



Agenda

DATE 4/4/18 TIME 3:44pm
BY Melissa McDonald
APPROVED [Signature]

Santa Fe River Commission Agenda
Thursday, April 12, 2018 (Round House Room), 6 pm to 8 pm
City Offices at the Market Station Building at the Railyard
500 Market Street, Suite 200, Santa Fe, NM
505-955-6840

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES FROM MARCH 8, 2018
4. COMMUNICATION FROM OTHER AGENCIES /COMMITTEES
 - a. SF Watershed Report (Andy Otto)
5. INFORMATION/DISCUSSION/ACTION:
 - a. Information Item: Santa Fe River Target Flows / Hydrograph (M.McDonald, Alan Hook)
 - b. Action Item: River Commission Organization Review & 2018 Goals (Zoe Issacson)
6. MATTERS FROM COMMISSIONERS
7. MATTERS FROM STAFF
 - Earth Day, Stormwater Master Plan Update (Melissa McDonald)
8. CITIZENS' COMMUNICATION FROM THE FLOOR
9. SUB-COMMITTEE BREAKOUT SESSION
10. ADJOURN

Next Scheduled River Commission Meeting is May 10, 2018
Captions & Packet Material are due by 10 am on May 2, 2018
Persons with disabilities in need of accommodations,
Contact the City Clerk's office at
(505) 955-6521 five (5) working days prior to the meeting date.

SUMMARY OF ACTION
SANTA FE RIVER COMMISSION
CITY OFFICES AT MARKET STATION
500 MARKET STREET, SUITE 200
THURSDAY, APRIL 12, 2018, 6:00 PM

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**SANTA FE RIVER COMMISSION
CITY OFFICES AT MARKET STATION
BUILDING AT THE RAILYARD
500 MARKET STATION, SUITE 200
THURSDAY, APRIL 12, 2018, 6:00PM**

1. CALL TO ORDER

The meeting of the Santa Fe River Commission was called to order at 6:00 pm by Commissioner John Buchser, Chair, on Thursday, April 12, 2017, at the City Offices at Market Station, 500 Market Street, Suite 200, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT

Zoe Isaacson, Chair
John R. Buchser, Vice Chair
Phil Bove
Jerry Jacobi
Dale Doremus
County Commissioner Anna Hansen
Luke Pierpointe
F. M. Patomi

MEMBERS ABSENT

Emile Sawyer, Excused

OTHERS PRESENT

Melissa McDonald, City of Santa Fe
Alan Hook, City of Santa Fe
Alex Puglisi, City of Santa Fe
Brian Gallegos, Office of the State Engineer
Robert Findling, Nature Conservancy
Richard Ellenberg
Bruce Reitz, Cerro Gordo
Andrew Erdman, City of Santa Fe
Bill Schneider, City of Santa Fe
Ramona Martinez, Office of the State Engineer
Scott Kaseman, Santa Fe County, Project Manager
Elizabeth Martin for Frances Lucero, Stenographer

3. APPROVAL OF AGENDA

MOTION A motion was made by County Commissioner Hansen, seconded by

Commissioner Patomi to approve the agenda as presented.

VOTE The motion passed unanimously by voice vote.

**4. APPROVAL OF MINUTES
MARCH 8, 2018**

Commissioner Patomi said in item 4 his last name should be shown as Patomi.

Commissioner Doremus stated in an email that on page 6, number 6, in the second to last paragraph, the last sentence should be deleted.

MOTION A motion was made by County Commissioner Hansen, seconded by Commissioner Patomi, to approve the minutes as presented.

VOTE The motion passed unanimously by voice vote.

5. COMMUNICATION FROM OTHER AGENCIES/COMMITTEES

A. SF WATERSHED REPORT

Mr. Otto said we are doing a clean and green river clean up from St. Frances to DeFouri Bridge on June 16th. We will be doing habitat improvement as well. You are all welcome to participate.

B. STATE ENGINEERS OFFICE

Mr. Gallegos introduced himself as the District Manager out of Santa Fe for the Office of the State Engineer. He was asked by City staff to come to this meeting and talk about the watershed issues.

Mr. Hook said we had a field trip with State Engineer staff to see the diversions along the river.

Mr. Erdman said the goal was to see if we can get the State Engineer to help us do monitoring of acequia diversions. As we evaluated how the river is managed we say that there are some aspects to the river management that the State has administration over and some aspects of river management that compete with the River Commission sometimes. We asked Brian to come speak to that.

Mr. Gallegos said this is a great way to do that. He is the District Manager of the Water Rights Division and State Manager of Meter Measurement. It was brought to his attention through different parties, through City staff and his staff, about different issues

that have been issues for quite a few years on the upper river. We set out to develop a plan to solve some of these issues. He contacted the City and they did the field trip to look at the issues. In looking at all those points there were issues acequias were having with the City meeting requirements via the court order. There were issues about TNC diversion off the bypass channel without a valid water right. The City obligation through the Living River Ordinance and how will they get target flows. He wants to use his position to try to solve these aspects of what is going on in the upper river. City staff provided him with documentation. In essence he has some capital outlay money that was granted to the agency last session. They got \$300,000 statewide. He needs to divide that out across the State. You have deliveries from the court order and amended stipulations to the court order where the City is obligated to deliver so much water to the acequias. We use measurements for many reasons to manage the water, what is delivered and what is used. His proposition was to put measurements on Acequia Madre, Cerro Grande and Acequia La Mirella. The acequias and the City can get on our website and see what the acequias are getting and are not over diverting. It would be a good tool and a benefit to the acequias and the City. These measurement stations are usually put close to the first user. He is willing to commit some money for statewide management to these upper ditches to get this done. He also presented City staff with areas where they can improve their management through measurement for acequias and the Living River.

Mr. Gallegos said you can't manage what you can't measure. He oversees a project on the Chama River where the most senior water rights other than Pueblo rights exist in the State. Some belong to the silvery minnow, some the Middle Rio Grande Conservancy District and others. We use this measurement to limit their diversions based on native flows. We do agreements based on measurement. When he went to see the flows he found that there was a TNC diversion big issue about what is the actual historic pathway of the Santa Fe River. We looked at the diversion structure that was built. In order to divert you have to have a valid water right. TNC does not have a valid water right to divert or to impound water at Two Mile Reservoir. We require a permit for impoundment. One of his solutions is an option where the City of Santa Fe may have some water they can lease to TNC. They would have to do an application and release the water in 10 year increments. That is a possible fix. Another option is for the TNC to purchase water rights in the basin. There would have to be multiple applicants on the permit. The gate there is perpendicular which could impede higher flows if the City is trying to deliver water to the acequias or the Living River. It should be parallel with a lift gate and the water flows through. He wants to work with people through compromise and resolution to get everything in line in the upper Santa Fe River where everyone is in agreement and it is a benefit to all parties. There are solutions to put this to rest and improve the system, with everything permitted and we have the wetlands at Two Mile.

Commissioner Jacobi said the argument we have been having is does it hold less than 10 feet of water. If it is less than 10 it is not impounded.

Mr. Gallegos said we have not checked it yet, but he has seen pictures. He witnessed this winter that there were no diversions off the by pass channel by TNC and there was adequate water for that. There is an impoundment at Two Mile. There is free flow out above the Cerro Gordo diversion. It is a good idea to put a measurement station there especially if the water is coming off the bypass above there. We will have to check the depth to see where it falls.

Commissioner Jacob asked do you consider how much water is in the sediment too.

Mr. Gallegos said no, just the actual wet water. Standing water.

Mr. Findling said he wants to clarify a few things. First the Nature Conservancy played no role in the decommissioning of Two Mile Dam. That was PNM who was the former owner of water system. The decommissioning was approved by the State Engineer. It resulted in a collection area now known as Two Mile Reservoir. The outlet is on municipal land. The flows into the historic Santa Fe River is a function of gravity. Flows directed to the historic Santa Fe River was approved by the State Engineer before it was constructed. It was through a Watershed Association grant. Through a sediment plug behind the 1881 Stone Dam, the original storage structure, it provided the City with water. That completely filled with sediment. The reason there is water in the river is that the old Stone Dam is not water tight and water bleeds through the base of the dam and hydrates the wet land. The water in the reserve is the function of beaver activity. The City could request the Game Department to trap and remove the beaver community. If it is the desire of the City to lose the wet land and the habitats they can try to do that. The Nature Conservancy has requested that when water is available through the Living River system that it be allowed to be provided into the only functional wetland in the City. If the City feels a wetland is not necessary in the City they can undo it. It is just a matter of getting along. An agreement can't manage what you can't measure. Living River flows are not measured after they are released from Nichols. The decision of how to direct those flows is something we would be very interested in participating in determining. We recognize we don't have a water right and have not claimed we have a water right. We have spent thousands of dollars to provide the City with a habitat and a wetland for the City at no public expense. We will continue to do our role. It seems the City does not appreciate that.

Mr. Otto said what was done at the gate was done with a City permit.

Mr. Gallegos said no permit was filed with the State Engineers Office to construct that. There are certain things that have to be approved by us through a permit. The way it was constructed was to divert the water of that waterway to go to the wetland and Two Mile Pond.

Mr. Otto asked what is the process now.

Mr. Gallegos said he wants to sit down with all the acequias in that area about data and measurements and ways the City can improve their measurement. A point was brought up about measurement of water releases for the Living River. We need to get a better quantification on that. He will sit down with all the parties and give them his take on what could and should be done. We have a standard metering agreement. We also measure private ditches. We get all the participants to sign off on those agreements. Our agreements have been vetted by attorneys. We will go out and do some field checks on the ditches. They pick an adequate measuring spot. With the City it is different and is based on the what technology is used and what the method of measurement is.

Mr. Ellenberg said he was on the River Commission previously and was heavily involved in the public processes and the writing of the River Ordinance. The picture is a bit different from what you are painting. All the maps show the river goes through the Nature Conservancy property. The bypass channel was built to handle overflow emergencies from the Two Mile Dam. It never considered the river. He has seen plans for the construction of what is there. We need to have some people get with you to determine what was approved and not approved. The reason the gate was built was to provide a flow to the river. Action taken at Canyon Reserve was a trespass. This is the County. The City has no jurisdiction over that land. The Nature Conservancy has not sued. They are not a litigious group. In your assessment of this it is important to know where the river is and that it is under 401 permit. It is important to know the history of the Living River Ordinance. He understands that a lease is an option, but right now the policy of the City is the Living River water goes through this property. The Nature Conservancy has never claimed a water right. This comes from City Ordinance.

Mr. Gallegos said he did not try to paint any picture. He is relaying what he saw on the ground. There are certain acequias with diversion rights off the river. If they come to our office and say they are not getting their water we look for diversions that are not legal. He is looking into it and doing an investigation. He is very busy. When the possibility of someone diverting water off a waterway and using it without a valid water right comes up, then it is an issue our office has to look into.

Commissioner Hansen said thank you Brian for being here. What he is trying to say is that he is interested in helping us. We should look at that as a gift as opposed to being hostile in any way. His offer of funds is incredibly generous in a tight budget year. Saying the City does not appreciate what the Nature Conservancy has done is not true. She appreciates it. There may be some things like illegal dumping and some problems. She thinks we need to figure out a way to go forward and not get stuck. We have Brian here. The State Engineers Office is here. It is difficult to get the State Engineers Office. They are understaffed and very busy. This is a great opportunity and we should see it as that and not as a hindrance. We need to keep our Living River Ordinance alive, the Nature Conservancy alive and make sure the acequias get what they are due. She does not think we should be afraid of the term "lease." Maybe the term lease means a nominal fee. We can negotiate that together. We want to offer an equanimity

way of moving through this with the State Engineers Office. We on the River Commission care about the Living River. She as a Commissioner cares about it. She wants to see us find a way to work with Brian. He is here generously offering money and time which is really valuable. She has known Brian for 15 or 20 years.

Mr. Gallegos said thank you. The reason he is here is because he cares. He trouble shoots problems all over the State. We work with all parties and get stuff solved. He has certain methods and ways of getting things done that may not be candy coated, but he gets stuff done. He is here to help. One of these measurement stations costs \$25,000 to \$45,000 fully equipped. He has managed this program for 14 to 16 years. There are other long term disputes that he could use this money on. He is a native Santa Fean. He believes this can be solved. There have been articles in the paper and things are sugar coated and a year or two later it comes up again. We need all parties at the table so we can solve this with an equitable solution. He is here to help and offer solutions. He is willing to put in some investment into this little area to help the City, the acequias and the wetlands. In his capacity there are certain things that need to be looked at and if permits are needed it needs to be permitted. That is his job. We have regulations and statutes that we need to follow.

Mr. Hook said as a clarification we actually have been doing measurements John Shoemaker is doing measurements and studies around this area. The tough thing is that we don't have the greatest infrastructure. We are thankful that the State Engineer and Commissioner Hansen stepped up in collaboration. Lets all look at this to solve this problem. We have put in some systems so we can actually see the data. We are getting it automated. It is not that the City does not care about it, we just don't always get it out there with PR. The coordination with the State Engineer will help us solve these issues in the future. It has solutions.

Mr. Reitz said thank you Brian for being here and for the information. With our current Acequia Gordo release schedule we should be getting water at the head gate. Yesterday the City opened up and put water in the bypass ditch at 6:00 am at the Nichols dam. At 10:00 am no water. At 11:00 am no water. He called them and the water finally reached their head gate at 1:00 pm. 6 hours later. He did finally get water at his house at 5:00 pm. Ran it until 10:00 pm with permission to do so. The bottom line is we are losing a lot due to infiltration. We would like to see more efficient metering and delivery in order to preserve the water. He expects that at some point acequia flows will be lost. Do you plan to update your website to include water right holders in Santa Fe.

Mr. Gallegos said we have a water rights database on certain basins. Not all basins are included. We don't have the data. It takes a couple of years to get a basin abstract image. He would like to get every basin abstracted and imaged. It makes our job a lot easier. We use that database on a daily basis. As far as the measurement below the reservoir and ditch would help. The study on seepage out of the ditch will help. You could look at different funding sources to improve the delivery to the

acequias. Their obligation is to deliver a certain amount of water at the head gate. We have tools to see what water is running where right now. It is tax money appropriated by the State Legislature that pays for that. It is a great tool. It will help improve the system and show deficiencies. He looks forward to working with you guys in the future.

Chair Isaacson said thank you.

6. INFORMATION/DISCUSSION/ACTION

A. INFORMATION ITEM: SANTA F RIVER TARGET FLOWS/HYDROGRAPH

Ms. McDonald said at our last meeting Scott Kaseman came and indicated the County would like water for the planting that occurred. We have been working with Scott and the County. We have to decide the allocation in the spring pulls and if we want to do a summer pull.

Mr. Hook referred to the hydrograph given to the members. He said a pdf copy is on the website. This year we had a bad snow pack year. The yield for the Santa Fe River is projected to be same as March. He reviewed the chart.

Mr. Hook said we hope to get Commissioner input around if you would like to change the second pulse flow and redistribute that into the May 25th to June 1st pulse flow. The forecasts is for high temperatures and dryness. The good news is that we are projected to have a good monsoon season. We need your recommendation.

Mr. Kaseman said the current project from Frenchys to Silar is 80% complete. The planting of the willows and cottonwoods will be complete next week. We need the flow for a few days. Using the time of the River Blessing works fine. We really need that to give those plants what they need. If we get it at May 15th that gives the plants their best shot. He would rather have the higher flow in May than something smaller in June. Soak the flood plane.

Commissioner Hansen said she would like to recognize Scott for moving this project forward not only on time but ahead of time. For it to work with the River Blessing would be great. She is bringing forth a Proclamation for San Isidro Day to include others who celebrate as well. If there is water in the river it makes everyone really happy. It would be great to get it down that far. It is exciting for the City and County to have this River Trail finished at the beginning of summer. She is thrilled.

Commissioner Doremu asked what day is the Blessing.

Commissioner Hansen said May 15th. It is usually around 5:00 pm.

Mr. Ellenberg said 2 priorities of the Living River Ordinance were the Canyon River Preserve and getting water all the way through the City. That would be served in combining the 2 pulses into one.

Mr. Hook said the inflow will not be enough for bank to bank. There will be some water, but not bank to bank. Right now we are at 1.7 CFS. There is 7 inches left in snow pack. The reality is we will try to do pulse flows as far down as possible coming into McClure and we are obligated to get it to the acequias as well at the same time.

Mr. Kaseman asked what about shortening the length of the pulse.

Mr. Hook said that might be worse because of seepage loss. We want to build up the saturation effect to the project.

Chair Isaacson asked is it possible to move it up.

Mr. Hook said yes. We did that before. We moved it up to mid April. Following that we emptied the reservoirs.

Chair Isaacson said you may want to capitalize on the run off while we have it.

Commissioner Doremus said she had the same thought.

Mr. Gallegos asked is there a way to use the Acequia Madre as a conduit to get the water down to where the trees are planted. The acequias can defer irrigating during that time. We can work together to get the water to the trees down there.

Commissioner Bove said until we meet with the City we feel we will not have enough water to get to Agua Fria. We can send it back at Frenchys or at the Silar Road bridge.

Mr. Kaseman said to Frenchys Field would be best.

Mr. Puglisi said we tried that last year, but there was a lot of debris and it got clogged up.

Commissioner Hansen said we need to make sure about that. Phil is the Mayor Domo on the Acequia Madre.

Commissioner Jacobi said when you said only 1.7 CFS coming in how can you work on that.

Mr. Hook said hopefully it will grow. We are not at the peak of the hydrograph. There is some snow left. We have to see how it shows up.

Commissioner Hansen said this is a County/City joint project. The County is building the trail on City land and it will belong to the City when it is finished.

Commissioner Doremus asked when you divert through Acequia Madre would you be sending all the living river flows of that pulse through the Acequia Madre.

Mr. Hook said we have done it before for the Fishing Derby. We put 5 CFS into Acequia Madre. We had to relieve the pressure through Acequia Madre below the Indian School. That is where it was turned back. You could do that. That is a topic for you guys to discuss.

Commissioner Doremus asked what is the impact on the part of the river not getting any flow.

Commissioner Jacobi said the Fishing Derby is the first weekend in June.

Mr. Hook said that is not going to happen. We are below 50% so it will not happen.

Commissioner Pierpointe said May 15th is 10 days earlier than our first pulse. What if we ran water down the Acequia Madre for a day.

Mr. Hook said we would need a few days.

Commissioner Pierpointe asked would that take up our entire pulse.

Mr. Hook said it sounds like the discussion is around moving the first pulse up to the 10th to the 15th prior to the Blessing. Prior to that we would go through the river and at the end go through Acequia Madre. It sounds like there is a decision here. Do the pulse before the Blessing.

Commissioner Doremus asked do we know enough. Is there a way to build flexibility into this decision depending on the types of flows you are getting.

Mr. Hook said there is, but the administrative procedures point out that it was meant for a week at a time. To adjust the valves on a dime is difficult.

Ms. McDonald said there may be some flexibility if we get some moisture. It can change every day. If we have a sense of what the group wants we can try to achieve that.

Mr. Gallegos said one thing you want to take into account is if you want to use the Acequia Madre as conduit to do some adequate wetting of the ditch.

Commissioner Bove said he has to certify to the City and the State Engineer that

the water is clean. We have run into that a lot.

Mr. Puglisi asked are you going to start on May 1st.

Commissioner Bove said no. The upper is on the 23rd.

Chair Isaacson asked when do you start deliveries.

Commissioner Bove said we really don't know what we are going to do with Agua Fria. Our initial thinking is we can do the upper end of Acequia Madre head gate to the Railyard and Agua Fria, but we have to talk about that separately. If we don't get a high enough flow for Agua Fria it will not get past Baca Street. We are still cleaning 7 miles of water way.

Mr. Hook said there is potential.

Ms. McDonald said we need to decide tonight for PUC. She would like to have as specific guidance as you can. We need a pulse decision.

Commissioner Pierpont said he proposes we eliminate the 2nd pulse, move the first one up earlier and run in the river channel around the 10th, wet the channel and then switch to the Acequia Madre around the 13th to wet that channel. All flows.

Mr. Erdman said one idea we discussed is a shared project. The Osage well. It is a City well and has 35 acre feet of water right. We can do an evaluation and talk to management to see if we can kick in our portion of water on that. We have not used it in years. We just would have to look at the flow rate. If you are interested that is something we could look at.

Commissioner Hansen said that acequia channel has not been cleaned in a very long time.

Commissioner Bove said we would have to go down and take a look at it.

Commissioner Hansen said we should hear from Scott. We really are centering here on the planting and making sure these plants get established and have an ability to make it through this drought. This Osage well is a bit of a back up. That would be a benefit. The Blessing is really nice, but the plants are also important.

Mr. Kaseman said the timing with the River Blessing is perfect with it being on May 15th. Having a peak flow then is perfect. Their best chance for establishing their root systems is to get a drenching of that flood plane. Having the water into the channel and soaking will benefit the plants. The length of time does not matter as much. The saturation will be reached in 24 hours.

Commissioner Doremus asked are you saying Luke that the Acequia Madre piece would be used only if needed. Is it an option.

Commissioner Pierpointe said if we can't get it down far enough.

Ms. McDonald said it might require some visual monitoring and we would make that decision at that point.

Mr. Hook said the 15th is a Tuesday. There are a bit of staff at Canyon Road on the weekend. He suggested they move the flow to the 14th so they can get started. There is potential for Osage to supplement.

Chair Isaacson asked starting on the 14th, does that give you enough time to assess the water to see if the water will get there.

Mr. Hook said we would be starting early Monday morning on the 14th with the flows through the main river channel then assess on Tuesday morning to see how far the water is going and if we continue that or go into Acequia Madre. That is the staff recommendation.

Commissioner Doremus said regarding the well situation, Scott if you could get 2 waterings on those plants this year would that help.

Mr. Kaseman said absolutely.

Commissioner Doremus said Osage might be a great thing for that. If we don't need it for the Blessing we could do it at another point in time for supplemental watering at Frenchys in the river.

Commissioner Hansen said that is a great plan.

MOTION A motion was made by Commissioner Pierpointe, seconded by Commissioner Hansen, to eliminate the second pulse in June and to include it in the initial pulse as much as possible and to begin that pulse on May 14th.

VOTE The motion passed unanimously by voice vote.

Mr. Kaseman said thank you very much.

Commissioner Doremus asked what is the distance of the Osage well channel. She can put together volunteers to help clean it out

Ms. McDonald asked that people show up at the River Blessing too.

Commissioner Hansen said you are all invited. She will include the River Commissioner in the Proclamation. Canyon Road staff as well.

B. ACTION ITEM: RIVER COMMISSION ORGANIZATION REVIEW AND 2018 GOALS

Chair Isaacson said we don't have a lot of time to discuss this. One thing she wants to mention is we have a new administration and a new Mayor. It is in our best interest to start a dialogue with him and invite him to have a meeting with us. Initially a smaller group setting might be better. We need to draft a letter to invite him and get the process started. Are there any volunteers to be on a subcommittee to draft the letter.

Commissioner Hansen said it would be good to have him come to our meeting. He is new and not familiar with the City processes. He can come here and see where we meet and see the constituents that come to our meeting.

Ms. McDonald said you can write the invitation. You want to get in the list.

MOTION A motion was made by Commissioner Hansen, seconded by Commissioner Doremus, for Chair Isaacson to form a subcommittee with Commissioner Pierpointe to write the letter of invitation for the Mayor and to send it to her for editing. The letter will invite the Mayor to come to our May 10th meeting.

VOTE The motion passed unanimously by voice vote.

Commissioner Jacobi said the Mayor is having a first come, first serve meet. When will that be.

Ms. McDonald said she will check and send an email out. That is a great opportunity to share your views. We are getting lots of calls complaining about river upkeep and such. We need to engage and show him positive stuff.

Commissioner Hansen encouraged everyone to join Andy on June 16th.

7. MATTERS FROM COMMISSIONERS

None.

8. MATTERS FROM STAFF

A. EARTH DAY, STORMWATER MASTER PLAN UPDATE

Postponed.

9. CITIZEN'S COMMUNICATION FROM THE FLOOR

None.

10. SUBCOMMITTEE BREAKOUT SESSION


Postponed

11. ADJOURN

There being no further business before the Commission the meeting adjourned at 8:01 pm.



Zoe Isaacson, Chair



Elizabeth Martin, Stenographer