylander)

Mr. Silber said Ms. Borchert provided review material and the goal is to develop procedures for getting water from the County. He favored a flow chart of the procedure so the steps and decision points are clearly identified with probable time durations between the steps. Incentives and penalties were discussed in terms of meeting criteria/regulations.

Ms. Follingstad asked if a fairness ranking would be included. Possibly, responded Mr. Silber. The actual cost to the County versus the revenue could be a consideration. Criteria need to be worked out.

Chair Nylander said if one were to develop outside of the SDA 1 area then the project scoring was different and the developer would be required to bring more to the table for approval, i.e., fire protection.

Ms. Follingstad asked how the recommended decision tree would be used – would it be part of an administrative rule or an amendment to the Code. Ms. Borchert said the County currently lacks a water code and instead works through a multitude of resolutions. She hoped to consolidate the process through a water code. She mentioned the administrative piece of individuals/developers having to sign a water service agreement. Ms. Follingstad noted that the resolutions can serve as policy. Ms. Borchert said it is the resolution that requires water rights be brought to the table for development purposes.

A long-term goal is to create a water code; however, this committee can determine what is needed and clean up the resolutions.

Mr. Silber said he wants to comb through the documents provided by Ms. Borchert to determine exactly what is in there and create the decision tree to reflect the documents and then determine what changes are needed.

Chair Nylander went through the questions Ms. Borchert developed for this workgroup which included how often should the County look at their water supply versus their demand picture? What if there is a gap between supply and demand – what’s the plan for filling the gap?

Chair Nylander said if all the allocations on paper were called, the County would not be able to meet that demand. The allocation process needs to be improved and a better developer process is needed.

Ms. Borchert said the County needs help in devising other ways to recover infrastructure cost and one may be a TIDD, tax increment development district.

Ms. Follingstad offered to serve on this working group.

The WPAC Development working group will meet Wednesday, May 19th and Wednesday, June 17th at 2 p.m.

One of the real benefits of reviewing these documents is that no one else is and the WPAC can develop good recommendations.

Mention was made that an allocation would have a time limit before it becomes void. If a developer can’t get the financing together and can’t get the project together the allocation can be voided.

VIII. Matter from the Committee

The Top of the World water rights notice will be published within the next week giving the public the opportunity to protest. The protest is likely to include definitions of “public welfare,” “area of origin” and the question of whether the water is there or is going into the Rio Grande. Ms. Borchert noted a there were very informative articles in the *Taos News* regarding the Top of the Water issues.

Chair Nylander advised the Committee on the structural damage that the Buckman Direct Diversion incurred from last year’s summer storms flooding in the Rio Grande. The five intake cells and underwater screens were damaged with boulders and sediment and the pumping stations were sending sediment up through the pipeline. About a month ago the BDD operation staff contracted for a cofferdam around the diversion structure and pumped out water and examined the structure. Not only was a screen missing but the frames and screens on other cells were bent. There was a sediment bar against the screen – it took a month to clean and repair. An airburst system periodically will blast air against the screen and knock loose the sediment sending it back into the river. Some of the repairs will occur next winter. The airburst system has been improved. There are ramifications for the Aamodt diversion because the river is

dynamic and there is a lot to work out. For the past six weeks the water system has been on well and Canyon reservoir water.

Mr. Silber recommended review of the New Mexico Basin Outlook Report published by NRCS. It discusses the reduction in snow melt yield which is less than previous equations suggested.

IX. Matters from County Staff

Ms. Borchert mentioned a *New York Times* article featuring water conservation/ consumption in Fresno, California and Santa Fe.

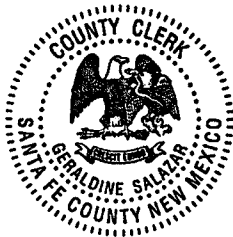
The San Juan-Chama water allocation is down to 30 percent to 35 percent of the allocation.

With Gil Tercero's resignation and the District 1's representative Mukhtiar S. Khalsa not participating, those two slots should be filled. A tribal representative in District 1 may serve. Ms. Trujillo mentioned that Pojoaque has been very active in water issues and may be interested in serving. Chair Nylander mentioned there may be an individual in Madrid that could cover Mr. Tercero's category.

X. Adjournment

The next meeting was scheduled for July 9, 2015 @ 5 p.m.

Having completed the agenda and with no further business to come before this Committee, Chair Nylander declared this meeting adjourned at approximately 7:06 p.m.



Approved by:

Charles Nylander
Charles Nylander, Chair

COUNTY OF SANTA FE) WATER POLICY ADVISORY
STATE OF NEW MEXICO) ss PAGES: 5

Respectfully submitted by:
Karen Farrell
Karen Farrell, Wordswork

I Hereby Certify That This Instrument Was Filed for
Record On The 24TH Day Of May, 2016 at 11:13:27 AM
And Was Duly Recorded as Instrument # 1794336
Of The Records Of Santa Fe County

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