



Agenda

CITY CLERK'S OFFICE

DATE 6-13-12 TIME 10:44am

SERVELL BY Brian Drayton

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SANTA FE RIVER COMMISSION
Tuesday, June 19, 2012, 6:00 – 8:00 p.m.
City Councilors' Conference Room, City Hall
200 Lincoln Avenue, Santa Fe, NM
505.955.6840

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES FROM April 17, 2012
4. DISCUSSION/ACTION ITEMS
 - a. Discussion: Updates and overview regarding staff activities related to the Santa Fe River and watershed and the list of Current and Pending Issues for Consideration by the River Commission.
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.

**Santa Fe River Commission
Index
June 19, 2012**

Topic	Action	Page #
Cover Page		1
Call To Order/Roll Call	Chair Jacobi called the meeting to order at 6:00 pm, Roll call constitutes a quorum	2
Approval of Agenda	<i>Mr. Buchser moved to approve the agenda as presented, second by Mr. Ellenberg, motion carried by voice vote.</i>	2
Approval of Minutes April 17, 2012 The County is working on river restoration from that point to the Wastewater Treatment Plant. With the exception of the traditional Agua Fria Village, these are all future annexation areas and we need to work together on implementation and long term management. <i>(Correction is on punctuation, content is the same).</i>	<i>Mr. Ellenberg moved to approve the minutes as amended, second by Mr. Gerberding, motion carried by unanimous voice vote.</i>	2
Discussion / Action Items Updates and overview regarding staff activities related to the Santa Fe River and Watershed and the list of current and pending issues for consideration by the River Committee.	<i>Informational</i>	2-4
Matters from Commissioners, Matters from Sub-Committees	<i>Informational</i>	4
Matters from Staff	Informational – Staff Follow up on River Fund - <i>The Committee asked Brian and staff to find out with the money that is available, other than the water right purchase, what would be suggested as a</i>	4-5

	<i>viable project.</i>	
Citizens Communication from the Floor	None	5
Adjournment	The meeting was adjourned at 7:10 pm	5
Exhibits	A – Santa Fe River Trail Piezometers B – Memorandum dated 4/17/12 Re: Voluntary River Conservation Fund	Informational - Discussion

SANTA FE RIVER COMMISSION
Meeting Minutes
Tuesday, June 19, 2012, 6:00 pm – 7:10 pm
City Councilors' Conference Room, City Hall
200 Lincoln Ave, Santa Fe, New Mexico 87501

1. ROLL CALL

The meeting of the Santa Fe River Commission was convened by the Chair at 6:00 pm, City Councilors' Conference Room, Santa Fe, New Mexico. A quorum was declared by roll call.

Present:

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

Others Present:

Brian Drypolcher – Staff Liaison
Meghan Bayer, Santa Fe County, Public Works

2. APPROVAL OF AGENDA

No changes.

Mr. Buchser moved to approve the agenda as presented, second by Mr. Ellenberg, motion carried by unanimous voice vote.

3. APPROVAL OF MINUTES – April 17, 2012

The County is working on river restoration from that point to the Wastewater Treatment Plant. With the exception of the traditional Agua Fria Village, these are all future annexation areas and we need to work together on implementation and long term management. (*Correction is on punctuation, content is the same*).

Mr. Ellenberg moved to approve the minutes as amended, second by Mr. Gerberding, motion carried by unanimous voice vote.

4. DISCUSSION / ACTION ITEMS

- a. Discussion: Updates and overview regarding staff activities related to the Santa Fe River and watershed and the list of Current and Pending Issues for Consideration by the River Commission.

Mr. Drypolcher talked about his projects as listed:

- Work from Alire down to Frenchy's on the Santa Fe River trail and on the improvements in the river is 99.9% complete. The little remnant to finish up; found some money to do more seeding. There are a lot of places when they did the hydro-seeding was deficient and it needs more. We will go back in a few weeks when the contract is approved and do more hydro seeding mainly along the river trail and top of slopes to stabilize the top edge and protecting the trail and introducing native grass and wildflowers.
- Santa Fe River Park – Improvements in Santa Fe River Park from St. Francis Drive to East Palace Ave. Bids are due on the 26th with usual process for contract. Early August is anticipated date to get started.

Question: Are there boundaries?

The work is from St. Francis Drive to East Palace Avenue, but it is not continuous. There is work at Louis Montañó Park which is by the Santa Fe Boys & Girls Club Park and then there is no work until you get up to West De Vargas Park to Guadalupe and then there is a lot of work at West De Vargas Park and a little work between Sandoval and Don Gaspar and between Don Gaspar and Old Santa Fe Trail and then there is no work until you get up to Delgado. There may be budget challenges taking in to consideration all the work we want to do. Work will be phased to stay away from the work at Alameda and Galisteo up to Old Santa Fe Trail. The total budget is about \$1.8 million. Contractor would start working until closer to September.

- River repair work by Camino Alire Bridge working up river to stabilize the slopes and better protect the trail on river left and also some structures are failing on river right by Alto Park. Right now they are going out for engineering design to do repairs there. The stream gage, above St. Francis gage has a drop and a drop structure and that drop structure has been getting nibbled away at from storm flows. The idea is to stabilize it. Bishops diversion above Delgado where there is a limestone structure up at the drop which is also getting undermined on the downstream side. These are three repair projects that are going out for engineering design and have some city CIP money. There is also general bond money in the very near future. With GO Bonds there is also money for arroyo work for stabilization repair. More information to follow in the future.
- Finishing up the report for the River Eco System Restoration Initiative Grant for the work at Alire, report is due at the end of this week.
- **Santa Fe Trail Piezometers (Exhibit A) – Stream flow at River Gage above St. Francis, cfs**

There are 6 Piezometers about 10 feet long stuck in the sand in the river channel. P1 – immediately below the Camino Alire Bridge, P2 – immediately below the arroyo Torreon – river left, P3 – down river from Cristobal Colon and Ricardo foot bridge on river right, P4 – 200 yards down river by Ricardo Bridge, above La Joya Road, P5 – on river right near where the new storm water feature by western corner – Santa Fe River Road and Calle Don Jose, P6 – not quite to Frenchy's foot bridge. Some of these piezometers are situated adjacent to the road that was used as a haul road so it is very compacted.

Ms. Doremus asked if 5 & 6 are dry. In terms of standing water they are dry. Zero represents the cap on the Piezometers (depth to water, ft.), *reference graph*. Between 6/1/12 and 6/4/12 you see the transition from 2 cfs to 1 cfs. It was asked if they were all completed to 10'. Yes, except for P1.

If water is 10' down, is that enough water for the cottonwoods? The short answer is yes, they are getting moisture. If you go and look at the plants, they are great.

It was noted that we do not have enough money to continue the piezometer monitoring.

5. MATTERS FROM COMMISSIONERS, MATTERS FROM SUB-COMMITTEES

Thank you to Sam Gerberding for hosting the River Committee at the Inn of the Governor's. We all appreciate your generosity.

6. MATTERS FROM STAFF

Updated copy of things to consider discussed at an earlier meeting this year. The Chair asked if there were any added comments.

Mr. Ellenberg said that to get past the by-pass issue will require a state legislative change.

River Fund – We have this money, it would be good for the public if they could participate in the river. Thinking about what projects would be appropriate for the River Fund.

- Buying Water Rights does not seem to be in the offering. You would need for someone to determine if you need a discharge permit? Ms. Doremus said you would need someone to look at the water quality of the water and compare it to the water of the river; you may or may not need a permit. It also depends on the surface water standards. There is about 4 cfs coming in to McClure right now. Buying water rights at approximately \$25,000 would buy about 1 acre feet. (Mr. Drypolcher quoted portions of the Water Rights Ordinance). In the past discussion has been held about recreating another ordinance about the River Fund and repurpose the money going forward. I do not know if there would be difficulties with repurposing money that has already been collected that has a stated purpose and now we want to change the purpose. People think they gave it for one thing and now we are changing the game and do something else with it, there might be a problem. Mr. Ellenberg said that he did not feel that the Legal Department would be against the repurposing of these funds.

Reference to Claudia Borchert, Water Resources Coordinator – Memorandum dated 4/17/12. Options 1-4 are stated. #4 has to do with repurposing. Mr. Drypolcher would like to do some research about the repurposing and if that is even a possibility.

Mr. Gerberding asked which is the highest used section of the river in terms of the Santa Fe community. Mr. Drypolcher said it varies, it could be said from Guadalupe to Paseo or Delgado, that is certainly the downtown corridor where most people are moving through the river park and experiencing the green belt of the river. Alto Park gets a lot of use in the area adjacent to Bi-centennial pool and the lovely green area and shade trees. There is a system of storm drains that we could take underground and pipe it right to the river. There is run off from the artificial turf fields, run off from the

parking lots, run off from the buildings, there is a lot of runoff that is all on city owned land that you could put into an at surface rainwater garden system.

Ms. Doremus referred to Claudia's #4, where she says; *permitting (legalizing) groundwater discharges to the Santa Fe River*. Trying to remember the discussion from April and am wondering, I don't want to read too much into that statement. I know one thing that has been talked about has been seepage into a lot of buildings downtown shallow groundwater and what it would take to put that water in the river instead of pumping it into the storm drains, where I assume it is going unless it is going in to the wastewater treatment plant. That would serve the purpose of infiltrating, it would also probably have a lot less water quality issues because it is not treated as drinking water with chlorination. It is ground water that under natural conditions would have been similar to bank storage and similar to what flow in to the river under natural conditions. It might ease up some of the hurdles of permitting and potentially could make an argument that you would not need a permit depending on the quality of the water.

Staff Follow Up: The Committee asked Brian and staff to find out with the money that is available, other than the water right purchase, what would be suggested as a viable project.

#8 – Effluent Management Plan, Staff Lead Person is on extended vacation. That task will be resumed and more information to follow. This is very important, there is a big value to that water.

7. CITIZENS COMMUNICATION FROM THE FLOOR

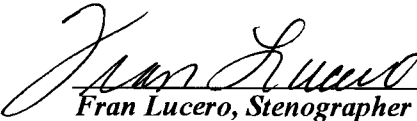
None

8. ADJOURN

Mr. Ellenberg moved to adjourn at 7:10 pm, second by Mr. Buchser, motion carried by unanimous voice vote.

SIGNATURE PAGE:

Jerry Jacobi, Chair



Fran Lucero, Stenographer

Santa Fe River Trail Piezometers

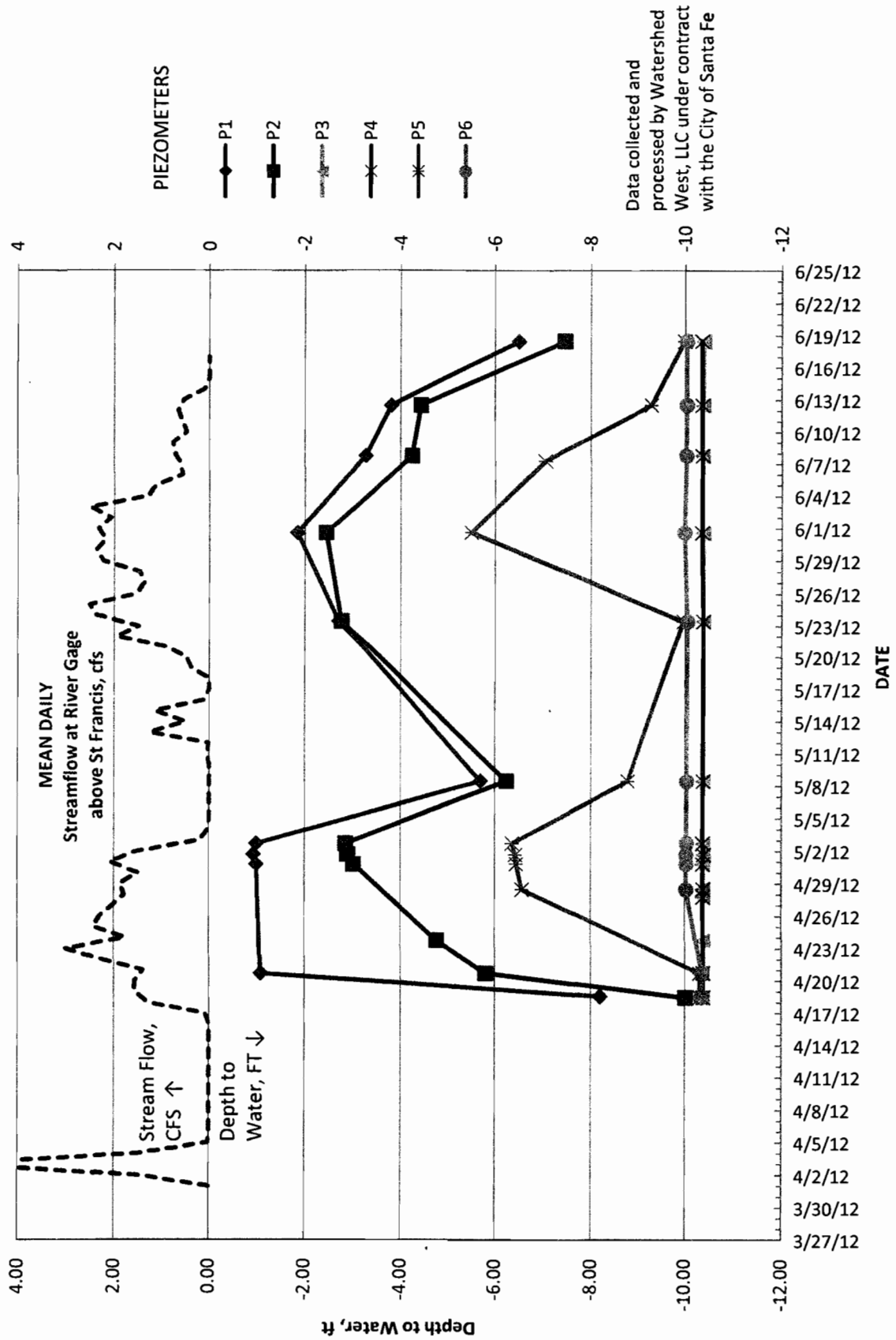


Exhibit A.

City of Santa Fe, New Mexico

memo

DATE: April 17, 2012

TO: River Commission

VIA: Rick Carpenter, Water Resources and Conservation Section Manager *RC*
Brian K. Snyder, Public Utilities Department and Water Division Director

FROM: Claudia Borchert, Water Resources Coordinator *CB*
Brian Drypolcher, River, Watershed and Trails Coordinator
Marcos Martinez, Assistant City Attorney *MM*

RE: Voluntary River Conservation Fund

Background

In August of 2006, the City's governing body passed the an Ordinance "Regarding a Voluntary Contribution Fund to Acquire Water For the Benefit of the Santa Fe River and the Rio Grande." The language from the ordinance is inserted at the end of this memo. As of February 2012, \$207,238.00 has been collected in the Voluntary River Conservation Fund (River Fund), including the 1:1 match for every contribution from the City Water Division revenues. To date, the River Fund has not been used for any water right acquisitions.

Item:

The apparent intent of the ordinance is to provide water (i.e., in-stream flow) for the Santa Fe River and the Rio Grande. The acquisition of water rights for the Santa Fe River has been challenging for multiple reasons:

- Water rights are not readily for sale on the 'upper' Santa Fe River.
- The purchase price of any water rights would likely be high, and will therefore likely result in very little additional water in the river.
- Through recent action of the governing body, the Target Flow Ordinance, the City has subsequently committed a significant quantity of water to the Santa Fe River, drawing into question the cost/benefit for this source of water.
- Any water right transfer to the Santa Fe River for "in-stream" use would be a test case. Uncertainty remains as to how the Office of the State Engineer would administer such a right and what kinds of conditions of approvals would be required.

Taking this into consideration, staff has identified various options on how the River Fund might be used.

Options:

- 1) The City could purchase Santa Fe River water rights in the 'urban' reach. Thus far, the City is not aware of any 'upstream' water rights for sale. The City could advertise, via its

Exhibit B

website, its interest in acquiring ‘upstream’ water rights to see if any willing sellers or donors approach the City.

- 2) The City could purchase Santa Fe River and tributary water rights in the La Cienega/La Cieneguilla area. The City, has, from time to time, become aware of individuals marketing water rights ‘downstream’. Purchase of such water rights could enhance the in-stream flows of the Santa Fe River and the La Cienega Creek downstream and might also serve to meet Office of the State Engineer Buckman Well offset requirements. Hydrologically, the wastewater treatment plant’s contribution to Santa Fe River flow offsets groundwater pumping impacts by orders of magnitude.
- 3) The City could acquire Middle Rio Grande water rights and dedicate them to Rio Grande in-stream flow purposes. A mechanism to do this may involve the NM Interstate Stream Commission’s Strategic Water Reserve.
- 4) Given that the River Fund was developed before the target flow Ordinance was approved, the City could redirect the River Fund to complimentary ‘living river’ activities. Such activities might include storm water retention, vegetation or stream bank restoration, monitoring activities (stream gaging, water level measuring, or water quality sampling) or permitting (legalizing) groundwater discharges to the Santa Fe River.

25-8.2 Voluntary River Conservation Fund.

A. The city shall create a voluntary contribution program/voluntary check-off provision on its monthly utility billing statements for the citizens to donate money to the city for the purchase, acquisition, long-term leasing of consumptive water rights in quantities sufficient to sustain the total water demand for either a living Santa Fe River or for the preservation and continuation of sufficient water flowing through the Rio Grande.

B. The city shall make public on at least an annual basis regular reports of all funds allocated and all purchases, acquisition, leases of water rights made as a result of this river conservation fund.

C. The city shall appropriate sufficient funding that matches (on a dollar for dollar basis) on an annual basis all money that is contributed by the public to the river conservation fund.

D. The city shall use the proceeds from the river conservation fund for the purchase, acquisition, long-term leasing of consumptive water rights in quantities sufficient to sustain the total water demand for either a free-flowing Santa Fe River or for the preservation and continuation of sufficient water living through the Rio Grande.

(Ord. #2006-28, §7)