



# Agenda

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**SANTA FE RIVER COMMISSION**  
**Tuesday, October 18, 2011, 6:00 – 8:00 p.m.**  
**City Councilors' Conference Room**  
**City Hall, 200 Lincoln Avenue**

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES FROM - August 16, 2011
4. DISCUSSION/ACTION ITEMS
  - a. Discussion: Review of the Drafts for the Ordinance and the Administrative Procedures for the City of Santa Fe's Commitment to Bypass Target Flows in the Santa Fe River Below Nichols Reservoir. (Brian Drypolcher)
  - b. Discussion: Regarding Commissioner John Buchser's Recommendations Regarding Measuring/Metering of River Flows and Acequia Diversions at Various Key Locations. (John Buchser)
5. MATTERS FROM COMMISSIONERS, MATTERS FROM SUB-COMMITTEES
6. MATTERS FROM STAFF
7. CITIZENS COMMUNICATION FROM THE FLOOR

ADJOURN

**Persons with disabilities in need of accommodation, contact the City Clerk's office at 955-6520, five (5) working days prior to meeting date. For questions regarding this agenda, please contact Brian Drypolcher at 955-6840.**

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Topic	Action	Page #
Call To Order/Roll Call	Chair Jacobi called the meeting to order at 6:00 pm, Roll call constitutes a quorum, two excused absences.	2
Approval of Agenda	Commissioner Buchser moved to approve the agenda as presented, second by Commissioner Ellenberg, motion carried by unanimous voice vote	2
Approval of Minutes	Commissioner Ellenberg moved to approve the minutes as amended, seconded by Commissioner Cutropia, motion carried by unanimous voice vote	2
Discussion Items a. Review of the Drafts for the Ordinance and the administrative Procedures for the City of Santa Fe's commitment to Bypass Target Flows in the Santa Fe River below Nichols Reservoir. b. Regarding Commissioner John Buchser's Recommendations Re: Measuring/Metering of River flows and acequias Diversions at various Key Locations.	Informational, no formal action taken.  Informational, no formal action taken	2-8
Matters from Commissioners, Matters from Sub-Committees	Informational	8
Matters from Staff	Informational	8
Citizens Communication from the Floor	Introduction of Rachel, a Volunteer from Americore	9
Adjournment	Commissioner Ellenberg moved to adjourn at 7:25 pm, second by Commissioner Bove, motion carried by unanimous voice vote.	9

**SANTA FE RIVER COMMISSION**  
**October 18, 2011**  
**MINUTES**

**1. ROLL CALL**

Present:

Jerry Jacobi  
Phillip J. Bove  
John R. Buchser  
Jim Cutropia  
Melinda Romero-Pike  
Richard Ellenberg

Excused:

Dale Doremus  
Samuel Gerberding

Others Present:

Brian Drypolcher – Staff Liaison  
Claudia Borchert  
Rick Carpenter, Water Resources and Conservation Manager

**2. APPROVAL OF AGENDA**

*Commissioner Buchser moved to approve the agenda as presented, seconded by Commissioner Ellenberg, motion passed by unanimous voice vote.*

**3. APPROVAL OF MINUTES**

Chair requests a change to page 4, midway, to insert the word “young” between “eat” and “beavers”.

*Commissioner Ellenberg moved to approve the minutes as amended, seconded by Commissioner Cutropia, motion passed by unanimous voice vote.*

**4. DISCUSSION/ACTION ITEMS**

- a. Discussion: Review of the Drafts for the Ordinance and the Administrative Procedures for the city of Santa Fe’s Commitment to Bypass Target Flows in the Santa Fe River below Nichols Reservoir. (Brian Drypolcher)

Mr. Drypolcher informed the committee that they are moving slowly on the administrative procedures. It is believed that it is not in the best interest of the committee to bring this forward to the council for consideration in a drought year. The additional time provides the opportunity to demonstrate that this is a prudent

approach. Therefore, it is believed that this is a practical consideration in holding off – we have not put the water supply portfolio at dire risk.

Mr. Drypolcher also reported that a draft of the bill has been circulated as well as the administrative procedures. There has been another opportunity for another round of internal staff review. We have language regarding the target purpose, ideas for you to look at and consider, comment and work on the draft.

Chair Jacobi: When will this get to counsel?

Mr. Drypolcher: Reports that he will need to check with the Mayor to determine the timeline. In addition to bill and administrative procedures a resolution will need to be included. Would like to request legislative office to draft the resolution that builds the bridge between the ordinance and the administrative procedures. That would require another round and we would then send these documents to legislative liaison office to tune them up.

Chair Jacobi: Points out that they have five months if they want to get this done before an election.

Commissioner Ellenberg: Suggests that the Water Shed Commission ask all candidates about their commitment to this. This is a very good time to get candidates to say they are in support. That will give us an alternative head count if needed. Questions why the historical average referred to in the administrative procedures used the dates between 1914 and 2007 and not more current.

Mr. Drypolcher: I will follow up with Claudia and Allan on that.

Commissioner Ellenberg: Section 4.10.1 states “shall account quarterly for the volume of water released per target year at the below Nichols gage using the assumption that all water passing the gage has either been discharged under or. No. xxx, spilled or released.” What was the concern that caused that language to be included?

Mr. Drypolcher: I can only speculate – it doesn’t account for – in this case given the location of the gage – that bit of rainfall outside the area.

Ms. Borchert: This is already outdated – we need to look at this and reconsider what it should say. We probably won’t be measuring there anymore. The below Nichols gage will only count water coming out of the dam – not spilled.

Commissioner Ellenberg: It will be surplus language and not be a problem.

Mr. Drypolcher: Right.

Ms. Borchert: It will be a meter that can measure flow – chugging along.

Commissioner Cutropia: Why they would have said this? Isn't the bypass in addition to any spill that takes place or any other releases?

Commissioner Ellenberg: Not quite.

Commissioner Cutropia: Weren't we supposed to get 1000 feet of bypass.

Commissioner Ellenberg: In high years – and 50 acre feet went over and the County gets 10 acre feet for the purpose of conserving more water in the reservoir for future years and uses. We would be getting more than 1000 feet.

Chair Jacobi: So we have some homework looking at this further.

Mr. Drypolcher: Do the Commissioners want more time to look at this and comment or is it ready to move from commission to its next step.

Commissioner Ellenberg: We need the resolution - so we will look at it again with resolution. There are areas that state "needs to be added" so it should come back once more.

Commissioner Buchser: The sooner the better.

Commissioner Bove: It will go to staff and then come back. When it gets done by the legislative liaison we can look at it again.

Commissioner Ellenberg: At the next meeting we should be finished with it.

Commissioner Buchser: It looks nice. All the things that are relevant are addressed.

Mr. Drypolcher: Would anyone feel inspired to write first draft of introduction?

Chair Jacobi: Let's move on.

Commissioner Bove: On page 3 of the ordinance – I believe more people will see this than the Administrative Procedures – should we be more specific in the definition of "release" in respect to "bypass"? Some people might misinterpret that as a release of our water right in the reservoir. Every time we talk about a release we are talking about bypass flows. We might want to make that clear.

Commissioner Ellenberg: You want to change release to bypass?

Commissioner Bove: Just make clear we are talking about bypass water and no other type of water.

Mr. Drypolcher: Our water attorney is pretty hypersensitive to whatever might be problematic interpretation of the word release and he is comfortable with the language.

Also, this meant that there might be other water released other than target flows that are not necessarily wetted or constrained by the bypass concept. Reservoir management for flood control, for example, needs to be wetted to bypass. Water out shall not exceed water in. If you are a reservoir manager and you see that water will be coming down you would release in excess of whatever you are taking in.

Ms. Borchert: I found three places that we can slip bypass in and maybe it is a good point that it got lost here. In our attempt to be so – by inserting in those places we capture the idea that got lost. In line 3, page 3 we could put bypass after ‘acre, acre of bypass water in SF River” line 8 we could put in to insure that a bypass target flow of 1,000 acre feet ... see some places we could put in there. We should ask Marcos if it is necessary or causes other problems we have not thought of. Line 14 “daily bypass flow target” think of it as a term that gets linked with target flow.

Chair Jacobi: We use “release” four times in next sentence.

Commissioner Bove: In reference to the title of the ordinance – and we are talking about using bypass water – we need to make clear what we are trying to do.

Ms. Borchert: Maybe we should put in a definition for bypass water.

Chair Jacobi: There being no further discussion we will move on to the next item.

- b. Discussion: Regarding Commissioner John Buchser Recommendation Regarding Measuring/Metering of River Flows and Acequia Diversions at Various Key Locations. (John Buchser)

Commissioner Buchser: I have had a couple conversations with water geeks and my thought process is it would be nice to look at information online. I will pass what the State Engineer has put on line (includes lots of gages). There are two areas of gauging that come to mind – river gauging and ditch gauging. I believe for river gauging we use the St. Francis gage or the Ricardo Road gage. With extremely low flows you cannot measure what is coming out of reservoirs very accurately. If there is an overflow situation it would be nice to measure. The gage just above St. Francis could be automated to provide more frequent readings (now monthly). There should be additional gages down the river (near sewage plant and wetlands). It may be troublesome because it is county property – but city water – so I am not sure what issues there may be there. Right now if there is water in the river anyone on an acre can take three acre feet per acre. Santa Fe is not adjudicated and I believe that all the ditches that are still in use have water rights way senior to most things. There is no way for us to control what the acequias take. There is a desire to play the game in a fair way. There is no desire from the acequias to take a bunch of water but there is nothing to stop them from doing so. Members of the public say they don’t trust the acequias. It seemed like actually being able to say we can point them to a website and they can see readings from all the ditches would help. The OSE can order the metering- it would be up to the acequia to pay for that. In this situation there is no contention over the water.

It is no longer being used for agriculture so compared to other acequias in the state that is not the case. The OSE has no reason to be ordering installation of the metering. The acequias themselves could put in a meter and it could be simple like Acequia Madre. In order to be useful to the community you need to know how much continues down the river. Two gauges entering and exiting so you can compare what has been soaked up and what has gone to the acequia. Another option is to put a gauge above and below the acequia. The City could ask that that this is done but probably could not pay for them to install the gauge (anti donation clause).

I was trying to get a feel for how many acres are in play here. I am not sure if there is any value to reviewing their records. The goal is to make this available to the public – there is currently nothing for real time monitoring. We don't want the public getting into the City control system for waterworks. This would need to be independent. The OSE may be open to letting the city use their webpage and add on a few gauges in the city.

I have a couple questions: Is there support for trying to have more measurement? How much might the cost be? I have a notion that the costs can vary quite a lot depending on what we are trying to do. If we are trying to automate it could be very low because you are not particularly worried about the meter location like you would on a river. It is just a flow going through a known sized channel and you calibrate for different flows and transmit that information out. There is not a lot of technology involved in doing it. Options include: train kids on how to measure, complicated math but they could get the basics and measure; you could get a grant as a training opportunity for kids. There may be other thoughts on potential of money, resources and what the interest of the data is.

Commissioner Bove: This is a difficult thing. An investment of \$10,000 is a lot of money. We run a budget of approximately \$5,000 every year which is just for maintaining the ditch. Some of these types of apparatus require maintenance. The upper end of Acequia Madre we take releases once a week. The other six days – the only time the meter would be in operation is limited. It would be dry. There is some problem with it not being in use. If it sits you will have maintenance problem. A Pen register was looked at and one thing mentioned was – you have to visit the thing and change the disk – for the acequias this would possibly be a headache. When we take our releases it is measured and we have documentation of what it is.

Commissioner Ellenberg: There are a couple of issues we will need to address – what are the devices out there and what do they cost and would they give us the measurements you are talking about. You have to consider the amount of water you lose between farms. You cannot just measure how much goes in at a given point and then compare it to that figure. You would have to measure each different user's property to get a legal measure. There would need to be an understanding of what is going to be done and why. Most acequias are happy to have information available. As we put these 1,000 acre feet into the river the acequias will have to deal with this information.

Commissioner Buchser: Someone higher on the ditch can take more water with less hassle. It is the traditional problem we have had for 100s of years.

Commissioner Bove: The person who does not get as much water squeaks. There are occasions that I have gone out and shut somebody's gate because they are taking all the water. People know how to take care of it themselves. I agree with Richard on the politics of it. On the Acequia Madre the way we do it is inefficient. When we take a release we have to wet the whole system. On those Mondays this summer the last person that uses it from the upper release is on Baca Street. They got no water on any of the releases this summer. The Rail yard only got water 3 times. We lose much more than normal because you have to fill all the holes and get the water to saturate the soil. Most acequias do run a circuit and you get the ditch wet, saturate and it is more efficient. You have to measure at both ends. You have to measure at the head and the tail to measure usage and loss.

Commissioner Ellenberg: People will know we are releasing 1000 acre feet into the river. The pressure would be coming from the public to make sure the river is being treated fairly by the acequias.

Commissioner Buchser: My own feeling is that the public wants to know how much water is staying in the river and if the acequias are treating them fairly. If you assign a numerical value to that water it is worth a huge amount. When I compare those numbers against the cost of metering it doesn't look that bad. When you compare it against total operating cost of the acequia it is huge. It is all what you compare it against.

Commissioner Ellenberg: We will have to have a dialogue with the acequia representatives on options, costs, etc.

Mr. Drypolcher said that Claudia is doing this already. We will have to determine options, costs, and how things work.

Commissioner Buchser: The location of the gauge is useful for historical reasons. If we reposition it may have value for other reasons. If we keep it in the same place it gives historical information. The easiest place for a test is the Boys and Girls Club. We need to reach an agreement with the OSE to tie into their existing system and display data on their website. Once that groundwork is laid any future automation will be straightforward. My own notion of priorities is automating the Boys and Girls Club, figuring out Ricardo and then how do we measure low flows coming out of reservoirs accurately. The last category is the further downstream stuff. We have not focused on that but may be of value later on

Chair Jacobi: There is an old gauge at the bottom.

Ms. Borchert: We paid to have that one gauged. Ricardo was put in to understand how much flow was passing that place. We have since found out that if you have gages too close together they are measuring within the 5 – 10%.

Mr. Drypolcher: From a cost benefit standpoint in the Water Division the benefit of the cost of the Ricardo gauge had to do with the fact it is in a capture zone.

Ms. Borchert: That decision was made a long time ago.

Mr. Drypolcher: What are the benefits to the City for gauging? One idea is that we are coming to care about the 1,000 acre feet and the living river initiative. As we tinker with input for the living river what types of outcomes are we getting? How much would you invest in order to learn about the outcomes of your tinkering? What are the other potential benefits to the city of different gauging locations? Are there other benefits?

Commissioner Ellenberg: We are running this into the ground.

Chair Jacobi: What is the benefit we get out of it?

Commissioner Buchser: It is hard to measure the value of the public understanding what is happening. Citizens don't know what is going on and if they don't see it the public is going to lose – if you have data you can build a case of importance. How do you put a value on it? How do you quantify that quality of life? It is very difficult to measure. To me it makes sense.

Ms. Borchert: It ties in nicely with monitoring. You want to monitor but I think that the whole app is a viable alternative to stream flow monitoring. We could keep photographs documenting the changes and the benefit.

Chair Jacobi: Claudia, earlier a question was asked about the flow ordinance dates of 1914 – 2007 being used. The question was why it stopped at 2007?

Ms. Borchert: The last time we had somebody analyze it was used up to that point.

Chair Jacobi: No further discussion this item so we will move to matters from the commission.

## **5. MATTERS FROM COMMISSIONERS, MATTERS FROM SUB-COMMITTEES**

Chair Jacobi: Dale and I met three weeks ago and she was going to send a statement on the discussion – that needs to be addressed.

Commissioner Ellenberg: Monitoring is very important to know what we are accomplishing. The committee has dragged for a long ways. I don't have expertise to know what the options are for monitoring. The next cycle we need to have something in place.

Chair Jacobi: Are you talking about some sort of ground monitors next to the river. I do my bug examination. We need people to see how far the flows are going. We need something in place for the next cycle.

**6. MATTERS FROM STAFF**

Mr. Drypolcher: Nancy Stoner, Deputy Director for Water Quality at EPA in DC will be in Santa Fe on the 26<sup>th</sup> to look at rural protection zone. This is a success story on river restoration. I will send a link that goes to EPA site with profile on our piece of river as national success story.

It is amazing what is going on at the Camino Alire to Camino Carlos Rael project. The river trail is now complete from St. Francis to Griego Park. The work is pretty dramatic. People are so excited. The trail looks great. Within next 4 – 6 weeks the trail will be done from Frenchie’s Park to St. Francis Drive.

The river park construction is going out to bid again. Partly because we are going to add some work (skate plaza) and because we think we can do better with bid process.

Ms. Borchert: We are working on the process to evaluate how much effluent we have and how to distribute that among the various interested users. There is a working group which meets monthly. A couple of public meetings will be scheduled to go over the alternatives for how treated effluent can be used. I will circulate that date to this group. I am also working on an updated plan for climate change. The workshop will be held December 6, December 14 or January 11. We will invite the public to the convention center to explain the impact on climate change, discuss options to address that potential future. This will be a “roll up your sleeves” workshop and we will encourage strong participation.

**7. CITIZENS COMMUNICATION FROM THE FLOOR**

Rachel (Americore Volunteer) is introduced. She is here in our community volunteering and learning about water issues. She will be here until September.

Santa Fe Water Shed Association presented a certificate to Brian.

**8. ADJOURN**

***Motion was made by Commissioner Ellenberg to adjourn the meeting at 7:25 pm, seconded by Commissioner Bove, motion passed by unanimous voice vote.***

***Signature Page:***

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***Jerry Jacobi, Chair***

  
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***Fran Lucero, Stenographer***