

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

2 **RESOLUTION NO. 2010-15**

3 **INTRODUCED BY:**

4 **Mayor Coss**

5 **Councilor Calvert**

6 **Councilor Romero**

7 **Councilor Trujillo**

8 **Councilor Wurzbarger**

9 **Councilor Bushee**

10 **A RESOLUTION**

11 **AUTHORIZING THE CITY OF SANTA FE TO SUPPORT A LIVING SANTA FE**  
12 **RIVER BY ALLOWING WATER TO BYPASS McCLURE AND NICHOLS**  
13 **RESERVOIRS IN 2010.**

14  
15 **WHEREAS**, the origin of the City of Santa Fe was due to the existence of the Santa Fe  
16 River, and the subsequent history of Santa Fe, the development of the City's unique culture, and  
17 the development of tourism in Santa Fe depended on the River; and

18 **WHEREAS**, there is widespread community support to revive the Santa Fe River for  
19 recreation, wildlife habitat; and

20 **WHEREAS**, in order to provide for the water supply needs of the Santa Fe community,  
21 the majority of the water from Santa Fe River upper watershed has recently been captured in the  
22 McClure and Nichols Reservoirs; and

23 **WHEREAS**, the community has many events planned in 2010 that would benefit from a  
24 flowing river, such as commUNITY days, the Santa Fe River Festival and Fishing Derby on June  
25 5th, 2010, the Santa Fe 400th Anniversary celebrations, the numerous blessings of the River such

1 as San Isidro feast day celebrations in Agua Fria Village and at Cristo Rey Church, Spanish  
2 Market, Indian Market, and Fiestas; and

3 **WHEREAS**, a flowing river supports an ecosystem for aquatic organisms and riparian  
4 habitat for wildlife; and

5 **WHEREAS**, a flowing river supports plant communities that protect the river channel,  
6 stabilize the banks, inhibit erosion, and help reduce potential property damage from floods; and

7 **WHEREAS**, a flowing river makes possible riparian systems that provide a natural  
8 cleansing system to remove toxins and other pollutants from storm water that flows into the Santa  
9 Fe River; and

10 **WHEREAS**, a flowing river contributes to aquifer recharge; and

11 **WHEREAS**, a flowing river creates a peaceful retreat from the hurried pace of city life  
12 and environmental education opportunities for people of all ages; and

13 **WHEREAS**, the City of Santa Fe and Santa Fe County are developing a continuous  
14 system of trails, parks, and open space along the river corridor from its upper reaches to NM 599  
15 to provide new recreational opportunities and transportation alternatives for residents and visitors;  
16 and

17 **WHEREAS**, the river water bypassed in 2010 will provide the environmental flow  
18 committee of the Santa Fe River Commission the opportunity to collect necessary physical,  
19 biological, chemical, and ecological data and measurements on and along the river to assist in  
20 understanding the river system; and

21 **WHEREAS**, the City desires to protect the Santa Fe River as the northernmost segment  
22 of the historic, international route of El Camino Real del Tierra Adentro between Ciudad Mexico  
23 and Santa Fe; and

24 **WHEREAS**, the conservation efforts of the Santa Fe community have resulted in  
25 significantly less water use every year since 2001, with the gallon per capita per person demand

1 going from 168 gpcpd in 1995 to below 110 gpcpd in 2007 - 2009 ; and

2       **WHEREAS**, the Santa Fe River currently provides up to 50% of the City's potable water  
3 supply needs; and

4       **WHEREAS**, allowing surface water to bypass the City's reservoir so that it flows in the  
5 river may require additional groundwater pumping to supplement surface water for the City's  
6 water supply; and

7       **WHEREAS**, the Buckman Direct Diversion Project, which upon completion will provide  
8 a significant building block toward the City of Santa Fe's vision for a living river as well as a  
9 safe, reliable, and sustainable drinking water supply, is more than half way complete; and

10       **WHEREAS**, the City has perfected its water right under License 1677 (as issued by the  
11 State Engineer) and fully intends to continue to put that water to beneficial use, and the enactment  
12 of this resolution will not adversely affect the City's water right under License 1677; and

13       **WHEREAS**, the City finds that actions resolved in this resolution are beneficial to the  
14 City and consistent with its municipal purposes; and

15       **WHEREAS**, nothing under this resolution will cause the City to operate the municipal  
16 water utility in a way that is inconsistent with any local, state or federal rules, regulations, or  
17 laws; and

18       **WHEREAS**, releases will be made as necessary by the municipal water utility for  
19 reservoir flood management; and

20       **WHEREAS**, information regarding reservoir releases, quantity of water bypassing the  
21 reservoirs, reservoir levels, water use, and stream flow will be made available to the public via  
22 the City's web page as it becomes available.

23       **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
24 **CITY OF SANTA FE that:**

- 25       1.       Based on the April 15, 2010 forecasted yield of the Santa Fe River watershed at

1 the 'above McClure' stream gage, the City shall allow a total of 800 acre-feet of water to bypass  
2 Nichols Reservoir if the yield is projected to be greater than 125% of average yield, a total of 700  
3 acre-feet of water to bypass Nichols Reservoir if the yield is projected to be between 75% to  
4 125% of average yield, or 500 acre-feet if the yield is projected to be less than 75% of the average  
5 yield.

6 2. Beginning April 1, 2010, the City shall allow water to bypass Nichols Reservoir  
7 through September 12, 2010, provided that a) the outflow does not exceed the quantity allotted in  
8 Section 1, b) the outflow does not exceed inflow rates above McClure Reservoir (as measured at  
9 the above-McClure USGS stream gage), c) the water stored in the combined municipal reservoirs  
10 will be at least 40% by the end of 2010, and d) the outflow will not hinder the City's ability to  
11 meet its water delivery obligations to Acequia Madre and Acequia Cerro Gordo as defined in the  
12 July 5, 1990 Court Order in Case No. 43347. The targets may be reduced by the Water Division  
13 if precipitation events provide flow to the Santa Fe River below Nichols Reservoir to meet Target  
14 Flow Rates.

15 3. Unless otherwise specified, the Target Flow Rate shall be at least 2 cubic feet per  
16 second (cfs). However, depending upon hydrologic conditions in the summer, the River  
17 Commission may recommend altering the flow rate to a pulse pattern designed to maximize  
18 vegetative health in the reaches of the river downstream of St. Francis Drive and to provide a  
19 flowing river to communities throughout Santa Fe.

20 4. Beginning on May 10th, 2010, the City's Water Division shall endeavor to meet  
21 the following bypass Target Flow Rates to mimic a natural spring runoff and to accommodate the  
22 water needs of the Fishing Derby:

May 10th-May 21st	3 cfs
May 21st-May 27th	7 cfs
May 27th-June 7th	4 cfs

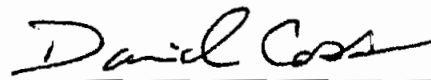
June 7th- June 11<sup>th</sup>

3 cfs

5. City staff shall provide monthly updates to the River Commission and monthly updates to the Public Utilities Committee on the rates and volume of water bypassed, reservoir status, and water supply projections.

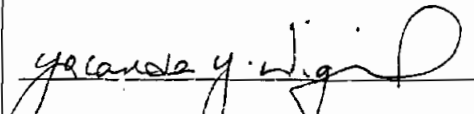
6. The Water Division shall regulate the bypass flows, which regulation may include reducing or eliminating, the bypass flows as necessary for operational or emergency reasons.

PASSED, APPROVED, and ADOPTED this 31<sup>st</sup> day of March, 2010.

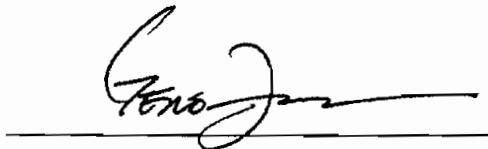


DAVID COSS, MAYOR

ATTEST:

  
YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



GENO ZAMORA, CITY ATTORNEY