

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

**May 6, 2021**

1. This meeting of the Santa Fe County & City Buckman Direct Diversion Board meeting was called to order by Commissioner Anna Hansen, Chair, at approximately 4:00 p.m.

In accordance with the Public Health Emergency Order issued by the State of New Mexico, and pursuant to the New Mexico Attorney General's Open Government Division Advisory during COVID-19, public entities are authorized to conduct virtual meetings. All votes were conducted by roll call.

[For clarity purposes, repetitive identification and confirmations of those on the line and their audibility have been eliminated and/or condensed in this transcript.]

2. Roll was called and the following members were present:

**BDD Board Members Present:**

Commissioner Anna Hansen, Chair  
Councilor Carol Romero-Wirth  
Commissioner Anna Hamilton  
J.C. Helms, Citizen Member  
Councilor JoAnne Vigil Coppler  
Tom Egelhoff, Las Campanas [non-voting]

**Member(s) Excused:**

None

**BDD Board Alternate Members Present:**

Peter Ives, Community Alternate – Former City Councilor  
James Lightfoot, Las Campanas Alternate

**Others Present:**

Rick Carpenter, BDD Facilities Manager  
Nancy Long, BDD Legal Counsel  
Kyle Harwood, BDD Legal Counsel  
Bernardine Padilla, BDD Public Relations Coordinator  
Randy Sugrue, BDD Operations Superintendent  
Jamie-Rae Diaz, City Administrative Assistant  
Greg Shaffer, County Attorney  
Monique Maes, BDD Contract Administrator  
Jesse Roach, City Water Division Director

Jay Lazarus, Glorieta Geoscience  
James Bearzi, Glorieta Geoscience  
Steve Shultz, Hazen and Sawyer  
Luke Pierpont, Egolf + Ferlic + Martinez + Harwood.  
J.F. Valencia

### **3. APPROVAL OF AGENDA**

There were no changes from staff or the Board.

Commissioner Hamilton moved to approve the agenda as published and Councilor Vigil Coppler seconded. The motion passed by unanimous [5-0] roll call vote.

### **4. APPROVAL OF MINUTES:**

- **March 23, 2021 - Special Meeting**

There were no changes and Councilor Vigil Coppler moved to approve. Mr. Helms seconded and the motion passed by unanimous [5-0] roll call vote.

- **April 1, 2021 – Regular Meeting**

There were no changes and Mr. Helms moved to approve. Councilor Vigil Coppler seconded and the motion passed by unanimous [5-0] voice vote.

### **5. MATTERS FROM THE PUBLIC**

CHAIR HANSEN: Jamie-Rae, do we have anybody who wanted to speak to the Board?

JAMIE-RAE DIAZ: Madam Chair, I did not receive anything for matter from the public.

CHAIR HANSEN: Okay, and I don't see anyone – it appears most of the people here are our usual suspects so I will close matters from the public.

### **6. APPROVAL OF CONSENT AGENDA**

CHAIR HANSEN: Yes, Commissioner Hamilton.

COMMISSIONER HAMILTON: Items c, the 3<sup>rd</sup> Quarter Financial Position, was that what Mackie reported on last time or is this, I'm trying to think, don't we normally get a report on that; we don't just approve it on Consent?

CHAIR HANSEN: Mr. Carpenter, would you like to address that?

RICK CARPENTER (Facilities Manager): Madam Chair and Commissioner, I think we've done it both ways. This is a pretty straight forward 3<sup>rd</sup> quarter financial. I've gone over it with Mackie. She felt it was appropriate for consent. But we're happy to stand for questions.

COMMISSIONER HAMILTON: It would be my preference to get that as a verbal report out before we approve the quarter every time. Granted, it is never controversial but I honestly think that's the appropriate way.

MR. CARPENTER: Madam Chair, if you'd like – Mackie could not join us today. But there's no real deadline for this. We could certainly bring it back as a presentation at the next Board meeting if that's the pleasure of the Board.

COMMISSIONER HAMILTON: And I'll be happy to let this one go through and have it as a regular presentation based on the input or desires of the other Board members. I just think that it's appropriate to do it –

CHAIR HANSEN: It seems to be a relatively straight forward report.

COMMISSIONER HAMILTON: Absolutely.

CHAIR HANSEN: If we could do that on a regular basis and have that as a quarterly report under action items that would be good. Anything else on consent that anyone has any concerns about? If not, what's the pleasure of the Board?

COUNCILOR VIGIL COPPLER: Move to approve.

COUNCILOR ROMERO-WIRTH: Second.

**The motion passed by unanimous [5-0] roll call vote.**

#### **CONSENT ITEMS**

- a. **Request for Approval for an Amendment (one-year term extension only) to the Middle Rio Grande Endangered Species Collaborative Program (MRGESCP) 2008 Memorandum of Agreement**
- b. **Request for Approval of a Budget Amendment Resolution to move salary savings of \$180,000 to the electrical category to cover projected shortfall**
- c. **Report on 3<sup>rd</sup> Quarter Financial Position for Fiscal Year 2021**

#### **7. PRESENTATION/INFORMATIONAL ITEMS**

- a. **Monthly Update on BDD Operations**

CHAIR HANSEN: Randy Sugrue. Welcome and I like the picture.  
[Referring to the virtual background.]

RANDY SUGRUE (Operations Superintendent): Thank you very much, I appreciate that. That's my filtration system. We all depend on it and it's a hard worker.

For the month of April, BDD operations averaged in raw water diversions approximately 8.51 million gallons per day. Our deliveries through Booster Stations 4A/5A averaged 4.75 million gallons per day. Las Campanas diverted about .42 million gallons a day from Booster Station 2A. Our onsite treated and non-treated water storage was about .34 million gallons per day. BDD provided approximately 59 percent of the water supply to the City and County for the month of April. It is increasing somewhat. We do have a regional demand drought summary in storage on page 2.

Our year to date diversions through April are in the graph. February, March and April have been above average. Our regional water overview for April City-County demand is approximately 8.2 million gallons per day and that is increasing closer to 9 at

this time. Rio Grande flows for April are over 1,000 cubic feet per second. So the river is flowing briskly. Turbidity, however, is still low and the water is quite treatable, not as much as a challenge as it can be later in the summer and early fall. Our storage is depicted in the graph. And our ENSO summary for late April is listed and La Niña conditions still exist.

That's the extent of my report and I stand for questions.

CHAIR HANSEN: The written report it's a little different. I have zero for Las Campanas and you said 042 million gallons per day.

MR. SUGRUE: I didn't review the packet report but there may be a typo. It should be 0.42 or about 420,000 gallons per day going to Las Campanas.

CHAIR HANSEN: Okay. It says zero and then it also says under number 2, it says 71 percent of water supply and you said 59 percent.

MR. SUGRUE: It doesn't sound like the correct report.

MR. HELMS: You're looking at the earlier report. Our packet came in with April 1<sup>st</sup> report and we're now in May.

MR. SUGRUE: You are correct and that is not the correct report.

MR. HELMS: But what you're talking about is on the screen is in our electronic package but not in paper form.

CHAIR HANSEN: Oh, okay. I was looking at my paper copy. I will pull up my electronic copy.

MR. SUGRUE: Thank you for that. Are there any questions?

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: So what have you guys been chatting about in terms of future prospects because there are certainly places around my district where some of the shallower, you know, private wells are starting to go dry presumably from the drought. So I know the river is still flowing but what are you guys talking about?

MR. SUGRUE: We have an upcoming presentation shortly that discusses the predictions for river flow. I don't have any information on groundwater conditions but I know of course that it is dry. But our presentation coming up shortly may answer your questions or bring up some more questions.

COMMISSIONER HAMILTON: Thank you.

CHAIR HANSEN: Any other questions? Okay, hearing none we'll move on.

## **7. b. Report from the Facilities Manager**

MR. CARPENTER: Yes, thank you, Madam Chair and members of the Board. I don't have a whole lot to update the Board on at this particular meeting. We do have a firm date, a start date set for our accounting supervisor later this month. So that's really good news that that's a box that we can check. And I am really looking forward to on-boarding that individual and getting her trained and filling that void. So that's good news. With that I have every intention to emphasize filling the security position. That too, is mission critical to the BDD. So I will be turning my full attention in terms of vacancies towards that and I will update the Board as things progress.

Other than that, we are poised for entering into the high demand season. We're expecting to be called upon for a fair amount of water in terms of MGD, 9, 10, 11 perhaps MGD and so we have an aggressive schedule to get all the pumps updated as best we can. We're getting parts in, we're rehabbing and we're in the process of doing that right now and we have every expectation that we'll be able to meet the calls that may come in as we progress through the high demand season and the potential low flows in the river. And, as Randy said, we do have a couple of presentations coming up that I think will speak to that and hopefully answer any questions you have there. With that, Madam Chair, I don't have anything else to add.

CHAIR HANSEN: Are there any question for Rick the facilities manager from the Board? Okay, seeing none we'll move on.

**c. Update on the Rio Grande low flow projections**

MR. CARPENTER: Thank you, Madam Chair. I'll hand it over to Steve. He's done a really good job of addressing the major conditions that we will likely see and the various scenarios and how that will affect the Rio Grande. And then following that, Randy has a presentation that will explain how those conditions might affect the BDD and how the BDD operations will respond. Steve, if you want to take it away.

STEVE SHULTZ: Thank you, Madam Chair and members of the Board, I appreciate the opportunity to speak to you today. My name is Steve Shultz. I'm here in Santa Fe and I work for Hazen and Sawyer, a water engineering company. We work with Albuquerque, we work with the City of Santa Fe amongst other agencies. And this came out, Rick asked me to give this presentation. I gave a slightly longer version of it to the City about a month ago and it came out originally from work we doing for Albuquerque starting last fall looking at potential flows on the Rio Grande. Can everyone see the screen and hear me okay? Great.

As noted, I am going to present the projections for 2021 Rio Grande flows. That's really just a slide, I will provide some historical context for the projections and then provide a little bit deeper explanation around the projected flows. I apologize, but are we all seeing the screen that has a couple of graphs on it right now? I'm afraid I might be sharing the wrong piece.

So this is a little bit of a complicated slide so let me walk you through it a little bit here first. So what we have here is two different graphs of historical and projected flows. On the left is a log scale, they're showing the same thing. What a log scale is, is that the Y-axis here is in multiples of 10. That helps you see the range of the historical flows. On the right-hand side is a linear scale where it shows from zero to 1,000 cfs and that makes it easier to see where the low flows are. Let me talk about what all of these colors are on here. All of the blues and the black line are the range of historical flows since 1971. The reason we're looking just since 1971 is that's when the San Juan-Chama project came on line and we had the additional water in the river. And I should mention that these are projected flows at Otowi Gauge, just upstream from the BDD. The different colors represent the frequencies of historical flows. The black line is the median, so half of the flows were greater than the black line and half were lower on a particular date. Moving out from there, the darker blue is half of all of the historical flows fell within the darker blue range and then about 90 percent of the flows fell within the next color blue range. And then the light blue is

all of the historical range of flows. So on this side, the bottom here are the lowest flows that we've seen since 1971 on the river. The orange line is what we're talking about here and that's the projected flows. This is a projection made in conjunction with the Bureau of Reclamation, the Corps of Engineers and the Interstate Stream Commission. So what we're really focused on is this area between August – a three-month period basically – between August and October where the projected flows are down consistently in the 300 cfs range dropping down to as low as 250 cfs. And to put that in context, as Rick noted Randy and Rick will be discussing what that means to the BDD diversions, I'm only talking about what the flows are but just for context they're going to be using a number of 200 cfs as sort of a low-flow limit for BDD diversions.

Jumping straight to the conclusions, these are pretty low-flows forecasted. They are border line historical lows. Drought certainly plays a role in terms of this single-year drought but that's not the only reason for these low flows and that's really what I'm going to be talking about through this slide show is that we really have a very limited ability to use stored water this year. In the past, in the last summer/early fall, a lot of the water in the river has come from water that has been in storage. And we, for a variety of reasons, simply don't have that this year. And I'll go through each one of these individually. What that means is that ultimately we're largely going to be dependent on sort of base flows and potential monsoon flows this summer.

I'll walk through this and before I go through the detailed types of storage and what I'm talking about, about storage augmenting the flows, I wanted to show this map here. We're down here in Santa Fe. This is the Rio Grande feeding off into white space and this is the Chama up here originating up close to Colorado and then this dashed line is the tunnels that brings the San Juan-Chama water into the Chama Basin. I have three orange circles on here and these are three different river gauges that I'm using and will use throughout this presentation to show what the flows are like. One the Rio Grande we have the Embudo Gauging Station, the Chamita gauging on the Chama and then, of course, the Otowi right by the bridge going to Los Alamos. So of the flows at Otowi, what I'm showing over here in this pie chart is generally how much water is coming from each place. So roughly 60 percent of the flows at Otowi are coming from the Rio Grande side and about 40 percent are coming from the Chama side. That's the blue is the Rio Grande and then the Chama I further subdivided into two types of water; native water and San Juan-Chama water. So San Juan-Chama water we all know is the water that is imported from Colorado and then native water is what we call the water that originated within the Chama basin. So of the Chama flows about a quarter of it is historically been San Juan-Chama water and about three-quarters of it has been native water.

Moving on, I'm going to break this out here – that was the long-term outreach. Of course, we all know this fluctuates fairly substantially year to year. This is the same information from 2001 to 2020 and I've also added on here what the black line of Otowi flows. So you can see that, yes, the sum of these Embudo Gauge and the Chamita Gauge are about equal to what we see at Otowi. It's not exactly the same. There is an agriculture in Velarde and other diversions along the river and in between. But it's a pretty good approximation in terms of those gauges.

So I mentioned storage. On the Rio Grande side there's no storage at least that's useable for New Mexico. There are some storage reservoirs up there but they're all used for agriculture in the San Luis Valley and New Mexico kind of gets what we get at the state

line. What I'm really going to be talking about is the storage along the Chama system so that's moving upstream and that's Abiquiu, El Vado and Heron reservoirs. And that's of course both native water and San Juan-Chama water.

The first type of storage here and I kind of glossed over that summary here. There's three different types of storage that I'm going to be talking about. Two types of native storage and then San Juan-Chama storage. So this is the first type of native storage that I'm going to talk about. So we have this plot that we're looking at with the green – I pulled that green out and presented here. These are the same numbers as here. These are native flows on the Chama. And then I've superimposed on here this red line. The red line is what the flows would have looked like if there was no storage on the system. For example, in 2005 we would have seen close to 100,000 acre-feet more flow in the river than we actually saw because that water is added to storage and then it was used in the subsequent years primarily in the following year. So that's the difference here where there is more water than there would have otherwise been. These blue bars, I'll show another slide later that adds the other type of storage on here, but you can see there may be 60,000 acre-feet but this carryover storage is not really relied upon too significantly. Most years we're not really relying on much of it at all. This year, there is not carryover storage water available. We ended 2020 with 3,500 acre-feet of native water in storage and that has all subsequently been released in I believe it was March for compact debit purposes.

The second type of storage I want to talk about is what I'm calling in the year native storage. That's water from the spring runoff that is stored and then it's released later in the year. So this is the same kind of plot that we were looking at previously where the green is the actual native flows and the red is what they would have been if there were no storage. The only difference here is now we're looking at within one year. This happens to be year 2010 just as an example so we're going out across the months here. So in this case, in May there was about 90,000 acre-feet of water that was stored in El Vado and then it was subsequently released. And what did that do? It allowed for about 500 cfs of water in July through September here that would not have otherwise been there under natural conditions. So historically this has been used fairly a lot and I'll show that on the next slide. But this year, we really don't have the ability to do this. We're in Article 7 under the Rio Grande Compact and that prohibits adding any water to storage this year. So that tool is effectively not available to us.

Summarizing those two types of native storage, previously I showed the same plot with the blue bars and we saw that there was occasionally some carryover storage. The in-year storage is used a lot more frequently. 2010 is only circled here because that was the prior slide where 90,000 acre-feet was stored but you can see it's not really that uncommon – in fact, it's fairly common to be using up to about 100,000 acre-feet of water of native water from storage. And as I sort of alluded to in the prior slide, that's a significant amount of water. That's equivalent to about four months of flow at 400 cfs. And if you'll remember these forecast flows we're talking about are down in the 300 cfs range for later in the summer.

The third type of storage is San Juan-Chama water and this one is not quite as clean of a graph but I've done the same thing. I've just kind of pulled out how much water has been at Otowi coming from San Juan-Chama water here and this one is a little bit different because the water authority in Albuquerque started using their San Juan-Chama water in 2008 here so if you look from then on, normal flows could be considered 60,000 acre-feet a

year or something like that of San Juan-Chama water in the river and then you see in some of these dry years like 2012 and 2013 where we had low flows, quite a bit more was used and that quantity was used and that quantity is really up to about 100,000 acre-feet of San Juan-Chama water has been used to augment flows in the river as well.

Just like the other two, the question is, are we able to do that this year? And the answer is effectively no. We have about 140,000 acre-feet of San Juan-Chama water in storage at the beginning of this year but that may sound like a decent amount of water but this year that's largely owned by the Water Authority in Albuquerque. City of Santa Fe has the second most. But in those historical years, those numbers, that 100,000 acre-feet year in 2012, a lot of that water was coming from MRGCD and they don't have – they have effectively, no San Juan-Chama water in storage right now. Reclamation has historically but some San Juan-Chama water in the river, they also don't have any water available now. This federal San Juan pool that's in Heron, that's San Juan-Chama water that is held onto by the federal government and allocated to the San Juan-Chama contractors each year and that's really a story of long-term drought here.

Historically, I think as everyone knows, up until – now I forget the year – but until the late – around 2010 I think, everyone all the contractors always got their full allocation of water and that to a large extent was because this federal San Juan pool was really big and they had enough to even out these year to year fluctuations. But after 20 years of drought, there simply isn't any water there either and to date, the contractors have only received about 10 percent of their full allocation so far this year. There's still a lot of snow up there this year that still should melt. There still should be some water coming but the point here is really the only folks that might be able to help augment flows this summer are really the Water Authority and Santa Fe. Those numbers aren't going to look like what they had in the past with this 100,000 acre-feet of water just to keep the river flowing.

This is a plot that shows a couple of our recent dry years. So we have the same color scheme with the native Rio Grande flows in blue and then the two types of Chama flows. The top graph is from 2020 and the bottom one is from 2018. I think this really drives home the story that a lot of water here in July, August, September is coming from the Chama system and that water in turn was either stored Rio Grande water, stored native water or San Juan-Chama water. Basically, this year, this green and yellow is not going to be available. There's going to be a little bit of it but we're really looking at more what the Rio Grande flow is coming down through Embudo which last year was on the order of 200 cfs through this time period and we get a little bit more through the Chama but not the amount that we've gotten in the past dry years.

So that's really the explanation of why these flows are so low. It's really that we just don't have these water management tools that we've relied on in the past and that's in a large part driven by 20 years of drought and Rio Grande Compact issues.

So ultimately, low flow projections for the summer, down in the 250 to 300 cfs range for a three-month period maybe more if we get a good monsoon. I appreciate the opportunity to present here and I'd be happy to answer any questions either now or anybody is welcomed to contact me at any time at either by email or phone here.

CHAIR HANSEN: Are there any questions from the Board? Tom.

MR. EGELHOFF: Yes, I was wondering, those flow numbers do not take into account monsoon flows or they do?



MR. SHULTZ: They do take into account monsoon flows. And I'll go to this slide again and I think that's what some of these spikes are, are monsoon flows. Yes, they do account for those.

KYLE HARWOOD (BDD Counsel): Madam Chair, I was just going to provide one context that might be useful to the Board., just briefly, if that would be helpful.

CHAIR HANSEN: Yes, please go ahead, Mr. Harwood.

MR. HARWOOD: I think one of the reasons why this is such a valuable presentation that Jesse and Rick and Steve have worked on is because we do advise you on – and on the consent agenda was an amendment to the Middle Rio Grande Endangered Species Act Memorandum of Agreement and just to remind the Board that when the flows get down to this 200 cfs range, which you can see very clearly on this particular graph that Steve put together, is when we start to run the flag up the pole sorta-speak on reaching our low-flow constraints. So I just want to commend Jesse and Rick and Steve for pulling together a presentation – and I think as Steve said at the beginning, these are all projections, right, Steve?

MR. SHULTZ: Right.

MR. HARWOOD: So we're looking at guesses into the future which always are a little tenuous. But the project was designed, a credit to Rick, to the water down to this very low range and we see the historic data and the projected data staying above those low-flow constraints. This is not a presentation about our NEPA rules which we've given you in the past but I thought I would just give that context for the Board so that this data has a sense of context for the current operations. Thank you, Madam Chair.

CHAIR HANSEN: Thank you, Kyle. Are there any other questions or comments at this time? It's definitely a sobering report and something I'm grateful to have the knowledge about these projections. So thank you Steve and Rick and Jesse for providing this.

**d. Update on the Rio Grande low flow scenarios relative to BDD Operations**

MR. SUGRUE: Thank you, I'm going to attempt to share my screen. I have a brief presentation on the low flow scenarios from the BDD perspective. In our experience in 2020 BDD experienced reduced Rio Grande river flow rates as low as 250 cfs or cubic feet per second. And BDD's original permits do require total curtailment of native river water diversions if native water flow falls to 200 cfs or below. However, San Juan-Chama water may be diverted. The BDD intake structure, of course, is a vital component of this. It has demonstrated the ability to divert water from the Rio Grande at levels of below 300 cubic feet per second in the past and as flow decreases by 50 cubic feet per second the level of the river surface at the diversion structure falls about 2 inches. So the Rio Grande River depth at the diversion is measured from the floor of one of our diversion cells, Cell #5, and turned into a number. So the river depth calculated at the diversion at 1,000 cfs, which is an average flow in the summer months, is reported as approximately 79 inches and I have a photo that illustrates that. Measurement from the top of the screen from essentially the river bottom is 57.3 inches so anything above that measurement of 57.3 is covering the diversion screens which is the normal case when we are diverting.

Here is a diagram of the diversion structure and the river would be out here to the left of the screen. The top of the structure, that's the ground, the river level at a 1,000 cubic feet per second is 79 inches of river level is here at the top of the structure. This is actually the screen, this angled section here, and so at 250 cfs or about 60 inches the screen is still well covered by the river level. At 200 cfs we calculate about 58 inches the screen is still covered by a few inches of water and this represents the bottom of the river. The cell where the pump pulls in water is actually below river level a few feet and there's a pipe that is the intake to the raw water pumps.

COUNCILOR ROMERO-WIRTH: Madam Chair.

CHAIR HANSEN: Yes, Councilor.

COUNCILOR ROMERO-WIRTH: Can we go back to that graph. So the 79 inches is from where to where? It's the top to what?

MR. SUGRUE: It's the top – and I'm sorry my pointer is a little shaky here – but from the top down to the bottom of this cell.

COUNCILOR ROMERO-WIRTH: Okay. And then the 60 inches is the same thing?

MR. SUGRUE: Yes, from this level which is actually below river level. So the inches is kind of an arbitrary number just representing from the bottom of the cell to the water level.

COUNCILOR ROMERO-WIRTH: And then the 58 inches is where to where?

MR. SUGRUE: That's also – this angled area here is about three feet. That is, the actual screen rests at an angle from about the bottom of the river, the river bed, up about three feet. And so the 58 inches is somewhat actually the arrow is not perfectly correct but a few inches above the top of the screen to the bottom of the intake cell. So it represents in the cell more than 6 feet of water.

COUNCILOR ROMERO-WIRTH: Thank you.

CHAIR HANSEN: Tom.

MR. EGELHOFF: Randy, do you guys on an operational basis, do you have a level instrument in there? Do you deal with inches or are you always looking at cfs?

MR. SUGRUE: No, we do, Tom, we have a transducer in the cell that reports up at the treatment plant continuously what the river level is.

MR. EGELHOFF: Is that on the daily report or am I missing that or is that not on the daily report?

MR. SUGRUE: The river level is not currently on the daily report in inches.

MR. EGELHOFF: Not that – I'd be like watching the inches go down and that would be very depressing.

MR. SUGRUE: If you keep this 58 inches in mind, I think there's a historical note and I don't have it in this report, the lowest level reported at Otowi in the last 40 years I think was 195 cfs. Close to this – and I think that was part of the design of the structure itself, perhaps, and why it was set, in set, where it is was calculating that sort of historical river low.

MR. EGELHOFF: Thanks.

CHAIR HANSEN: Any other questions? Okay, go ahead, Randy.

MR. SUGRUE: Thank you, Madam Chair. This is a photo of the river at about 250 cubic feet per second. I think you can see the intake structure down at the lower

left and this is the surface. So at the top of this concrete would represent 1,000 cfs so this is at a lower flow point, I think it was last October. You can see this exposed area as kind of a close up as 3 feet of concrete down to the water. And the screens at this point, I believe, we're still 6, possibly 8 inches below water level. Here's another and you can vaguely make out the screen underwater at that time but still well covered and there are no issues with diversion when the screens are covered. So I have a graph in a moment that plots the river level in October and November of last year when the flow dropped somewhat below 250 cfs, the screen remain covered. Data indicates the screens will remain covered at 200 cfs and possibly somewhat below. This graph shows the river flow, and this is in inches, the river level based on our numerical system and so here at – here's 250 cfs would be approximately between the two p's of approximate – below 250 we were still above 58 inches. This I think represents the top of the screen. So all through that fall of last year with significantly low flows the screens were still sufficiently covered to divert. After the water is in the cell when the pump is turned on does get drawn down. The suction of the pump pulls the water level down slightly because it pulls – as the water is being pulled out of the cell it's being refilled through the screen from the river. The graph below shows that this drawdown affect is consist with the river level at low pumping rates, say at 5 million gallons per day pumping rate and at high pumping rates, say at 10 million gallons per day, there's a more significant drawdown at a high pumping rate so it does not impact our ability to divert water even running the pumps at a high rate. This shows the river level in inches here at the bottom and this shows the cell level in Pump 5. So when the pumps are running at less than 6 million gallons per day, the orange boxes, it is pretty consistent that if the river level is 62 inches, the level in the cell is also 62 inches. So we're not drawing down the water more quickly in the cell and the river can refill which would result in the pumps sucking air essentially, we certainly want to avoid. But this shows that that does not occur whether at low-flow pumping rates or at high-flow pumping rates.

So the current river flow predictions as Steve mentioned from the U.S. Bureau of Reclamation for 2021 in the graph that I have indicates that the river flow, for the most part, will be well above 200 cfs. That's the prediction and here is shows, similar to Steve's graphs, May through June significantly higher river flows and then through the lower flow months of summer and fall, still well above 200 cfs. Their prediction at that time was in the vicinity of perhaps 500 cfs – so of course, we're hoping for the best.

Should the Rio Grande river flow fall below these levels we still have a high level of confidence that BDD can and will be able to divert down to 200 cfs potentially below but we have a high level of confidence that at 200 cfs we can absolutely convert. That's based on water that is not heightened to stormwater flows, that's always a factor but that's just in a storm event.

That's the end of my presentation. I certainly am open to questions.

[Chair Hansen temporarily lost her connection and rejoined the meeting shortly.]

COUNCILOR ROMERO-WIRTH: Tom, you have a question.

MR. EGELHOFF: Randy, I was wondering, once the screens are exposed at the top do you perceive something there then?

MR. SUGRUE: Not necessarily, Tom, that's a question we've given a lot of consideration and I feel that we could expose the screen to a reasonable extent. Now what that means, I don't have a specific answer. But river flow into the cell is almost instantaneous. Let me hazard and speculate – say 30 percent of the screen was exposed we

would still have a high flow into the cell. We may not be able to pump at our maximum flows or even a high flow but we may well be able to pump at lower flows. That will sort of be, that test if it occurs, you know we can't level the river level to test it but we think that it will pump even with somewhat of a screen exposure.

COUNCILOR ROMERO-WIRTH: Commissioner Hamilton, you had your hand up.

COMMISSIONER HAMILTON: Thank you, Madam Chair. What are the chances that when we get to these 200 to 250 cfs flows this summer that most of that will be native water that we're not allowed to pump?

MR. SUGRUE: That depends on the Grande. Most of the native water is coming down the Rio Grande. It is influenced by rainfall in northern New Mexico, southern Colorado, you know, honestly we just don't know. We hope for monsoon rains but in the past, like last fall I believe the majority was coming down the Chama. Rio Grande flow was say 150 cfs and the other 100 to 200 was coming from Abiquiu from one sort of water or another. So I don't have those many specifics.

COMMISSIONER HAMILTON: And I know that Steve in part of his presentation had information we could use to help answer the question from last year and a couple of years ago but I don't remember it well enough – but there would be the possibility that we would still have to crank down how much we divert.

MR. SUGRUE: That is – if the native water flow does fall to 200 cfs or below we cannot divert native water by our permits. We can divert SJC water as long as there's enough water in the combined Rio Grande, Chama River to carry our SJC release from Abiquiu to our diversion structure. So there's not a restriction on that SJC diversion. It's more a matter of will the water make it to the BDD inlet and we feel that it will.

COUNCILOR ROMERO-WIRTH: Okay, it sounds like that's the end of that line of questioning. Any other questions from the Board? Here is our Chair back.

CHAIR HANSEN: Sorry, I don't know what happened.

COUNCILOR ROMERO-WIRTH: We were just taking questions on this presentation and I don't think there are any more questions. I think we can move on to the next item.

**8. CONSENT ITEMS [See Page 3]**

**9. ACTION ITEMS: Discussion and Action**

**a. Discussion and Possible Action for addition of a dedicated Admin Assistant for the Buckman Direct Diversion**

MR. CARPENTER: Thank you, Madam Chair and members of the Board. There have been some discussions over the last several weeks on the necessity for a dedicated administrative assistant at the BDD. We have a very broad and diverse mission and to accomplish those administrative tasks we either try to do them ourselves in our spare time or we rely heavily on Jamie-Rae who does a good job for us but she actually works for the Public Utilities Department. And what that means is she covers solid waste, wastewater, water and utility billing so she is spread very thin. So we have a demonstrated need for the position. There was an administrative assistant in the past but for whatever reason that went away. I would like to bring it back. I think that Madam

Chair has some strong thoughts on it as well. I wouldn't have to create a new position. I have a vacancy that I could reclassify easily in order to do that. I would stand for questions and I would like input from the Board on who they would like us to move forward on this.

CHAIR HANSEN: As you know, Board members, I have brought this up and I believe in the past Councilor Vigil Coppler who was the previous chair, also supported this initiative to have an administrative assistant for Rick. Is there questions or comments from the Board?

COUNCILOR ROMERO-WIRTH: Madam Chair.

CHAIR HANSEN: Councilor Romero-Wirth and Councilor Vigil Coppler.

COUNCILOR ROMERO-WIRTH: Thank you, Madam Chair. Just a quick question; so this person would be a City employee but their job title or job description would be that they worked 100 percent as your administrator on BDD and it wouldn't be shared anywhere else. Is that correct, am I understanding that?

CHAIR HANSEN: I was hoping that they would be a BDD employee but since all BDD employees are actually City employees I will let Rick go ahead and answer that.

MR. CARPENTER: That was going to be my answer. The intention would be a dedicated FTE to the BDD but like all other BDD employees that person would be a City employee.

COUNCILOR ROMERO-WIRTH: So I support that as long as that person is a City employee. I don't think, and I would defer to our lawyers about whether you could have a BDD direct employee because I think there are a variety of things would make that less than ideal. For instance, we do have benefits that go with those positions and a whole bunch of HR stuff that we don't have as BDD specific. So as long as that employee is a City employee whose job it is to 100 percent support Rick and BDD, I think that's fine.

CHAIR HANSEN: Okay, I'm going to go to Councilor Vigil Coppler and I also see Commissioner Hamilton.

COUNCILOR VIGIL COPPLER: Thank you, Madam Chair. I was just going to express support for this position. As I experienced with Mr. Carpenter when I was chair, we were splitting much too much of Ms. Diaz's time between her function and reporting requirements to the City Water Division versus BDD and she did a fantastic job but I know that she was not necessarily and is not a BDD employee. She's directly reporting to City staff and I think she did a stellar job with what Rick Carpenter asked her to do. I think it would be much more efficient, it would be a great deal of support to Mr. Carpenter to have an administrative assistant that can carry out the responsibilities that he's doing because he sometimes acts as administrative assistant which I don't think is a good use of his time either. So with regard to any BDD employees, they are BDD organizational employees but still the City is our fiscal agent so they do fall under the City's personnel rules and such. But BDD is an organizationally-attached entity to the City of Santa Fe and I think we need to keep our organizational chart with its solid integrity so that employees aren't running in all directions. But that's a very good question Councilor Romero-Wirth brought up. I think that certainly many employees in the City are still trying to understand how we're organized. So to keep the integrity of

our organizational chart, it's good that we don't have so much cross-sharing as Ms. Diaz was doing because then end up pulling employees in opposite directions. I think this would be very good for BDD. I think it would be good for Mr. Carpenter and anybody else in BDD who he relies on to help him with these kinds of duties that fall in an administrative assistant capacity but still have to be undertaken by everyone. So this would, I think, streamline things a lot better and I think we could probably be more efficient and more productive.

Thank you, Madam Chair.

CHAIR HANSEN: Thank you. Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you, Madam Chair. I agree. I think it's a very good idea. Did we have the foresight to put this in the budget? I think I caught Rick saying something about reclassifying a position; is that going to strap us someplace else? Frankly, I think we have kept the budget very lean but I think every evidence is that BDD could afford this so is it in the budget?

MR. CARPENTER: Madam Chair, Commissioner, it is not currently in the budget. It would have to come out of salary savings elsewhere of which there is enough to cover this.

COMMISSIONER HAMILTON: Would it be advisable to revise the budget? It's only the beginning of May.

MR. CARPENTER: If that was the pleasure of the Board, I would be happy to bring that back.

COMMISSIONER HAMILTON: I don't know if I'm recommending it or not. I really don't. I would like to hear from you and Mackie, I suppose.

MR. CARPENTER: Madam Chair and Commissioner, like I said, it is not currently a funded position. I would have to reclassify another position that is also not currently funded. So in order to fund it going forward we would either have to realize the funding from salary elsewhere, which is doable, or come back with some sort of an amendment to the budget that would allow for this.

COMMISSIONER HAMILTON: I think, although we clearly need some discussion, I would put forward the suggestion that we consider amending the budget.

CHAIR HANSEN: Mr. Ives.

MR. IVES: Madam Chair, I was just going to say that given the complexities that the BDD will be tackling in the coming months in connection with litigation and everything else as well as potentially historically dry summers, I think having the additional staffing capacity at the BDD to facilitate Rick accomplishing all that he needs to out there makes great sense. Yes, I think that this is something that is timely, prudent and makes sense and personally I'm highly in favor of it. Thank you.

CHAIR HANSEN: Thank you, Mr. Ives. I appreciate that. I just noted that once I became chair that I realized that Rick did not have an administrative assistant and since we have already had approval from the City Council would we have to go back and have our budget reapproved by the City Council is my question. Or would it be simpler to use the salary savings that we have at the moment and then in our budget next year or when we need to do another BAR, that we would do that all at the same time?

MR. CARPENTER: Madam Chair, using current salary savings would be the path of least resistance.

CHAIR HANSEN: Okay. Yes, Councilor Vigil Coppler.

COUNCILOR VIGIL COPPLER: I would suggest that since we have salary savings which is appropriately spent on positions that we begin the process of reclassifying the position, using the salary line item that we have now and in the event that as July 1<sup>st</sup> approaches, if we just get an update on how that's working and then if we need to do a budget adjustment that we do it at that time. And just take it as it comes. There is a process to review our budget from time to time, in fact, we had a report tonight, so I think that we have a system in place where we can keep an eye on this and then adjust as we find that it is necessary.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: That certainly makes sense. I don't have any kind of objection to using salary savings but we're in a point where we approved the BDD budget and that meant that both the City Council and the County Commission also approved their portions of the budget and it is included in our respective budgets, right, the City portion and the County portion. And so if we do a BAR in July, I mean the final budgets have to be in to the State Auditor at the end of June so we can wait and do a budget correction anytime but then it affects both entities. So I'm not sure – I'm just confused enough to not be sure whether to recommend we do – if we do it now then there's the time before each entity has to submit their budgets and the BDD has to submit their budget formally and have it approved by the auditor and sadly we don't have Mackie here to give us the details of the process.

CHAIR HANSEN: Thank you, Commissioner Hamilton. I would like possibly to hear from Rick but I do think that since we do have salary savings it would be the most, as he said, the path of least resistance and before I go any further I'll go to Councilor Romero-Wirth. I didn't see your hand being raised, so go ahead.

COUNCILOR ROMERO-WIRTH: Thank you, Madam Chair. So this would be a reoccurring expense. Salary savings, Rick, would only get us to this upcoming fiscal year or how does that work?

MR. CARPENTER: It would be this upcoming fiscal year and then going forward we would either continue to realize those salary savings. If it looked like that wasn't going to be the best option then as I said, we would have to come back and do some sort of a budget amendment or correction. Because if it's an ongoing expense, in future budgets we would build it in. In this upcoming year we would just have to fund it through salary savings.

COUNCILOR ROMERO-WIRTH: So we know that we can afford it in this upcoming fiscal year through salary savings and then to carry it forward we would put it through our budgeting process to fund it in the outer years.

MR. CARPENTER: Madam Chair, Councilor, that is correct.

COUNCILOR ROMERO-WIRTH: Okay. I guess the only other thing is, the BDD budget, correct me if I'm wrong, we don't just get to tack on whatever we want – we just expense it to both the City and the County? I think we have legal agreements don't we that say what makes up the pie and then within that pie we figure out as BDD how we expend those funds; correct?

MR. CARPENTER: That's correct.

COUNCILOR ROMERO-WIRTH: Okay. Thank you, Madam Chair.

CHAIR HANSEN: Ms. Long, do you have anything?

NANCY LONG (BDD Board Counsel): No, Madam Chair, I didn't have anything else to add. I think Mr. Carpenter answered that question for Councilor Romero-Wirth.

CHAIR HANSEN: Is there anymore discussion on this item or could I have a motion?

COUNCILOR VIGIL COPPLER: Madam Chair.

CHAIR HANSEN: Yes.

COUNCILOR VIGIL COPPLER: I move to add a dedicated administrative assistant for the Buckman Direct Diversion Board to the organization and direct Mr. Carpenter to identify funds to fund it.

MR. HELMS: Second.

COUNCILOR ROMERO-WIRTH: Madam Chair, just one more question.

CHAIR HANSEN: Yes, Councilor.

COUNCILOR ROMERO-WIRTH: Madam Chair and Rick, you think long-term within the BDD's budget there is the ability to fund this beyond the next fiscal year?

MR. CARPENTER: Yes, I believe that to be the case, yes.

CHAIR HANSEN: Any other questions from the Board?

**The motion passed by unanimous [5-0] roll call vote.**

CHAIR HANSEN: Thank you very much. I think this is a good addition to our staff.

#### **10. MATTERS FROM THE BOARD**

An error was noted on the next meeting date which is corrected below.

#### **11. NEXT MEETING: Thursday, June 3, 2021 at 4:00 p.m.**

#### **12. ADJOURN**

#### **13. EXECUTIVE SESSION**

**In accordance with the New Mexico Open Meetings Act NMSA 1978, §10-15-1(H)(7), discussion regarding pertaining to threatened or pending litigation in which the BDD Board is or may become a participant with respect to Rio Grande water quality issues**

CHAIR HANSEN: We do have executive session so I would like to go to Nancy Long before we adjourn and go into executive session and have her give us the motion.

MS. LONG: Yes, Madam Chair. You would ask for a motion to adjourn and go into executive session for the purpose as stated on the agenda for discussion pertaining to threatened or pending litigation in which the BDD Board is or may become a participant regarding Rio Grande water quality issues.

CHAIR HANSEN: Thank you. Do I have a motion?



COUNCILOR VIGIL COPPLER: Yes.  
CHAIR HANSEN: Okay, Councilor Vigil Coppler moved and  
Commissioner Hamilton?  
COMMISSIONER HAMILTON: Second.

**The motion to adjourn and go into executive session passed by unanimous [5-0] roll call vote as follows:**

Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Councilor Romero-Wirth	Aye
Mr. J.C. Helms	Aye
Councilor Vigil Coppler	Aye

[The Board adjourned and met in executive session at 5:15 p.m.]

#### **ADJOURNMENT**

Chair Hansen declared this meeting adjourned at approximately 5:15 p.m.

Approved by:

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Anna Hansen, Board Chair

Respectfully submitted:

Karen Farrell, Wordswork

#### **ATTEST TO**

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KRISTINE BUSTOS-MIHELIC  
SANTA FE CITY CLERK