

MINUTES OF THE
SANTA FE COUNTY
WATER POLICY ADVISORY COMMITTEE
MEETING

June 13, 2024

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, 100 Catron Street 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

Peter Gowen

Laird Graeser

James Mike Henry

Amy Jordan

John Kadlecek

Jeff Montoya [Webex]

Darrin Muenzberg

Stephen Schmelling

Emily Wolf [Webex]

Commissioner Camille Bustamante [non-voting member]

Member(s) Excused:

None

County Staff Present:

Sara Smith, Manager's Office, Operations Manager

Cristella Valdez, Assistant Attorney

Herbert Foster, Growth Management Division, TDR

Jacqueline Beam, Sustainability Manager

Brittney Montoya, Constituent Liaison

Hvtce Miller, Intergovernmental Outreach Coordinator

Paul Choman, Utilities Division Director

C. Approval of Agenda

There were no changes and Mr. Gowen moved to approve the agenda as published. Mr. Graeser seconded and the agenda was unanimously approved.

D. Introduction of New Members and County Support Staff

Newly appointed WPAC member Laird Graeser introduced himself as a Santa Fe County resident since 1980 and past Chief Economist for the Taxation & Revenue Department. He mentioned he has conducted an uncountable number of fiscal impact reports on various issues and is currently contracted to look at produced water in Eddy and Lea Counties.

2. Onboarding and Orientation Sessions

A. Overview of Sustainability's Policies, Ordinances, Plans, and Initiatives.

Jacqueline Beam, Sustainability Division Manager in the Community Development Department, said the division was tasked to lead the efforts to equitably transition the County to clean energy and build more resilience, promote healthy ecosystems throughout the programs, develop policy, provide education, and outreach, and to analyze and plan these efforts. The healthy ecosystems and resilience relate to water issues. Those issues include domestic well monitoring programs, MS4 permits – EPA required reports on contaminants of surface waters – climate action planning with nature-based climate solutions, FEMA hazard mitigation planning and SLDC (Sustainable Land Development Code) water conservation updates.

The County plans on hiring an environmental compliance officer who will work on the MS4 permit issues. It is expected that the EPA will be modifying the permit to be more of a collaborative plan to include the City and DOT.

The nature-based climate solutions include rain, stormwater infrastructure and programming that will occur throughout the year. Incentives are being developed for inclusion in the SLDC for stormwater capture as well as energy efficiency.

The domestic wells monitoring program report which focused on La Cienega and La Cienguilla was presented to the BCC in March 2023 and what the report revealed was that the well monitoring program is not successful. County communities are suffering with wells and aquifers that are not recharging. The County recognizes this is a huge problem and the well monitoring program is not serving as a solution. Although each new well in the County is required to have a meter and report meter results annually a very small percentage are doing so.

An observation was offered that it may be better for the monitored well user to have one place to report, either the County or OSE. The enforcement of reporting and monitoring currently exceeds the County's enforcement abilities. Gallons of use not depth to water is monitored.

Regarding the MS4 permit which is up to date, Ms. Beam said *E. coli* was found in the Santa Fe River and other than that no other testing has been accomplished. MS4 is for Water of the U.S. and urban areas defined by a certain density and those rules are being revised.

Mr. Muenzberg pointed out that since the pollutant source was identified in the Santa Fe River, there was less blame on the lower Santa Fe River traditional communities' livestock as the culprit.

It was a Supreme Court decision that severely limited EPA's jurisdiction of Water of the United States. All of the closed basins in New Mexico are unprotected. Chair Stringer said that the state legislator gave approval to NMED to staff up and start working on obtaining primacy. According to the Safe Drinking Water Act, a primacy agency has the primary responsibility for administrating and enforcing regulations.

There was mention of Bishop's Lodge's request to release its wastewater effluent into the Little Tesuque Creek.

The climate action plan serves as the umbrella document for the division and includes transportation and mobile sources, residential and commercial energy, solid waste, agriculture, forestry and other land uses. Wildfire is the largest risk. The plan strives to meet the 30 x 30 initiative – 30 percent of all land and water protected by 2030. Backyard composting is focused on healthy soils. Next fiscal year there will be a nature-based climate solutions website. The division is being proactive and has been working with Public Works on flooding and mitigating those risks.

B. Overview of Planning's Policies, Ordinances, Plans, and Initiatives

Herbert Foster said his work with Growth Management focuses primarily on the Transfer of Development Rights Program and today he was stepping in for Brett Clavio.

Chapter 11, water, wastewater and stormwater management elements of the SGMP, the Sustainable Growth Management Plan, is the highest ranking plan in the County. He read the following from the plan: "Groundwater is being used by public water systems and domestic wells faster than it is being recharged. If current practices are permitted to continue, serious problems are likely to occur. To meet the goals of the SGMP, our thinking about water must change, and sustainable practices must be developed." The plan identified at a high level the following issues: ensure a sustainable water supply, reliance on groundwater as a primary water source is unsustainable, need for water conservation, plan for droughts and emergencies, efficiency of water and sewer services, need for equitably financing water, wastewater and stormwater improvements, and the need to support small community water systems." Policies, actions and strategies will be adopted to address these issues.

The goals establish that land use and development should be consistent with water management, environmental and hydrological capabilities and constraints; new development will incorporate water conservation and reuse; water conservation will be required along with protection of groundwater and provision for a sustainable, long-term water supply capacity meeting current and future needs.

The SLDC provides the regulations that implement the plan. The plan divides the County into three sustainable development areas. SDA-1 is essentially where infrastructure exists in the core urban area; SDA-2 contemplates the next phase of growth where infrastructure is or is planned to be in the near future, and SDA-3 has little infrastructure and development less likely. Mr. Foster recognized the implied infinite growth within the three areas.

In regards to urban sprawl, Chair Stringer asked what SDA designation the southern part of the County/Edgewood which is served by a private water company was. Mr. Choman said Utilities is working on a definition of SDAs 1 and 2 with regards to the different water systems. He offered to provide a map in the future of the County's service area which is predominantly along the perimeter of the City.

In some of the zones, if the property is accessible to water and sewer, density can be tripled.

Mr. Foster said water harvesting is a requirement for residential buildings 2,500 square feet and larger with cisterns and water barrels. He has been working on a water resources master plan study for water and sewer in La Cienega and La Cienguilla. The goals of the study are to restore the springs and protect traditional water rights and water uses. A consultant will be hired to put the plan together.

C. Overview of Utilities' Policies, Ordinances, Plans, and Initiatives

Paul Choman, Utilities Director, likened his job to that of a banker for the County's water. Recently, Utilities determined the County was in the positive. On June 11th, the BCC approved a price change from \$19,000+ an acre-foot to \$36,000. The County recently purchased 44.08 acre-feet of water for \$36,000 per acre-foot. Cheaper water was out there but it was too remote from the BDD.

He said he was pleased that there are only two staff positions open in the department: a deputy director and a hydrogeologist. The operations and maintenance team are fully staffed. Much of the recruiting was accomplished by other team members. Improved position classifications have made recruiting more successful.

Mr. Choman reported on the following points:

- The City and County are working well as partners on several projects and sharing data
- The Aamodt/Pojoaque Basin Regional Water System/PBRWS, originally priced at \$150 million is now \$750 million, with an underfunding of \$250 million. The project is headed by BOR. The first system of distribution will be functioning within the next three to four years
- Along I-25, a sewer interceptor development is occurring. The \$20 million NE/SE road connector project basically creates a rectangle around the Community College and corrects alignments on Rabbit Road. Infrastructure is occurring along with that line. Oshara and La Prada will be tied into the sewer line. That sewage will travel to the Santa Fe County Water Reclamation Facility, "Quill," on the state penitentiary grounds
- Two master plans are coming to conclusion: Molzen Corbin Engineering, a south sector regional effluent management plan which will help to take the flow from the

interceptor/SR 14 plus a redirect of the Abajo lift station. Currently, that sewage is directed to the Paseo Real Plant which has a set of issues. That sewage will be redirected to the Quill plant. The Quill plant is modular with currently 250,000 gpd and it can be expanded to a million or more over the next few years

- A water system plan is being developed with hydrologic modeling to figure out where the growth is coming from
- Currently all of the County's water is wheeled through the City. There are four sources of water: BDD, Buckman wellfields, City wellfield, and the Canyon Road facility. The master plan includes a proposal on how to get off the wheeled arrangement with a direct line to BDD. Repeating that the City has been a good partner, he said it would behoove both parties if the County could reduce its reliance on wheeling through the City
- Specific collaborations with the City include Water 2100 which is a 20-, 40-, 80-year water plan. It's a five year planning process, currently in year four and planning-wise stuck in year two. There have been procurement-related issues with the project
- PFAS: the County tested wells in La Cienega/La Cienguilla area and found pollution in four of the six tested wells. The PFAS problem originated at Santa Fe Airport with the use of fire retardants and is, in fact, found at many of the air force bases in New Mexico. NMED has provided a \$450,000 grant and Santa Fe County is working to locate the plume and perhaps grid the area

Mr. Choman expressed his appreciation to the committee members and looked forward to learning from their expertise. He closed by saying, "every single well drilled is a failure on our part...every single septic system is a failure on our part." He favored all County residents being connected to a regional system.

Mr. Choman confirmed that the County's inventory is paper water rights.

The Quill plant is a membrane treatment facility and the effluent goes into an old pond that is serving as an aquatic habitat. It is not to the level that it can be discharged into Alamo Creek making its way into the Santa Fe River system. However, the plan is to have an effluent bulk water station for dust control/compaction. The Quill is located on state land and the County is pursuing purchasing it.

If the Quill effluent were potable, it could be returned to the downstream users. Mr. Muenzberg noted that the return flow credit project would greatly reduce the lower Santa Fe River flow and kill farms.

Commissioner Bustamante noted that the La Cienega Community Center was packed when the County held a discussion on PFAS but the audience was larger when the County discussed well monitoring. Since the PFAS issue, more area residents desire well monitoring. There are many people who are unwilling to give up their wells, senior water rights, etc. She gave her assurance that she will protect agricultural community rights and work to bringing the communities of the Galisteo, Estancia and Santa Fe Basins together.

Mr. Choman said water inventory-wise, two months ago, the County had roughly 2,200 acre-feet in paper water rights, which includes return-flow credits. The information is on BoardDocs. The

County sold 1,100 acre-feet to customers last year to its 4,400 water customers. There are 1,100 wastewater customers. The bulk water station by the County jail is the only one at this time. It provides potable water that is sold for two cents a gallon. The County's southern most termination point is by the Turquoise Trail Charter School. When the school shuts down – Christmas, summer – the water sits and becomes stale and that water need to be flushed/wasted. That is part of the thinking with positioning a bulk station in that area. Another bulk station is under consideration for the Arroyo Hondo #2 fire station.

Chair Stringer mentioned that the Santa Fe Pojoaque Soil & Water Conservation District has six flow control reservoirs of which five could be repurposed to store County water.

Mr. Choman lauded Cristella Valdez and contract lawyer John Hutton for their legal expertise regarding all water issues.

The Aamodt project is completely designed and is a phased project. The PBRWS plant is completely designed as are the distribution lines around it. The design of the line to Tesuque was suspended due to a lack of funding. Effective July 1st, the County will have a full-time Aamodt project manager. The five participants in the Aamodt project are San Ildefonso, Tesuque, Pojoaque, and Nambe pueblos and Santa Fe County. Meetings occur at least monthly. It is an intake project using surface water from the river.

Chupadero water from their main well was identified as having uranium in it. The County invested \$1 million in a treatment system. To get water from the Aamodt area up to Chupadero would require millions of dollars. Instead the distribution infrastructure will be reconstructed. The well and system is currently performing well.

D. Discuss and Identify Any Additional Information or Materials WPAC Members Need from County Staff.

Mr. Gowen requested having a WPAC library or links to where the information is posted. Chair Stringer said he had a great deal of material on a Google folder that is useful.

Ms. Smith offered to provide links to the documents available on BoardDocs.

The chair recommended inviting Chita Gillis from Cañada de los Alamos to present the efforts required to tie on to County water. Ms. Gillis has worked on the project for more than five years.

Mr. Muenzberg requested a list of all County joint powers agreements related to water, e.g. BDD, flow credits, Eldorado, OSE return-flow credits, etc.

A monthly update on the Aamodt/PBRWS was requested.

Mr. Schmelling requested a map of Santa Fe County identifying where those residents received water.

Regarding the Open Meetings Act, there are prohibitions of rolling quorums and discussions outside of posted meetings, Ms. Valdez said she'll email clarification and guidance to the members for communicating outside of meetings.

Ms. Smith confirmed the County has lists of COs (community organization) and ROs (registered organizations) that are available.

4. **Matters from the Public** – None were presented.

5. **Matters from Staff**

Ms. Smith informed the Committee that the contractor was not available for the June 27th training. Following discussion July 2nd and July 8th at 2 p.m. were the two dates selected.

6. **Matters from the Committee** – None were presented.

7. **Adjournment**

Following a motion and second and upon unanimous voice vote, Chair Stringer declared this meeting adjourned at approximately 6:05 p.m.

Approved by:



Shann Stringer, Chair

Respectfully submitted by:

Karen Farrell, Wordswork

DRAFT

SUBJECT TO APPROVAL