



Agenda

SANTA FE WATER CONSERVATION COMMITTEE MEETING

CITY HALL – 200 LINCOLN AVE.

CITY COUNCILOR'S CONFERENCE ROOM

February 12, 2019

4:00 PM TO 6:00 PM

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM THE NOVEMBER 13, 2018 MEETING
6. APPROVAL OF MINUTES FROM THE JANUARY 8, 2019 MEETING

CONSENT AGENDA:

7. UPDATE ON CURRENT WATER SUPPLY STATUS (Andrew Erdmann, Water Conservation Specialist Senior, paerdmann@santafenm.gov, 955-4219)

INFORMATIONAL ITEMS:

8. DISCUSSION ON JOINT CITY/COUNTY MEETING ON 2/5/2019 (Councilor Romero-Wirth, Christine Chavez, Water Conservation Manager, cychavez@santafenm.gov, 955-4219)
9. DISCUSSION OF THE MAYOR'S WATER RATE TASK FORCE (Councilor Romero-Wirth)

UPDATES FROM SUBCOMMITTEE GROUPS:

10. 5 YEAR WATER CONSERVATION PLAN (Christine Chavez, Water Conservation Manager, cychavez@santafenm.gov, 955-4219 and Ken Kirk, Water Conservation Committee member, kenkirk733@gmail.com)
11. BUILT ENVIRONMENT (Christine Chavez, Water Conservation Manager, cychavez@santafenm.gov, 955-4219 and Lisa Randall, Water Conservation Committee Member, lrlandall@sfps.k12.nm.us)
12. ICI UPDATE (Christine Chavez, Water Conservation Manager, cychavez@santafenm.gov, 955-4219 and Doug Pushard, Water Conservation Committee Member, doug@harvesth2o.com)

MATTERS FROM PUBLIC:

MATTERS FROM STAFF:

MATTERS FROM COMMITTEE:

NEXT MEETING – (Councilor's Conference Room): TUESDAY, MARCH 12, 2019

CAPTIONS: Due BY 3:00 pm, FEBRUARY 25, 2019

PACKET MATERIAL: DUE BY 3:00 pm, FEBRUARY 27, 2019

ADJOURN.

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520, five (5) working days prior to meeting date.

RECEIVED AT THE CITY CLERK'S OFFICE

DATE: February 5, 2019

TIME: 12:35 PM

**SUMMARY OF ACTION
SANTA FE WATER CONSERVATION COMMITTEE MEETING
CITY HALL, CITY COUNCILOR'S CONFERENCE ROOM
200 LINCOLN AVENUE
TUESDAY, FEBRUARY 12, 2019, 4:00 PM**

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**SANTA FE WATER CONSERVATION COMMITTEE MEETING
CITY HALL, CITY COUNCILOR'S CONFERENCE ROOM
200 LINCOLN AVENUE
TUESDAY, FEBRUARY 12, 2019, 4:00 PM**

1. CALL TO ORDER

The meeting of the Santa Fe Water Conservation Committee was called to order at 4:08 pm by Councilor Romero-Wirth, Chair, on Tuesday, February 12, 2019 at City Hall, the City Councilor's Conference Room, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT

Councilor Carol Romero-Wirth, Chair
Lisa Randall, Vice Chair
Tim Michael
Doug Pushard
Ken Kirk
Stephen K. Wiman
Stephen Schmelling
David Carlson
Scott Bunton
Robert Coombe
Bill Roth

MEMBERS ABSENT

OTHERS PRESENT

Patricio Pacheco, City of Santa Fe, Water Conservation
Andy Otto, Santa Fe Watershed Association
Andrew Erdmann, City of Santa Fe, Water Conservation
Mary Schruben
Elizabeth Martin, Stenographer

3. APPROVAL OF AGENDA

MOTION A motion was made by Mr. Roth, seconded by Mr. Bunton, to approve the agenda as presented.

VOTE The motion passed unanimously by voice vote.

4. APPROVAL OF CONSENT

Chair Romero-Wirth pulled item 7 from the consent agenda for discussion.

5. APPROVAL OF MINUTES, NOVEMBER 13, 2018

MOTION A motion was made by Ms. Randall, seconded by Mr. Michael, to approve the November, 2018 minutes as presented.

VOTE The motion passed unanimously by voice vote.

6. APPROVAL OF MINUTES, JANUARY 8, 2019

MOTION A motion was made by Mr. Roth, seconded by Ms. Randall, to approve the January 8, 2019 minutes as presented.

VOTE The motion passed unanimously by voice vote.

CONSENT AGENDA

7. UPDATE ON CURRENT WATER SUPPLY STATUS

Mr. Erdmann reviewed his update report which was included in the meeting packet.

Chair Romero-Wirth said we should pay attention to this rule change. It will determinately effect the Santa Fe River. After it is published they will take public comments for 60 days.

Mr. Roth asked is it legal for the City or State to impose restrictions.

Chair Romero-Wirth said we do not have primacy.

Mr. Michael said we don't, and even if we did, the regulations will apply with or without primacy.

Mr. Roth said much of the State is made up of federal waters.

Mr. Otto said it was estimated by Marcy Leavitt that up to 90% of New Mexico waters will be affected by the new definition of waters of the US. That includes the Santa Fe River. The whole river would now be outside of the definition of waters of the US which means the rule on E. coli does not apply. There is a lot of potential damage to our local waters and 90% of the water in New Mexico.

Chair Romero-Wirth asked wasn't she going to send out a template. She has not seen it.

Mr. Otto said yes and he has not seen it either.

Chair Romero-Wirth asked Mr. Otto when he gets it to please send it to Christine and Andrew so they can send it to this group.

Mr. Roth asked when it enters litigation does it put it on hold.

Chair Romero-Wirth said that depends on several things.

Mr. Otto said eventually when things change in Washington this will be repealed.

Chair Romero-Wirth said this is important..

Mr. Kirk said the fight over this has been going on for at least 10 years. Where are the farmers on this issue. They have been very vocal in the past, but he has not heard anything in awhile.

Mr. Otto said he has not seen any position from farmers or the Acequia Association or their national organizations.

INFORMATIONAL ITEMS

8. DISCUSSION ON JOINT CITY/COUNTY MEETING ON 2/5/2019

Chair Romero-Wirth said she wanted to debrief a bit. She would love to hear everyone's thoughts of how you thought the meeting went and your ideas for moving forward. Also anything on your mind that you feel we need to follow up on.

Mr. Roth said the main contentious item was the City's move toward a pipeline.

Chair Romero-Wirth said the City has applied for federal funding of \$5 million of the \$18 to \$20 million they need. The City is exploring the idea.

Mr. Roth asked is this from the City Council

Chair Romero-Wirth said not yet. We have not heard it yet. If we get the Bureau of Reclamation money it that will go to Council for approval.

Chair Romero-Wirth said the issue is there are four different alternatives. The pipeline is the one that has been zeroed in on. Some in the community feels the other

three were not reviewed enough. We are trying to create a better understanding around the pipeline and long term how do we look at the other three things. She is trying to get a sense of everything that is happening.

Mr. Coombe said this is another opportunity for a conversational approach. This has this been before the public before.

Chair Romero-Wirth said yes, but people were not satisfied with how it was done.

Mr. Schmelling asked isn't that a National Environmental Policy Act (NEPA) issue.

Chair Romero-Wirth said yes, but not yet

Mr. Coombe said at the meeting he was surprised. It was much more of a presentation than a conversation between the two groups. He gets it, but is there going to be an opportunity to talk about this with the County group.

Chair Romero-Wirth said she is trying to find areas where we can work together. This is one of those areas. We have to lay things on the table and have a common level of information with both committees and the public. These are the first steps and it is kind of painful in some ways. She doesn't know where it will lead us.

Mr. Michael said he agrees we need to find a place where we can work together and should. Is there a plan being formulated to rework this so more people can be involved and give input.

Chair Romero-Wirth said it was on the Public Utilities Committee agenda and they approved money to do more public meetings on the pipeline. She is not clear that we will do meetings or separate meetings. She thinks we may move on and look at conservation things at our next joint meeting. The 5 Year Conservation Plan can be talked about, our process and what we are doing. Also we can find out from the County what they are doing. She is trying to get what the City and County are doing and looking for places for dialogue. Because of these meetings the staff is talking more and there are lots of sidebars going on which is important. It will be interesting to see.

Mr. Kirk said he understands the pipeline option is being considered quite a bit. Carollo is the designer. It could be viewed as a City/County project. The City is talking to Las Companas on several things. They even threw out the possibility of owning our treatment plant. This is still a long way off, but they are really interested in it. He sees some value in it.

Chair Romero-Wirth said the basin study shows the water supply shortage down the road. It is about how will we meet our future water needs and what we can do to

accomplish that. She does not want to be caught in a shortage and find we did not do what we needed to do to address that.

Mr. Coombe said it is clear what the benefit to the City is, but not clear what the benefit is to the County. If the water is owned by the City what benefit is it for the County.

Mr. Kirk said the County would pick up 300 acre feet they currently do not have. Las Companas has 300 acre feet we don't need.

Mr. Coombe asked all the credits would go to the City.

Mr. Kirk said right.

Mr. Erdmann said 270 acre feet of water credits gets returned to the County so there is discussion about them getting some back in credits. There is a lot of discussion going on about that.

Councilor Romero-Wirth said the County is looking for back up water. The question is how do they do that and what should they be doing.

Mr. Roth asked would the County have to buy in exchange for credits.

Mr. Erdmann said this is pretty conceptual at this point. We are talking about it.

Chair Romero-Wirth said also this is a place where all of you add value. She is trying to throw out this information and have all you smart people weigh in on it. We are smarter together. The more information everyone has the better we can figure out the best path.

Mr. Pushard said he thinks this one will be a tough one. He has been involved in this for a very long time. He is hoping this will be a long ways out. He was fascinated by some of Bill's information. He had never seen it as concisely presented as his presentation was. The water going to the treatment plant has decreased over the last ten years and will continue to decrease over the next ten. If we continue to be successful in our efforts what goes into the plant will be less and less and that imposes a different set of challenges. It is a big issue that we need to start thinking about. Bill said we will create blockage in sewer pipes and he thinks this Committee will hear more and more about that because of the wastewater treatment plant. We already have a green issue with the wastewater treatment plant. The plant is way out of date and we need to spend a significant amount of money updating that plant.

Mr. Erdmann said Doug's point regarding reduction in graywater use is a place for the joint committee to discuss. Incentives and the permit structure is different

between the City and County. There are complexities.

Chair Romero-Wirth said maybe that is an area where we can build a future agenda.

Mr. Schmelling said the City's primary water source is surface water with ground water as a backup. With the County it is the opposite.

Mr. Pushard said that they are also the co-owner of BDD. If you look at it from a well perspective the back up plan is to move people from wells. Their back up plan is wells.

Chair Romero-Wirth said ultimately it will lead us to the fact that the County needs to be doing more conservation and maybe there is some advantage of this pipeline to them in terms of their back up supply. It gets us thinking bigger picture.

Mr. Bunton said he thinks it would be good for both sides to give a presentation on their water conservation regulations and enforcement. Developers say the County has regulations, but they do not enforce them.

Chair Romero-Wirth said she would like to see that on our next agenda in the broader sense. She and Christine have talked about this.

Mr. Roth said on the pipeline when Bill presented alternatives of what they could do with the water those seem in some ways an after thought and judging from the mood of the room it might be an easier sell if some of those things became a primary option.

Mr. Coombe suggested something for the agenda could be something about aquifer storage. There seems to be a pretty wide difference of opinion on that. The County seems to be banking on it, but there is a lot of concern that it is not viable.

Mr. Erdmann said Bill did a really good job and had a lot of ground to cover. The difference in the ground water permits and other things are big. It will come out in the public meetings hopefully to help understand the project. There are different ways to permit these water rights. There are significant differences. He encourages everyone to go to the public meetings we have about that.

Chair Romero-Wirth said she did not want this joint committee to be the place where we do public meetings on the pipeline specifically. There is money to do the meetings. There is nothing developed yet about how that will look, but that is not the purpose of the joint committee. The purpose is not to build support or derail the project. There was some confusion on that. It was more for us to have a baseline of information.

Mr. Pushard said that is a good point. At the start of the next meeting maybe the

Chairs need to set the basis for the meeting. There was a huge range of opinion about what this thing is. Setting the stage is important at the first of the next meeting. Getting to know each other and each others policies is what we are trying to do.

Chair Romero-Wirth said she wants to have another meeting fairly soon. She does think it is important to do something in March or April. It would also fit into the 5 year plan meetings. We need to dispel the notion that this is the group that will decide the pipeline.

Mr. Kirk said it would be helpful at the next meeting to ask each side to identify two or three or more areas where they believe they can work with the other side on specific issues. Then identify the two or three most important. It won't be the pipeline.

Mr. Pushard said the plan for the next meeting was to go over conservation efforts done by each side. We don't know enough about what either side is doing. We can do the demand side at the next meeting then come up with ideas. It is not a 100% of exchange of information until we have the demand meeting.

Mr. Kirk said for the County and Title 25 they have an Ordinance that says when the City declares a drought or emergency the County follows suit and follows the same regulations as the City.

Mr. Pushard said that is the point. We don't have a plan that would take effect unless there was a huge fire in the watershed. If we look at our disaster plan it is an empty suit. That is problematic. We have spent years trying to get attention on that issue. That is Chapter 25.

Mr. Bunton said if the two groups could agree on a six month or one year agenda and have some objectives that would be important.

Chair Romero-Wirth said we have two hours at these meetings and it is over very quickly. There is a lot of information to impart.

Mr. Bunton said the information sharing is important to continue.

9. DISCUSSION OF THE MAYOR'S WATER RATE TASK FORCE

Chair Romero-Wirth said in your packet is the information on this task force. It is pretty broad. A recent newspaper article talked about things this group may want to consider. What are your thoughts about what this kind of task force should be looking at.

Mr. Pushard said our success is the demise of the Water Division. All water agencies have the same problems. We don't think about it from a revenue impact to

the Water Division, but the more successful we are the less revenue goes to the Water Division. They are looking at rates and what they do to their operating revenues.

Chair Romero-Wirth said it is important to have an understanding of that.

Mr. Bunton said he would like to see comparative studies with other cities. This is a good opportunity to attack that myth that Santa Fe has the highest water rates. The other thing is if rates go up to make up for the declining infrastructure and that is part of the income that covers wastewater treatment if that forces people to use private wells that is a circle. There is a lot of misinformation about water rates in general. That is the first thing he would like to get out.

Mr. Coombe said there is a lot of language in the Ordinance that relates rates into the operational cost of the system. Do we know if the efficiency of the system is optimized at this point. Can we compare it to other cities.

Mr. Erdmann said we would love to see those comparisons. We believe one of the reasons our expenses so high is that we have a very complex system.

Mr. Coombe said cost efficiency is important if we are looking at rates which the Ordinance seems to imply.

Mr. Coombe said the ability of the distribution system to keep pace with needed repairs and replacements is important so you don't find yourself in a Flint situation.

Mr. Pushard said the stated completion date is not going to happen.

Chair Romero-Wirth said they are thinking the end of June. She brought that up. She agrees.

Mr. Pushard said they should not have a hard date that the task force ends.

Chair Romero-Wirth said it was already approved

Mr. Erdmann said there is no plan to extend lines to some areas. That is something for the rate task force to consider. How are we going to get lines out there and is it rate payer money that is going to fund that.

Mr. Kirk said he hopes they include capital expenditures the City is going to have for water and wastewater for the next ten years or more. Utilities across the county have undervalued their assets and have not raised rates to the extent that they needed, particular on the drinking water side. We need to set rates so that we have enough funds for the future.

Mr. Pushard said the power industry has had this problem for awhile. It behooves us to look at the power industry and see what the best models are as they have moved to higher percentages of renewable.

Ms. Randall said as a representative of a large community user she don't know how anyone is saying a penny and a half for a gallon of water to the tap is expensive. That is what we pay.

Mr. Michael said it applies to community users in tier 2 which are the highest rates in the country. Are the high rates effecting community businesses coming into the City or their effectiveness.

Mr. Roth said he has never heard that as a consideration.

Mr. Wiman said there is little in here about looking at other things going on like our 5 year conservation plan or the pipeline. He encourages them to consider those.

Mr. Roth asked will we have a seat at this table on this task force or are we reinventing the wheel.

Chair Romero-Wirth said it allows for three representatives at large residing within the municipal boundaries of the City. She will advocate for cross over. That is a great point.

Mr. Pushard asked is anyone willing to put their name forward to be on the task force.

Mr. Coombe volunteered.

Chair Romero-Wirth said we can also probably get a staff person as well. She will make a recommendation to the Mayor.

UPDATES FROM SUBCOMMITTEE GROUPS

10. 5 YEAR WATER CONSERVATION PLAN

Mr. Wiman said we have the informational meeting at Genoveva Chavez on March 2nd from 10:00 am to 2:00 pm. The title is Climate Change, Water and Resiliency: Envisioning the Future of the Community. This will be a kick off to the Five Year Plan. It will be a four hour session with a lot of information and time for questions. It will be done primarily by Christine and Andrew with a slide presentation. We will also announce the four public input meetings to be held out in the districts. There will be four different topics. ICI, Residents, Business and Climate change. This is a good time to formally invite County participation by inviting their committee to attend. Andrew is

working on a FAQ sheet that will include a map of the water system. It will be posted on the website. You will start to see advertising on this soon. We think we will have a large attendance. We will set the stage up-front. It will be fast paced. He suggested getting a moderator, but it was decided not to do that. He thinks this will be an excellent meeting.

Chair Romero-Wirth said she hopes the publicity is coming soon.

11. BUILT ENVIRONMENT

Mr. Carlson said we met twice, two hours each time. We are trying to set some programs, three different ones, including the neighborhood pilot, the water bank and incentivising development in zoning. Melissia McDonald came and talked about the neighborhood pilot. We tried to come up with what neighborhood that would be. We are looking for a pilot program to look at water budgets and how to reduce the amount of water. We are trying to lower the Water Efficiency Rating Score (WER) score from 70 to 65. Kathryn from Land Use came to the second one and we talked about the water bank and incentivising.

Mr. Roth said we talked about the WERs program.

Ms. Randall said at Santa Fe High in the student parking area water dumps into the arroyo there. That is when we don't have 40 year storm events. We are looking for ways to mitigate that destruction and reduce our heat island and bring that learning opportunity into classroom. They are going to do rain gardens in that parking lot and tier them down. The students will work with Aaron Kaufman and others to do the planning and greenscape and part of the planting and integrate that information into the classroom. There is already funding to do the dig out and concrete work.

Mr. Roth said a lot of this came out of looking at different water resources and ways to utilize them. We are looking for a community to capture it before it gets to the street. Keeping the water on the property at the source is critical.

Mr. Bunton asked have you looked at permeable pavement.

Ms. Randall said yes, it is a hard sell. There are various issues. We keep bringing it up.

Mr. Coombe asked who are the students.

Ms. Randall said the environmental class and any students or schools who want to be involved.

Mr. Coombe said this is a real opportunity.

Ms. Randall said it is a proof of concept for other schools.

Mr. Roth said it is part of what the Sustainable Santa Fe Plan wanted. Lisa's project fits right in. He would still like to find a neighborhood to do this in.

Chair Romero-Wirth said she encourages this committee to make contact with the Mayor's new neighborhood position. It seem like something to have them on top of.

Ms. Schruben asked what kind of neighborhood are you looking for.

Mr. Erdmann said we have had a lot of discussion about this. Lots of criteria has been talked bout.

Ms. Schruben said our neighborhood meets all those things. We suffer from the run off from the highschool.

Mr. Roth said we had a presentation on the water bank. It involved talking to Kathryn about the green code update coming into effect for multifamily units. We talked about being ripe for reexamining what the allotment per house is.

Mr. Erdmann said the 70 original WERS was calculated on the water bank. As they are talking about tightening up WERS maybe we should be looking at recalculating how water bank numbers are calculated.

Mr. Roth said the issue of the money generated and trying to earmark some of that for public works projects is something he is interested in.

Mr. Erdmann said the water bank makes money. Right now 100% is earmarked for purchasing water rights downstream on the Rio Grande for offsets. It takes five years to transfer water rights. We talked about trying to take a portion of that money to pursue a conservation project or community gardens. We could try to do something like that so the water the community is saving is used to benefit them.

Mr. Roth said instead of fueling development allowing us to develop without expanding our total footprint of water use as a City.

Mr. Pushard said we are one of the few cities in the United States that requires water brought to the table for development.

Mr. Erdmann said new projects should be able to expand, but we have such aggressive conservation efforts that we are more than compensating for any deficiencies.

Mr. Pushard said the development community is bearing the brunt of this policy. Wherever we can bring something other than development to the table would be a good

thing to do. Our water demand is not going up. It is an amazing feat. It is because of policies and water conservation efforts. That wheel that has momentum.

Mr. Michael asked is there any way to convert that money in the water bank back into water.

Mr. Erdmann said the difficulty is that is counter to our principle to use our surface water first. It becomes a larger policy question. It is a good practice to preserve ground water.

Mr. Pushard said yes, we could do that by building a small treatment plant downtown. We are not pumping water to the other end of town and you have a live river, but we are going to have less water at the treatment plant that way.

Mr. Carlson said Christine invited Kathryn Mortimer to our next meeting of the Water Conservation Committee.

Mr. Erdmann said Eli Issacson is willing to come speak to us about trends in permits and Land Use. Would that be something everyone would be interested in.

Everyone said yes.

Chair Romero-Wirth said maybe at the next meeting.

12. ICI UPDATE

Mr. Pushard said we have not met. We need to meet to have a Resolution prepared for this Committee to look at to take forward. We need to get the commercial Resolution moving. We need to make a couple of changes and will send it to Mr. Bunton, who originally drafted it, to make the changes. We will then bring it to this Committee at the next meeting for your review.

13. MATTERS FROM THE PUBLIC

Mr. Otto said our Love Your River Day was successful due to the participation of 140 volunteers. We are also working on grants for Lisa.

14. MATTERS FROM STAFF

Mr. Pacheco said it would be great to be on the same page with the County on drought restrictions and enforcement in the County. We are restricted to the City. We refer the County folks to the Office of the State Engineer.

Chair Romero-Wirth said maybe we can bring that to the next joint meeting.

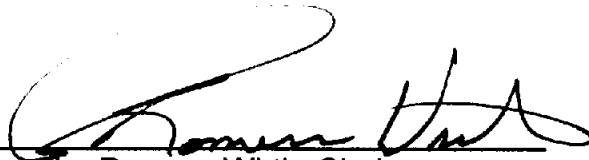
15. MATTERS FROM THE COMMITTEE


Mr. Kirk said he attended the National Association of Clean Water last week in Albuquerque. The new Secretary of the Environment for the State spoke and said we are all in the public health business. It was chaired by Mark Sanchez who is the head of the Albuquerque Water Authority and the Interstate Stream Commission. It was a great meeting.

**16. NEXT MEETING
MARCH 12, 2019**

17. ADJOURN

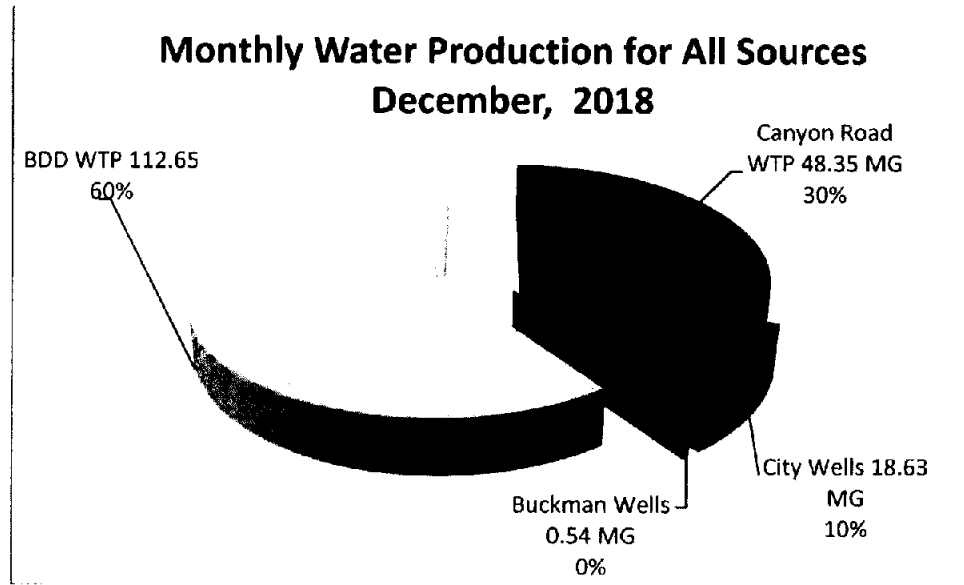
There being no further business before the Committee the meeting adjourned at 5:40 pm.



Councilor Romero-Wirth, Chair

Elizabeth Martin, Stenographer

**City of Santa Fe, Source of Supply Section
Water Production, Environment, Drought/Monsoon, ESA, and Storage Update**



Total Production of System

Sum: 187.97 MG million gallons (MG)

Daily Average Production: 6.06 MGD

Reservoir Storage Levels as of January 21, 2019:

McClure: 45.6% or 484.2 MG

Nichols: 60.9% or 131.6 MG

Combined: 48.2% or 616.8 MG

Santa Fe River Flow:

Below Nichols (Living River Flows): 0.30 cfs

Streamflow at Gage below Nichols: 0.45 cfs (Actual including Living River Flows)

Above McClure (Reservoir Inflow): 1.90 cfs

Snow Reports

(See Attached Reports for Santa Fe SNOTEL and Elk Cabin SNOTEL)

Water/Environment Update

The Fourth Quarter Remediation, Operation and Maintenance Report received by NMED for the College Plaza South Voluntary Remediation Program Site (Site) on December 17, 2018 indicated an overall decreasing trend in soil-vapor contaminant concentrations. However, it still appears the extent of CVOC impact soil vapor and groundwater has not been fully delineated towards the south of the Site in the direction of the former SF University of Art and Design (SFUAD). In consultation with the City with respect to its concerns, NMED has required that an amended work plan be submitted by the Voluntary Remediation Program (VRP) applicant for the College Plaza South property. Additional soil vapor monitoring points were specifically requested to determine possible migration in a manner that could adversely impact the City's property and use of City-owned buildings

Exhibit 1¹

near the SFUAD property boundary with College Plaza. The necessary revisions to address these concerns will be formalized in an amended work plan submitted by the VRP applicant to NMED, no later than February 7th, for review and approval under Voluntary Remediation Program requirements. City staff will continue to closely coordinate with NMED on the investigation and remediation.

The New Mexico Environment Department (NMED), through its Petroleum Storage Tank Bureau (PSTB) has requested proposals from qualified firms to provide professional environmental consulting to conduct investigation and remediation activities at the Santa Fe County Judicial Complex Site, in accordance with the Petroleum Storage Tank Regulations at 20.5 NMAC. The property comprising the site includes the Santa Fe County Judicial Complex and District Attorney Building, and surrounding office and retail buildings. Although the courthouse has been the subject of various remediation efforts since 2009, additional active remediation is necessary in several areas where contaminant concentrations are elevated to the degree that natural attenuation will not reduce concentrations in a reasonable timeframe. In addition, further petroleum vapor intrusion assessment may need to be performed within the County District Attorney Building in the future. City of Santa Fe environmental staff continues to coordinate with NMED with respect to their efforts at this site.

An RFP for further investigation of the Ortiz and Paseo de Vista Landfills closed on January 10, 2019. Bids were sought from qualified firms to conduct groundwater monitoring, soil vapor monitoring and other environmental and engineering services for its closed landfill sites – the Former Frank Ortiz Landfill and the Paeo de Vista Landfill. The Former Frank Ortiz Landfill is regulated under a Stage 1 Abatement Plan that is administered by the NMED Ground Water Quality Bureau. The Paeo de Vista Landfill is regulated under NMED Solid Waste Management Regulations (SWMR). Submitted RFP proposals have been ranked by the Water Division and Environmental Services Division and sent to the Purchasing Office for approval of an award.

A recently introduced piece of legislation, House Bill 220 (HB 220) amends the New Mexico Water Quality Act to change where the effect of a discharge to ground or surface water is to be determined. It also applies state and federal ground water standards throughout the aquifer. The Bill requires that a “discharge's effect on ground water shall be determined at the place where the discharge enters ground water”. According to a preliminary analysis if the Bill made by the NMED, the requirement that a “discharge's effect on ground water be determined only at the place where the discharge enters ground water” may be technically inappropriate for numerous reasons. Environmental staff is reviewing the possible implications of House Bill (HB) 220 with respect to discharges made by the City of Santa Fe and discharges from other sources which could affect the City, its properties, and its groundwater supplies.

Resolution 2018-19 prepared/adopted by the New Mexico Municipal League (NMML) and submitted this year to the NM State Legislature calls for creation of a State Cleanup Fund in order to provide State funding and support in assisting municipalities address orphaned and other contaminated sites within their municipal boundaries. Any proposed legislation arising as a result of this NMML Resolution could provide significant benefit to the City of Santa Fe with respect to several groundwater contamination sites within its municipal boundaries.

EPA released a new proposed Clean Water Rule in early December that will clarify which waters are treated as jurisdictional, or Waters of the United States (WOTUS), under the federal Clean Water Act (CWA). This proposal repeals the previous 2015 WOTUS Rule, adopted under the Obama Administration, and issues a new one. The proposed rule reverses the 2015 definition of Waters of the United States (WOTUS) and eliminates pre-2015 protections for ephemeral waters and “isolated waters” which are separated from navigable waterways such as the Rio Grande. The proposed rule could remove federal protections for the Santa Fe River and its watershed under the CWA. Staff has reviewed the new rule and is preparing comments for future review and consideration by the governing body. Posting of the new rule in the Federal Register and the initiation of the 60 day public comment period was expected before the end of 2018 but has been delayed due to the shutdown of the federal government. Efforts to post the new rule are expected soon after the shutdown of the federal government has

ended since this revision of the previous rule has been labelled as an “extreme priority” of the current Administration.

Drought/Monsoon, Storage, and ESA Update.

NOAA has recently (1/19/18) updated ENSO (El Nino/La Niña) status to:

“There is an El Niño effect in the Northern Hemisphere, and likely to remain through winter 2018-19.”

Heron, Abiquiu, and El Vado reservoir levels on the Chama River are declining, but good spring runoff is expected. Runoff for this year is far below normal due to previous drought conditions. Local Upper Santa Fe River reservoir storage volume is slowly increasing (about 54% full). The City has received over 90% delivery from BoR of full firm-yield of San Juan-Chama Project (SJCP) water so far for year 2018. Updates on ESA issues will be made as needed. Rio Grande Compact Article VII storage restrictions are in effect, which means the City is not allowed to impound “native” runoff into Nichols and McClure Reservoirs above the pre-Compact pool of 1,061 acre-feet (AF). Updates to this condition will be made as needed; however, Article VII is expected to stay in effect for the foreseeable future.

Most Current City of Santa Fe SJCP Reservoir Storage:

Heron:

9,583 AF.

El Vado:

0 AF

Abiquiu:

5,310 AF. SJCP carryover from previous years, plus deliveries from 2018. No time limit to vacate due to storage agreement with ABCWUA.

TOTAL:

14,893 AF



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Santa Fe (922)

New Mexico SNOTEL Site - 11445 ft

Reporting Frequency: Daily; Date Range: 2019-01-17 to 2019-01-24

(As of: Thu Jan 24 12:04:03 GMT-08:00 2019)

Provisional data, subject to revision

Date	Snow Water Equivalent (in) Start of Day Values	Snow Depth (in) Start of Day Values	Precipitation Accumulation (in) Start of Day Values	Air Temperature Observed (degF) Start of Day Values	Air Temperature Maximum (degF)	Air Temperature Minimum (degF)	Air Temperature Average (degF)
2019-01-17	8.9	37	11.1	20	33	20	26
2019-01-18	9.0	37	11.2	24	25	13	19
2019-01-19	10.1	44	12.3	13	31	11	21
2019-01-20	10.2	42	12.4	31	38	29	33
2019-01-21	10.2	41	12.4	29	34	10	26
2019-01-22	10.1	41	12.4	10	18	7	12
2019-01-23	10.4		12.4	11	22	8	14
2019-01-24	10.4	46	12.4	12			

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(As of: Thu Jan 24 11:37:38 GMT-08:00 2019)

Provisional data, subject to revision

Date	Snow Water Equivalent (in) Start of Day Values	Snow Depth (in) Start of Day Values	Precipitation Accumulation (in) Start of Day Values	Air Temperature Observed (degF) Start of Day Values	Air Temperature Maximum (degF)	Air Temperature Minimum (degF)	Air Temperature Average (degF)
2019-01-17	2.6	7	7.6	33	47	24	35
2019-01-18	2.5	6	7.6	35	35	17	30
2019-01-19	3.0	10	8.1	19	43	14	28
2019-01-20	3.0	10	8.1	23	52	20	34
2019-01-21	3.0	9	8.1	28	47	26	36
2019-01-22	3.1	8	8.1	26	28	20	24
2019-01-23	3.1		8.3	23	36	9	24
2019-01-24	3.2	10	8.3	26			

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1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2019-10**

3 **INTRODUCED BY:**

4
5 Mayor Alan M. Webber

6 Councilor Peter N. Ives

7 Councilor Carol Romero-Wirth

8
9
10 **A RESOLUTION**

11 **ESTABLISHING THE FORWARD LOOK ON WATER TASK FORCE TO EVALAUTE**
12 **THE CURRENT WATER RATE STRUCTURE TO ENSURE THE RATE STRUCTURE**
13 **SUPPORTS CAPITAL AND OPERATIONAL COSTS OF THE WATER UTILITY AND**
14 **THAT THOSE COSTS ARE DISTRUBUTED BETWEEN RATE CLASSIFICATIONS**
15 **THAT ALIGN WITH THE OVERALL VISION AND MISSION OF THE UTILITY AND**
16 **THE CITY OF SANTA FE.**

17
18 **WHEREAS**, the Water Division, in order to successfully operate, requires stable and
19 sufficient revenues; and

20 **WHEREAS**, the Water Division rate structure was last analyzed in 2008; and

21 **WHEREAS**, the Water Division's cost of service study was completed in 2018; and

22 **WHEREAS**, the information provided for the cost of service study should be used to
23 evaluate the Water Division's rate structure; and

24 **WHEREAS**, the Governing Body wishes to determine the appropriate distribution of
25 cost of service to rate classifications in a way that supports the vision of the Utility and the City

1 of Santa Fe.

2 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
3 **CITY OF SANTA FE (“City”)** that the Governing Body hereby creates a Water Rate Structure
4 Evaluation Task Force.

5 **Section 1. NAME:** The task force shall be called the Forward Look on Water Task
6 Force (“FLOW Task Force”).

7 **Section 2. PURPOSE:** To review the current water rate structure and examine how
8 capital and operating cost are distributed between rate classes (e.g., residential, commercial,
9 irrigation, and fire service). The Task Force shall also assess whether the current structure
10 supports the values and vision of the utility and the City and make recommendations as needed to
11 support that vision, including water utilization, conservation, and other sustainability programs.

12 **Section 3. DUTIES AND RESPOSIBILITIES:** The FLOW Task Force shall
13 complete an evaluation of the water rate structure and develop and recommendations within six
14 months of its first meeting. The rate structure evaluation shall encompass the following three major
15 components:

- 16 1. the Water Division’s overall revenue requirements and financial plan;
- 17 2. the cost-of-service for each customer class; and
- 18 3. the rate structure design.

19 These components reflect general industry standard cost-of-service methodologies and are
20 intended to address general requirements for equity, sustainability, and fairness.

21 **Section 4. MEMBERSHIP; OFFICERS; TERMS**

22 A. *Membership.* The FLOW Task Force shall consist of seven members appointed
23 by the Mayor with the approval of the Governing Body. The FLOW Task Force will be
24 comprised of two representatives of the City of Santa Fe’s Governing Body, two representatives
25 from the City of Santa Fe’s Public Utilities Department, and three representatives at large who

1 reside within the municipal boundaries of the City.

2 B. *Officers.* The Mayor shall appoint the chairperson. The chairperson shall
3 appoint a vice chairperson.

4 C. *Terms.* Members shall serve until they complete their duties and responsibilities
5 as set forth above or until December 31, 2019, whichever comes first.

6 D. *Compensation.* Members shall serve without compensation.

7 **Section 5. VACANCIES:** Vacancies on the FLOW Task Force shall be filled in the
8 same manner as initial appointments.

9 **Section 6. MEETINGS; DURATION:** The FLOW Task Force shall conduct a
10 series of work sessions and shall report its recommendations to the Public Utilities Committee
11 and the Governing Body in accordance with the Open Meetings Act. Unless further extended by
12 the Governing Body, the FLOW Task Force meetings shall conclude by December 31, 2019.

13 **Section 7. STAFF LIAISON:** Public Utilities Department staff shall serve as the
14 liaisons to the FLOW Task Force.

15 PASSED, APPROVED, AND ADOPTED this 30th day of January, 2019.

16
17
18 _____
19 ALAN M. WEBBER, MAYOR

20 ATTEST:

21
22 _____
23 YOLANDA Y. VIGIL, CITY CLERK
24
25

1 APPROVED AS TO FORM:

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3

4 ERIN K. McSHERRY, CITY ATTORNEY

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25 *M/Legislation/Resolutions 2019/2019-10 Forward Look on Water Task Force*