

**MINUTES OF THE**  
**THE CITY OF SANTA FE & SANTA FE COUNTY**  
**BUCKMAN DIRECT DIVERSION BOARD MEETING**

**October 3, 2013**

This meeting of the Santa Fe County/City Buckman Direct Diversion Board meeting was called to order by Commissioner Kathy Holian, Chair, at approximately 4:25 p.m. in the Santa Fe City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico.

Roll was called and the following members were present:

**BDD Board Members Present:**

Commissioner Kathy Holian  
Councilor Chris Calvert [4:35 arrival]  
Ms. Consuelo Bokum  
Councilor Carmichael Dominguez

**Member(s) Excused:**

Commissioner Miguel Chavez

**Staff Present:**

Nancy Long, BDD Board Consulting Attorney  
Rick Carpenter, BDD Project Manager  
Shannon Jones, Acting Director  
Stephanie Lopez, Staff Liaison  
Gary Durrant BDD  
Teresa Martinez, Santa Fe County Finance Director

*[Exhibit 1: Sign-in Sheet]*

**3. APPROVAL OF AGENDA**

*[Exhibit 2: Agenda]*

SHANNON JONES (Acting Director): Madam Chair, we would like to pull item 10 from the agenda. That item is not ready to move forward.

CHAIR HOLIAN: Any further changes.

COUNCILOR DOMINGUEZ: Move for approval as amended.

BOARD MEMBER BOKUM: Second.

**The motion passed by unanimous [3-0] voice vote. [Councilor Calvert was not present for this action.]**

SEE CITY RECORDS 10/03/13

**4. APPROVAL OF CONSENT AGENDA**

CHAIR HOLIAN: Are there any items that the Board members would like removed from the Consent Agenda? If not, is there a motion for approval?

COUNCILOR DOMINGUEZ: I'll so move.

BOARD MEMBER BOKUM: Second.

CHAIR HOLIAN: There's a motion and a second for approval of the Consent Agenda.

**The motion passed by unanimous [3-0] voice vote. [Councilor Calvert was not present for this action.]**

**5. APPROVAL OF MINUTES: September 12, 2013 BDD Board**

CHAIR HOLIAN: Any changes? Is there a motion?

COUNCILOR DOMINGUEZ: Move for approval.

BOARD MEMBER BOKUM: Second.

CHAIR HOLIAN: There's a motion and a second for approval of the minutes from the September 12, 2013 Buckman Direct Diversion Board meeting.

**The motion passed by unanimous [3-0] voice vote. [Councilor Calvert was not present for this action.]**

**6. MATTERS FROM STAFF**

MR. JONES: Madam Chair, members of the Board, we do have a couple of item updates that I would like to give. First there's a staffing update for the Buckman Direct Diversion. The Facility Manager position is still open. That position will remain open until filled. We are continuously monitoring the pool for qualified candidates. The Public Relations Coordinator position has been posted. That position will close on October 15<sup>th</sup>. The Regulatory Compliance Officer, that position did close and we were not able to select a candidate. That position has been reposted for 30 days. The BDD Maintenance Mechanic position also closed. We were not able to find a candidate so that position was also reposted for 30 days. And, the Advance Water Treatment Operator and Charge Operator positions that are currently vacant – those list of eligibles have been picked up and we will begin interviews on those positions.

CHAIR HOLIAN: Thank you, anything further?

MR. JONES: I'd also like to give an update on LANL. So from the last Board meeting, Los Alamos did receive extreme precipitation creating some flooding issues that occurred there. So currently do to those floods the E109.9 station is non-operable. So operational procedures have moved to using E50 and E60 for monitoring flows coming from Pueblo and Los Alamos canyon, that has been put in place. Both of those sites did receive some damage during the flooding but the crews there were able to get them back up and running within the following week – those were back up before the river even cleared turbidity levels so we can start diverting. So those are up and operational.

PDF GENERATED BY BDD BOARD

And, then, due to the federal government shut down it has been confirmed by LANL that those stations will be maintained and operational during the shut down period. They also wanted me to express to the Board that there was a tour that was set up that was supposed to have happened this week; unfortunately, it was not able to happen and they wanted the Board to know that they will reschedule that tour as soon as possible.

CHAIR HOLIAN: Thank you. Are there any questions on those items?

COUNCILOR DOMINGUEZ: Thank you, Madam Chair. Those positions that you weren't able to fill was it just that there weren't classified candidates or do you have any indication about why?

MR. JONES: Madam Chair, Councilor Dominguez, the Regulatory Compliance position had one candidate that was interviewed but the selection committee did not feel that they meet the needs that the BDD would require and that's why it was reposted. The mechanic position was internal and we did interview two candidates but also felt that they could not serve in that lead capacity and that's why that was reposted.

COUNCILOR DOMINGUEZ: Thank you.

CHAIR HOLIAN: Anything further?

MR. JONES: If I may, one more last update, Madam Chair, members of the Board. Concerning the staff advisory group charged with developing criteria for selecting a project manager. The group is continuing to meet. We are maintaining that we are on schedule. We're still compiling a lot of data together looking at other sources of regionalization, looking at their governing agreements and trying to identify the definitions and verbiage so while it may seem that it is a tedious process, the group is continuing to work on it and, again, we are remaining on schedule. And we hope to bring that to the Board in February.

CHAIR HOLIAN: Thank you. Any questions.

#### CONSENT AGENDA

7. **Update and discussion of BDD operations**
8. **Drought, Monsoon and Water Resource Management Update**

#### DISCUSSION AND ACTION ITEMS

9. **Discussion regarding Small Purchasing Authority Increase under State Law from, up to \$50,000 to \$60,000**

NANCY LONG (BDD Board Counsel): Thank you, Madam Chair, members of the Board, this is brought to you as an informational item. It appeared on your agenda as a possible amendment. This would have been the fourth amendment to the project manager and fiscal services agreement. This spring at the close of the legislature anticipating that there would be changes to the City's purchasing policies effective July 1 that would also increase the small purchase authority from \$50,000 to \$60,000 as allowed by state law. The City did not approve that increase, although they approved other changes to their purchasing policies that we follow as the Board they decided not to proceed with allowing that administrative authority with their City Manager for small purchases from 50,000 to 60,000.

So, we are recommending that we keep our authority with the project manager at 50,000 so that the City purchasing director and that office doesn't have so many varying rules to apply and it shouldn't affect our operations or business.

CHAIR HOLIAN: Thank you, Ms. Long. Any questions? So we don't have to make a motion to do anything.

MS. LONG: That's correct. It was really just an information item. We wanted to close that loop because we did have it as a proposed amendment, thinking, of course this will happen at the City but we were wrong. And we recommend that we stay at 50,000 even though SWMA did increase their administrative authority to 60,000; but, they're a little bit of a different entity set up and they do actually have a purchasing officer. But we recommend staying with the City's authority at this time at 50,000.

CHAIR HOLIAN: Okay, thank you. No questions? We have tabled item 10.

### MATTER FROM THE PUBLIC

CHAIR HOLIAN: Is there anyone here who would like to address the Board. Yes, please come forward and identify yourself for the record.

MICHAEL AUNE: My name is Michael Aune. I'm a taxpayer, a water fee payer; in other words, I am the one that pays the salaries of everybody that is an elected and appointed official that receives funds along with every other taxpayer and fee payer within Santa Fe County.

I going to provide one copy and if you'd like to provide more copies if anybody wants them [*attached as Exhibit 3*] and as you know I go regularly to the San Juan-Chama project and evaluate everything. And I was up there last week, Tuesday, after all the monsoons, after all the heavy flooding. I was in Pagosa Springs in the San Juan area. I looked at the damage from the West Fork of the San Juan River, where the West Fork fire and the mud and what have you washed into the San Juan River. There's a lot of water in the San Juan River. There's a lot of water in Blanco, the Navajo and the Little Navajo Rivers but for some reason none of that water is coming through the Oso diversion, the Azotea Tunnel and emptying into Willow Creek.

I have a series of photographs [*Exhibit 3*] and I'm just going to touch base on them. You've seen many of these. This was taken in August 28<sup>th</sup> and again I took photos recently. This little puddle that's there where Willow Creek, the Azotea Tunnel, the San Juan-Chama water is supposed to be going into Heron Lake, well, when I was there last week, that little puddle is about half the size and I didn't see a need to show you that in a month's time that little puddle has dried up even further. This is the point where Azotea Tunnel and Willow Creek enters into Heron Lake.

So I'm telling you that I think there's something wrong with how the San Juan-Chama project, the diversions on the Blanco, the Rio Navajo and the Little Navajo Rivers, something is not working right because there's no water going in Heron Reservoir. And as you know the Chama River gets its water from the Chama Basin which also include Archuleta Creek. There's a lot of water there but none of that water goes into Heron Reservoir. That Chama River flows below the dam, below Heron Dam, and the water in Heron Lake is supposed to flow into the Chama River and then in El Vado Lake. Below El Vado Lake it flows into the Chama River and ultimately Abiquiu Lake.

REC'D OFFICE RECORDED 10/3/13 10:45 AM

Now, when I was monitoring the water from April up through August the Abiquiu was dropping so there is water going into the Abiquiu Reservoir, but El Vado Reservoir has maintained the status quo and it's probably 120 – 130 feet lower than it's matching storage capacity which puts it at probably 20 to 25 percent capacity.

So that's where the water is supposed to be coming from for the San Juan-Chama project which is where you get your 5,605 acre-feet a year for the Buckman Direct Diversion. And, yes, there is water right now coming down from the Rio Grande. There is water coming out of Abiquiu Reservoir filling up the Chama Reservoir but there's something wrong because the water that is supposed to be going into the Heron Reservoir should be filling up right now to accommodate potential further years of drought – it's not happening.

And, your item number eight, the consent agenda, talks about drought, monsoon and water resource management update I'm sure that that information is available to the public but I think that that type of conversation should be taken from the consent agenda in future meetings and discussed so that everybody else can hear what Rick Carpenter has to say. I've heard some misconceptions expressed when I was talking to some people prior to this meeting that think because of all the rains we had that Heron Lake is filling up and El Vado Reservoir is filling and I'm telling you with my own eyes that you can go see for yourself, that as of a week ago Tuesday, that is not the case. It is at the lowest stage now, Heron Reservoir is that I've seen it in the past two years. Thank you.

CHAIR HOLIAN: Thank you, Mr. Aune.

### **MATTERS FROM THE BOARD**

CHAIR HOLIAN: We are now on matters of the Board and I will note that Councilor Calvert is here now. Yes, Councilor Calvert.

COUNCILOR CALVERT: Yes, and if you insist on having these meetings at 4:15 I will keep coming in at this time because I don't get off until 4:30.

CHAIR HOLIAN: Any further comments from the Board?

BOARD MEMBER BOKUM: Can we schedule at 4:30?

CHAIR HOLIAN: I'm perfectly fine with that. What was the reason we did not settle on 4:30 before?

COUNCILOR CALVERT: It was the availability of the room.

CHAIR HOLIAN: Ms. Long.

MS. LONG: I think there was some discussion from what I'm remembering about moving the meeting to 4:30 and I thought I recalled some concern that that was getting late for some of the members –

COUNCILOR CALVERT: No, I think it was the room – the Planning Commission follows this at 6. I think that was the main issue.

CHAIR HOLIAN: So let me ask the Board members shall we try scheduling the meeting for 4:45 so that Councilor Calvert can make it?

COUNCILOR CALVERT: I can make 4:30.

CHAIR HOLIAN: Okay, shall we try 4:30; okay, we have consensus. Oh, I wanted to ask, I wondered if there was any update on the Wild Earth Guardians notice of intent to file a law suit, Ms. Long?

MS. LONG: Madam Chair, there have been no further developments in terms of them filing a lawsuit even though there was the intent to sue that was filed and is a required prerequisite to a lawsuit, there was no lawsuit filed. So we're hoping that that has passed this year.

CHAIR HOLIAN: Thank you.

**NEXT MEETING: Thursday, November 7, 2013 @4:35 P.M.**

**ADJOURNMENT**

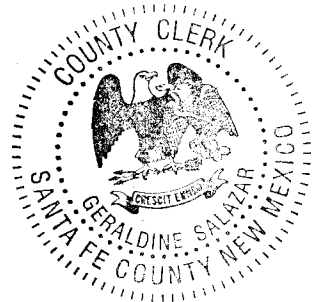
Having completed the agenda, Chair Holian declared this meeting adjourned at approximately 4:40 p.m.

Approved by:

*Kathy Holian*  
\_\_\_\_\_  
Kathy Holian, Board Chair

Respectfully submitted:

Karen Farrell, Wordswork



ATTEST:

*Geraldine Salazar*  
\_\_\_\_\_  
GERALDINE SALAZAR  
SANTA FE COUNTY CLERK  
1/3/2014

ATTEST TO:

\_\_\_\_\_  
YOLANDA VIGIL  
SANTA FE CITY CLERK



COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

BUCKMAN DIRECT DIV MIN  
PAGES: 15

I Hereby Certify That This Instrument Was Filed for  
Record On The 3RD Day Of January, 2014 at 03:56:18 PM  
And Was Duly Recorded as Instrument # **1726917**  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Deputy *Marcella Salazar* Geraldine Salazar  
County Clerk, Santa Fe, NM

SFC CLERK RECORDED 01/03/2014 17:02:50/18 DECEMBER 18 2013



CITY CLERK'S OFFICE  
DATE 9/27/13 TIME 9:49 AM.  
SERVED BY [Signature]  
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## AGENDA

### The City of Santa Fe And Santa Fe County

#### Buckman Direct Diversion Board Meeting

THURSDAY, OCTOBER 3, 2013  
4:15 PM  
CITY HALL  
CITY COUNCIL CHAMBERS  
200 Lincoln

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM THE SEPTEMBER 12, 2013 BUCKMAN DIRECT DIVERSION BOARD MEETING
6. MATTERS FROM STAFF

#### CONSENT AGENDA

7. Update and discussion of BDD operations. (Gary Durrant)
8. Drought, Monsoon and Water Resource Management Update. (Rick Carpenter)

**DISCUSSION AND ACTION ITEMS**

9. Discussion regarding Small Purchasing Authority Increase under State Law from, up to \$50,000 to \$60,000. (Nancy Long)
  
10. Request for approval of a contract and Award of BID# 14/12/B with File Construction, LLC for BDD project habitat restoration forestry and earthwork, in the amount of \$106,586.53. (Rick Carpenter)

**MATTERS FROM THE PUBLIC**

**MATTERS FROM THE BOARD**

**NEXT MEETING: Thursday, November 7, 2013**

**ADJOURN**

**PERSONS WITH DISABILITIES IN NEED OF ACCOMODATIONS, CONTACT THE CITY CLERK'S OFFICE AT 505-955-6520, FIVE (5) WORKING DAYS PRIOR TO THE MEETING DATE.**

2013/11/07 10:00 AM RECEIVED





**BUCKMAN DIRECT DIVERSION BOARD MEETING**

**SIGN IN SHEET**

**October 3, 2013**

**NAME (Please print)**

**ORGANIZATION**

MICHAEL AUNE CITIZEN/TAX PAYER

Jennifer Sakshaug The Club at Las Campanas

Wendell T. Egelhoff The Club at Las Campanas

RICK ULIBARRI LANZ

Haylei Jones Youth of the city of Santa Fe

Teresa Martinez SF County

Gary Durrant BDA

Multiple sets of horizontal lines for additional sign-in entries.

RECEIVED BY: [illegible]



CITY CLERK'S OFFICE

DATE 9/27/13 TIME 9:49 AM

SERVED BY \_\_\_\_\_

RECEIVED BY \_\_\_\_\_



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2013 NOV 07 11:53 AM



• Heron Lake, storage reservoir built for the **SAN JUAN-CHAMA PROJECT**

**Photo taken on August 28, 2013 (top)** at Blanco area, Heron Lake State Park.

• This is the water supply for the Buckman Direct Diversion that supplies Santa Fe City and County and NM State Capital.

Only a small puddle remains where Willow Creek with Azotea Tunnel w/ San Juan-Chama Diversion water enters Heron Lake.



**Heron Lake water storage on August 28, 2013**

**Heron Lake water storage on April 28, 2013**

Note the bay areas in foreground and on left in April have disappeared in August. Photos taken at same location



all photos by  
Michael Aune

tabbles'  
EXHIBIT  
3

SPS DATA RECORDED 8/1/03/2014



The TRUTH about CURRENT water storage at Heron Reservoir, **SAN JUAN-CHAMA PROJECT**

**Photo taken on Tuesday, July 23, 2013**

There is less water now than in May and April, 2013. Despite recent rains, El Vado Reservoir is also lower, and storage is also reduced at Abiquiu. **GO AND SEE FOR YOURSELF!**



**SAN JUAN – CHAMA PROJECT, HERON RESERVOIR      MAY 28, 2013**

Heron Lake State Park, Blanco area. AFTER Memorial Day. Lake is lower when it is supposed to be filling.  
all photos by Michael Aune



THE GREAT WESTERN RESERVOIR PROJECT



HERON RESERVOIR Marina area, private marina for members only adjacent to Heron Lake State Park. Upper photos are at area where Willow Creek enters Heron Lake. Willow Creek gets the San Juan-Chama water from the Azotea Tunnel under the Continental Divide. Oso Diversion is on Navajo River in Colorado, and is last collection point before San Juan-Chama Project water is diverted from the Pacific drainage to the Atlantic drainage.



Top photos: left photo taken 4/6/13, right photo taken 4/29/13

all photos by Michael Aune

Bottom photos: arm of Marina bay to north of Marina, high and dry, left photo snow and mud taken 3/3/13, right photo taken 4/29/13



Who speaks the TRUTH about the water supply from the SAN JUAN-CHAMA PROJECT?

"Allocations" from BoR –

Albuquerque 48,200 acre ft

Los Alamos \* 1,200 acre ft

Nambe/Pojoaque\* 4,500 acre ft

Santa Fe City/County 5,605 acre ft

Middle Rio Grande Cons. Dist. 20,900 acre ft

\*= not yet built; Los Alamos up to \$27million committed



Top left photo: San Juan Mtns. north of Pagosa Springs, CO 4/29/13

Top right photo: same mountains on fire, Pagosa Springs, CO 6/19/13

Right photo: flare up of same West Fork of San Juan fire taken from between Chama, NM and Tierra Amarilla, NM 6/19/13

Water "rights" = paper in an otherwise empty glass when there is no water

Bottom photo: Navajo Peak area, headwaters of Little Navajo and Navajo Rivers, which feed the San Juan-Chama Project 4/29/13



all photos by Michael Aune



THIS SPACE RESERVED FOR PHOTO OF WILDFIRE WHEN (NOT IF) IT OCCURS IN HEADWATERS OF SAN JUAN-CHAMA PROJECT

If NM Legislators read HJM24 and TAKE ACTION NOW, extreme damage may be reduced, i.e. "pro-active best management practices".