



Agenda

DATE 1/14/14 TIME 1:16pm

PREPARED BY Caryn Grosse

RECEIVED BY [Signature]

SANTA FE WATER CONSERVATION COMMITTEE MEETING
CITY HALL - 200 LINCOLN AVE.
CITY COUNCILORS' CONFERENCE ROOM
TUESDAY, JANUARY 14, 2014
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 DECEMBER 10, 2013 WATER CONSERVATION COMMITTEE MEETING
6. CONSENT AGENDA
 - A. DROUGHT, MONSOON AND WATER RESOURCE MANAGEMENT UPDATE (Rick Carpenter)
 - B. STATUS UPDATE ON WATER CONSERVATION EDUCATION & OUTREACH (Laurie Trevizo)

DISCUSSION ITEMS:

7. 2014 LEGISLATIVE PROPOSAL ON WATER CONSERVATION (Councilor Ives, 10 minutes)

INFORMATIONAL ITEMS:

8. GROUP REPORTS FROM WATER CONSERVATION COMMITTEE INITIATIVES: (Councilor Ives, 72 minutes)
 - A. GROUP #5- DOMESTIC WELLS WITHIN THE CITY LIMITS (24 minutes)
 - B. GROUP #1 - WATER CONSERVATION & DROUGHT MANAGEMENT PLAN UPDATE (12 minutes)
 - C. GROUP #2- WATER CONSERVATION EDUCATION/OUTREACH (12 minutes)
 - D. GROUP #3- WATER CONSERVATION CODES, ORDINANCES & REGULATIONS (12 minutes)
 - E. GROUP #4- REESTABLISH TREND OF NET ANNUAL REDUCTIONS IN PER CAPITA WATER USAGE AND IDENTIFYING LARGE WATER USERS (12 minutes)

MATTERS FROM STAFF:

9. INTRODUCTION OF ROBERT WOOD, WATER CONSERVATION SPECIALIST SENIOR (Laurie Trevizo, 10 minutes)
10. 11TH ANNUAL CHILDREN'S POSTER CONTEST (Laurie Trevizo, 10 minutes)

MATTERS FROM COMMITTEE:

NEXT MEETING - TUESDAY, FEBRUARY 11, 2014:

CAPTIONS: JANUARY 30, 2014 @3 pm PACKET MATERIAL: FEBRUARY 3, 2014 @3 pm

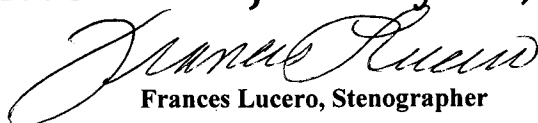
ADJOURN.

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

CITY OF SANTA FE

SANTA FE WATER CONSERVATION COMMITTEE

MINUTES – January 14, 2014


Frances Lucero, Stenographer

1/14/2014

DRAFT UNTIL APPROVED

WATER CONSERVATION COMMITTEE
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Approval of Agenda	Amended to move item 6A to Discussion. Mr. Wiman moved to approve the agenda as amended, second by Mr. Piburn, motion carried by unanimous voice vote.	Page 2
Approval of Consent Agenda	Mr. Pushard moved to approve the consent agenda, second by Mr. Michael, motion carried by unanimous voice vote.	Page 2
Approval of Minutes, December 10, 2013	Note to Stenographer to list those members who are excused under not present category. Let the record reflect that Grace Perez was Not Present and Excused by the Chair. Ms. Piburn moved to approve the minutes of December 10, 2013 as amended, second by Mr. Michael, motion carried by unanimous voice vote.	Page 2
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SANTA FE WATER CONSERVATION COMMITTEE MEETING

TUESDAY, JANUARY 14, 2014

4:00 PM TO 5:45 PM

MINUTES

1. CALL TO ORDER

The meeting was called to order by Acting Chair, Melissa McDonald at 4:00 pm in the City Councilor's Conference Room, Santa Fe, New Mexico.

2. ROLL CALL

Present

Melissa McDonald, Acting Chair

Nancy Avedisian

Doug Pushard

Tim Michael

Grace Perez, Telephonically

Giselle Piburn

Stephen Wiman

Bill Roth

Not Present

Councilor Peter Ives, Chair, Excused

Karyn Schmitt, Excused

Lisa Randall, Excused

Others Present

Laurie Trevizo, Water Conservation Manager

Caryn Grosse, Water Conservation Specialist

Anna Serrano for Fran Lucero, Stenographer

3. APPROVAL OF AGENDA

Amended to move item 6A to Discussion.

Mr. Wiman moved to approve the agenda as amended, second by Mr. Piburn, motion carried by unanimous voice vote.

4. APPROVAL OF CONSENT AGENDA

Mr. Pushard moved to approve the consent agenda, second by Mr. Michael, motion carried by unanimous voice vote.

5. APPROVAL OF MINUTES DECEMBER 10, 2013 WATER CONSERVATION COMMITTEE MEETING

Note to Stenographer to list those members who are excused under not present category. Let the record reflect that Grace Perez was not present and excused by the Chair.

Ms. Piburn moved to approve the minutes of December 10, 2013 as amended, second by Mr. Michael, motion carried by unanimous voice vote.

6. CONSENT AGENDA

A. DROUGHT, MONSOON AND WATER RESOURCE MANAGEMENT UPDATE (Rick Carpenter)

Ms. Trevizo reported that item 6A has been approved, therefore there will be no discussion based on the approval. It was noted that Mr. Carpenter has been ill; the committee can provide Ms. Trevizo with any questions and Mr. Carpenter will respond in writing.

Questions:

1. I would like to know the impact of the annexation which occurs in mid January on the water system and the possible additional demand for water.
2. Does anyone know the private well count for the area about to be annexed?
3. Do we have any knowledge so far of the 2013 water production figures and how they compared to 2012? I know the GPCD comes later.
4. Grace Perez: Referred to the bottom of the 1st page and wanted to know what specific action has been taken or considered.

Ms. Trevizo responded that as far as the annexation we gained customers but we also gave away a lot of customers as well. Ms. Trevizo has asked billing to provide her with calculations. For example we had a lot of customers in Las Campanas who are now Santa Fe County customers.

Ms. Trevizo stated that she does not know the private well count is; if they are in the Santa Fe Watershed they will be covered in Amy Lewis report.

Ms. Trevizo stated that the production numbers are lower than they were in 2012.

Ms. Trevizo informed Ms. Perez and the committee members that Mr. Carpenter would respond to this particular question as talks are going on right now.

Ms. Perez stated that there is a meeting taking place tomorrow on the San Juan Chama resources and she looks forward to an update.

STATUS UPDATE ON WATER CONSERVATION EDUCATION & OUTREACH
(Laurie Trevizo)

DISCUSSION ITEMS:

7. 2014 LEGISLATIVE PROPOSAL ON WATER CONSERVATION

Mr. Pushard informed the committee that he would leave the meeting early this evening to attend the round table discussion on rebate credit.

Ms. Trevizo asked the question in reference to last meeting minutes, last page; Senator Wirth's visit – there is interest from the committee to write a letter to State Senators and Representatives on what we would like them to do. It shows this as a follow up for the next agenda. Ms. Trevizo requested to the Acting Chair that she would like to be involved in that process next meeting.

The legislature starts on January 21st and asked if there was further discussion on this item. No additional information from the Acting Chair or the committee members.

INFORMATIONAL ITEMS:

8. GROUP REPORTS FROM WATER CONSERVATION COMMITTEE INITIATIVES:

A. GROUP #5 – DOMESTIC WELLS WITHIN THE CITY LIMITS – STEPHEN WIMAN

Included in the meeting packet is a summary of findings for the committee review. The two issues the sub-committee wanted to address most urgently were the effect of private wells in the city upon the aquifer and whether or not they affected the Santa Fe River. In both cases the effects are really quite minimal. One thing worth saying is that the city ordinance which requires any new wells to be permitted by the city and there have only been replacement wells permitted. That number is something like 18 or 20 wells and reporting from the wells is less than desired; won't use the word non-existent because we don't know that. We made a requirement but we did not follow up on it. It is known that there are no new wells being drilled in the city and that is a favorable outcome. The usage of the private wells in the city is expected at 260 ac. ft. per year and draw down the aquifer 3 ft. over 40 years. As the water is being used much of it is actually being returned to the aquifer and some case the Water Treatment Plant. The other issue is if these wells weren't there the city would be providing water for that. They are not completely bad for the overall water regiment/cycle. Again there is some return to the aquifer and the Water Treatment Plant. The records that we have are less than perfect but to go back and find out where all those wells are would be difficult. A recommendation moving forward is probably the first one which is widely accepted is some type of public information campaign that would include private well owners. Maybe there is a way to offer them some of the benefits that people on the water system benefit from such as rebates. Incorporating them as being part of the big picture and also reminding them that they need to adhere to regulations that apply to all water users within the city; I believe this is well established by law. The next specific step for the organization as the work group; we would like to arrange a meeting with the legal team at the city and find out if they are in agreement of what we have put in writing and if this is agreed upon, we will set up the appointment with someone from the City Attorney office.

Mr. Marcos Martinez, City Attorney Office

I have looked at this status report and I am impressed with what has been done. I have no problem meeting with members or I can talk about it now if you would like, to a certain extent. In general I would say I am not in disagreement there is a question of degree that some of the time conclusions in maybe one of them and the same in the recommendation. The city ordinance on domestic wells was passed in 1999, ordinance # 1999-3. Again, I was impressed with the reasonable approach. The only thing I would caution on was the conclusions that the city was to regulate all wells. I think that the State Engineer might disagree with that; the city does have some broad regulatory authority on domestic wells in the city. I think you are correct in finding that authority through domestic well statute as

passed by the legislature in 2001. Basically it analyzes the city's domestic well ordinance. The court will say that as long as the city ordinance is not in conflict with state law the city has some authority to regulate in that arena. I think when it goes beyond domestic wells, other private wells, non-domestic wells that the city has more difficulty regulating those and that is simply because one of the elements that the State Engineer determines and administers is the purpose and place and use of the wells since there is a purpose for the use. There is some statutory authority for the regulation of wells and I believe you found those in your research. There are two ordinances that directly speak to our ability to regulate wells aside from the ordinance – Santa Fe City Code 25-321 includes water waste and all private wells located within the city limits; Santa Fe City Code 25-5.5 – Water Emergency Management Plan also states that if the Water Emergency Management Plan applies to all water customers and to all private well users located in the city limits. I believe the city has made strides to regulating all wells when it comes to waste and Water Emergency Management Plans, you may want to consider more specific ordinances that also address use to make it clear that the water emergency restrictions apply to all customers also might apply to other users. Those are my observations on the conclusions.

The adjudication of the Santa Fe River, which has been on-going since 1971 with private owners against PNM. A hydrographic survey was to be done and completed and was re-initiated in 1977. Basically the State Engineer deals with adjudications, prioritizing in general, I would say, those adjudications that have Indian water right claims. Basically the State Engineers is not putting a lot of resources in to adjudication. Every year they file a report that obligates under Supreme Court rule, to describe all adjudications that are on-going and describing the allocations and resources they have. I have received a copy of the 2013 report from the State Engineers office; they indicate they have allocated 1/10th of a contract attorney's time to address the Santa Fe River adjudication. The State Engineers office use to put out an annual report and in that annual report they would give summaries and status of adjudications in the state and the last one they did was 2009 – 2011. Mr. Martinez read from the 2009-2011 report (pg. 69). They will not be doing anything on the adjudication of the Santa Fe River; the city doesn't need to intervene in this case because we have been involved since the beginning. The State Engineers is not going to do anything about domestic well users because they don't have the resources to do so. The process of the adjudication is the State looks at everyone in the hydrographic survey. That is a survey that the state does for every water user on the surface, surface water users mostly acequias and some community ditches and the ground water users and after they have made that survey they send you the results and ask you to sign off on a consent order. There is a time s third party can disagree but this is only after everyone has had a word at the state. This is an inter-state proceeding order when the state has done an initial order on everyone else's water rights. Until that happens the city won't have an opportunity by way of the structure of the adjudication process to object a third party claim; this would be the city objecting to domestic well owners. There is an opportunity for the city to basically object to other claimant's on the Santa Fe River.

Questions: Will the city have an opportunity to provide an objection to that position?

Mr. Martinez: That might help; you alluded to the fact that the city's position has not been great; there are other items that affect this; reporting being submitted and not submitted, and the state note having people to check those reports.

Q: (Melissa McDonald) it seems that it encourages people to waste water; it says you haven't been using it even though you are allowed to use it or we are going to take it away. That is what we don't want, we don't want them to take it away, we want them to conserve. I don't know if there is an answer to that, but that is certainly the problem. People feel that they have to use water to keep their water. It is the nature of the problem; people feel if they don't use the water it will get taken away. I also worry a bit, if you have a slow producing well and you are told it is going to be assessed or metered, you may replace it and produce more than you actually produce. Most of the wells I know are slow producing and will never get to 3 ac. ft., so when you tell people you are allowed up to 3 ac. ft. and we are going to make you put a meter on, they may say ok I am going to try to make my well work better.

Mr. Martinez reiterated that mostly all adjudications are long running.

Ms. McDonald made a clarification; if you need a replacement well, can't make the distinction between irrigation well or domestic well, I don't know how it is determined. Is it automatically dropped in half if you go to a lower level?

Mr. Martinez said that he believes the State Engineers Regulations commit them to regarding replacement/supplemental well; one set of the regulations says that the State Engineer can limit someone through their historical use basically. What I have seen from the State Engineers office is that seems like they are cutting back. I can't really explain the rationale.

Melissa McDonald: For those people who have replaced wells since 1999, even though they aren't reporting them and if you go back and tell them you need to see the historical use, they know they are required to keep records, is that correct?

Mr. Martinez: There are two record keeping requirements, meter work report (either monthly or annually) and well log report. That same requirement reports pertains to the city.

Mr. Pushard: The ordinance you are referring to is 2004-7 and it specifically says; "the wells shall be metered to city specifications and monthly usage shall be reported."

Mr. Martinez: That is in the ordinance, whether people are doing it, I don't know.

Mr. Wiman: Has the city made a conscious effort not to be more involved with private wells within the city. Are they asking people to come forward and register their wells? It could be a very invasive process.

Mr. Martinez: I think the city made it first stand by having the first ordinance on domestic wells. More research needs to be done and possibly through the State Engineer's office.

Mr. Pushard continued on regulation #1, well owners are not qualified for rebates and one of the ideas that came up was to broaden our rebate program to well owners and in doing that we would make them aware that they would fall under certain regulations. Mr. Pushard was asking the committee if they would support the working group drafting a document in support with Ms. Trevizo's assistance.

Ms. Trevizo: This would be an ordinance change so we are talking about going through the full committee process so it depends on how the language would be considered. People do not pay in to the levy fund which is the \$4 fee – twice a year that all of the other customers pay in to which funds all of our rebate programs. For example we would offer them a reduce rebate. We don't cut checks; we don't have a policy to cut checks and will not ever cut checks. They would need to have sewer or refuse to be eligible as well.

Tim Michael: If there is only a small fraction I would like to know.

Ms. Trevizo said that an IT query is not an easy search.

Mr. Roth noted that he is a well user and didn't have a water bill for 8 years.

Mr. Pushard said that there is no register when a property sells if they are well owners. One idea would be an ordinance to make the city aware, and I will include in the draft that we bring back and work with Ms. Trevizo, to make sure that they understand that they fall under the emergency water regulations. It is as much an awareness program and it also puts care out there for those who want to conserve water.

Ms. McDonald made a recommendation that this topic of discussion be brought back to the next meeting for feedback from those who are not in attendance. Also, I believe if you have a replacement well you register with the city. Anybody who decides to improve their well, I believe this is the way the city is getting information.

Mr. Pushard, point of clarification; the well ordinance is for repair. If you are deepening your existing well there is no registration with the city.

Nancy Avedisian: At the time of closing on a property, if the well needs repairs, a permit is required.

Mr. Pushard said this is only for moving a well from an existing location not completion, it is a small fraction. All the well drillers know this regulation extremely well.

Ms. Trevizo stated for this working group, that she has made it very clear as far as domestic wells are concerned; we muddle the lines between water conservation and water resources. Part of the discussion that came out of recommendation #1 as rebates are concerned is that it brings it back into the

water conservation realm and we as a group and as a committee will have some say. Once it goes out into the water resource realm and in to where legal and all those other places it will be out of our control and it is not something we will be able to manage. In your research and recommendations please keep that in mind and tie it back to water conservation otherwise as the Water Conservation office we cannot support you in some of this information.

Mr. Pushard expressed his thanks for this reminder. As a follow up we will bring discussion back on this regulation and work through Ms. Trevizo.

B. GROUP #1 – WATER CONSERVATION & DROUGHT MANAGEMENT PLAN UPDATE

Grace Perez. (Nothing to report)

Ms. Trevizo stated that this group as listed above; she and Caryn Grosse have been performing edits based on the meetings held this last year and those are in progress.

C. GROUP #2 –WATER CONSERVATION EDUCATION/OUTREACH

Stephen Wiman (handout distributed to the committee)

First presentation was given to the Santa Fe Chapter of American Institute of Architects in which there were an estimated 60 attendees. (Exhibit A attached) Slide show presentation took about 24 minutes. A follow up presentation will be a brown bag lunch to the Realtors. It was noted that they did conduct a dry run and Mr. Wiman would like to know who was comfortable doing the presentation in the future. Tim would want to do a dry run beforehand. Melissa and Ms. Trevizo are completely comfortable. Ms. Avedisian would like to work with it a little more. Bob would also like to do a dry run beforehand. Ms. Trevizo said that the next dry run would be nice having the committee as an audience and ask questions. It was also recommended to identify a Moderator. Ms. Trevizo offered Ms. Grace Perez as her expertise in that area is exceptional.

Mr. Wiman said that in the feedback it was asked to have the power point as a PDF on the website. Ms. Trevizo will check with Legal to assure that this can be done. Mr. Wiman also asked about the legality of collecting e-mail addresses. Ms. Trevizo said that she is not prepared to provide this service right now. Ms. Trevizo said that she is also working with Legal to research if we can get a Facebook page.

Compliments to Mr. Wiman for a successful presentation.

D. GROUP #3 –WATER CONSERVATION CODES, ORDINANCES & REGULATIONS

Mr. Pushard reported that the committee is working on water rating for building and have met with Amanda Evans at the Community College. The committee is hopeful that there will be resources available from the Santa Fe Community College for the project. The project is three-fold, 1) is to create a spreadsheet that is similar to the energy rating system and we pulled together the city building code, the state building code and a couple of other examples and some questions; 2) is more difficult and that is creating a rating for any of the things that can go in

to building; 3) the outcome is not an ordinance, it is not a building code change it is much more of a tool that a builder can use.

Mr. Roth said he has spoken to Kathryn Mortimer and Ms. Amanda Evans at the SFCC who are ready to help. Ms. Mortimer would like to sit with Mr. Roth, Councilor Ives, Mr. Pushard and Ms. Trevizo to discuss the code. Ms. Avedisian would like to be part of this working group.

Mr. Pushard asked if grey water falls in the Water Conservation Department.

Ms. Trevizo said they don't permit it if that is the question.

E. **GROUP #4 – REESTABLISH TREND OF NET ANNUAL REDUCTIONS IN PER CAPITA WATER USAGE AND IDENTIFYING LARGE WATER USERS**

Melissa McDonald: (provided a written report)

The Santa Fe Basin study refers more to climate change. Group has met with the Parks division, nothing to report at this time but working closely with them. Karyn Schmitt will provide a report at next meeting. Mr. Michaels has met with Gary Varela regarding water use in the parks.

MATTERS FROM STAFF:

Ms. Trevizo stated for tomorrow Public Utilities Committee Meeting, there are two action items on green building code by Kathryn Mortimer. (Read language and informed the committee that there will also be a resolution for discussion). It will go to Finance Committee on January 21st. Ms. Trevizo informed the committee that Caryn is the only LEAD certified individual in the city and is a valuable resource.

Ms. Trevizo noted that the City of Santa Fe updated their website and we should check to see if any links we have places for water conservation are working.

9. **INTRODUCTION OF ROBERT WOOD, WATER CONSERVATION SPECIALIST SENIOR (Laurie Trevizo)**

Mr. Wood started with the Water Conservation Office on December 23, 2013. His official title is Water Conservation Specialist Sr.

It was noted if anyone sees any water violations to bring them to Mr. Wood's attention.

The Water Conservation Committee is very excited about working with Bob Wood, past and future.

10. **11TH ANNUAL CHILDREN'S POSTER CONTEST (Laurie Trevizo)**

An e-mail was included in the packet. Judging will take place on January 24th and the committee was asked to RSVP to assure that a quorum is not existent. This will be for the 2015 calendar.

Sustainable Santa Fe Awards is now taking applicants. If anyone from the committee would like to nominate please do so.

MATTERS FROM COMMITTEE:

Mr. Pushard referred to an e-mail from Ms. Trevizo on EPA grants that were awarded to the sustainable cities and asked Ms. Trevizo if a list of projects exists that they would like to have grant money allocated to. Would the committee be interested in brain storming on other projects that we might want grant money for.

Ms. Trevizo said that they do maintain a "big picture" item list. There are items in the "parking lot" and the feasibility of those projects and timing are looked at and reviewed against projects that are in process and completed.

NEXT MEETING – TUESDAY, FEBRUARY 11, 2014:

CAPTIONS: JANUARY 30, 2014 @3 pm PACKET MATERIAL: FEBRUARY 3, 2014 @3 pm

ADJOURN

There being no further business to come before the Water Conservation Committee, the meeting was adjourned at 5:45 pm.

SIGNATURE SHEET



Melissa McDonald, Acting Chair



Fran Lucero Stenographer

FEEDBACK FROM WCC PRESENTATION TO AIA ON 1/9/2014

60+ attendees

Isn't treating more effluent water cheaper than using purple pipe (alternately sourced water)?

Is there a movement in the City to do its irrigation outside peak hours? (Robert Wood replied)

Water conservation should be state-wide and not just local. Comment about frac water contaminating water supplies. Not an issue in the immediate Santa Fe area. Good point but not really relevant to our local water concerns.

If irrigation really is 80-85% of statewide usage, think of the differences that could be made in the state if we concentrated on the bigger picture? Again, I did not see the dialogue as being that relevant to Santa Fe area issues. He disagreed with how the question was answered.

Why aren't there more cisterns in the City when they are very common in the county? We need more rebate incentives for cistern retrofits.

Please explain "non-revenue 9%" and "other metered" 6% on the "Use by Sector" diagram.

How do water rights become actual water?

How much water does the City have to return to the Rio Grande?

How much of our treated wastewater generates revenue?

Has our use of treated wastewater increased in recent years?

How do our usage of surface vs. groundwater compare for the time since the Buckman Direct Diversion came online?

How about the totals of our overall annual water production in the past few years?

You should present a timeline graphic, starting at where we are today to _____ GPCD where we need to be and by when. Then we can figure out how to get there. The goals seems uncertain and they would be much more effective if you used a measuring stick and annual reporting to the City.

What is the city's policy towards gray water?

Should we be using more waste water?

How secure are our San Juan-Chama Project water rights?

Exhibit A

What are we doing about fracking? This is an important issue in the state, but not in our geographic area and I think it would bring too many naysayers into the conversation.

Should we look at the offset for folks that do water conservation for new construction?

Is it true that 85% of State water is used by agriculture?

Questions about gray water. How much lower GPCD can we achieve without gray water or reclaimed wastewater?

ADDITIONAL FEEDBACK FROM WCC MEMBERS PRESENT:

Lots of questions...we could have gone on far longer with more time. Clearly, some people had to leave before they could get their questions answered. There was no simple mechanism for them to leave their questions or feedback if they left early.

We might get better results if we "work the crowd" before the meeting. Actually, most of us did talk to people we knew.

We should strive to gather questions and take them back to the WCC and respond to them by working on the questions in WCC. (Some of the questions required rather detailed, time-consuming answers.)

The fonts could be larger and might require shortening some of the phrases in the "code" slide. Even if we have to shorten some of the phrases to "code" or even acronyms, we need to make the font larger.

We need to remember to aim the projector at the very top of the screen so that attendees in the back can see the entire slides.

The Rebates and Get Involved slides can use some cosmetic work.

We probably could have more aggressively solicited the crowd by asking them leading questions which might provoke more ideas/questions/suggestions from them.

Ask specific questions of the audience...listen and record.

Set up the listeners for the types of questions you want to hear from them toward the end.

We may not have gotten as many questions as we would have liked because the presentation was too long (24 minutes).