

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2009-47

INTRODUCED BY:

A RESOLUTION

**AUTHORIZING THE CITY OF SANTA FE TO SUPPORT A LIVING SANTA FE RIVER
BY ALLOWING WATER TO PASS THROUGH McCLURE AND NICHOLS
RESERVOIRS IN 2009.**

WHEREAS, there is widespread community support to revive the Santa Fe River for recreation, wildlife habitat, tourism, and overall quality of life; and

WHEREAS, the community has many events planned in 2009 that would benefit from a flowing river, such as commUNITY days, the Santa Fe River Festival and Fishing Derby, the 400th Anniversary of Santa Fe, the numerous blessings of the River such as at San Isidro, Spanish Market, Indian Market, and Fiestas; and

WHEREAS, a flowing river provides an ecosystem for aquatic organisms and riparian habitat for wildlife; and

WHEREAS, a flowing river contributes to aquifer recharge; and

WHEREAS, the conservation efforts of the Santa Fe community have resulted in significantly less water use every year since 2001, with the gallon per capita per person demand

going from 168 gpcpd in 1995 to below 110 gpcpd in 2007 and 2008; and

WHEREAS, the target reservoir storage at the end of the year is approximately 40%, but reservoirs were 75% full at the end of 2008, and the reservoirs are still 75% full as of February 18, 2009; and

WHEREAS, construction has begun on the Buckman Direct Diversion Project, which will enable the City of Santa Fe to have a living river as well as a safe, reliable and sustainable drinking water supply; and

WHEREAS, the City has perfected its water right under License 1677 (as issued by the State Engineer) and fully intends to continue to put that water to beneficial use, and the enactment of this resolution will not adversely affect the City's water right under License 1677; and

WHEREAS, nothing under this resolution will cause the City to operate the municipal water utility in a way that is inconsistent with any local, state or federal rules, regulations, or laws; and

WHEREAS, releases will be made as necessary by the municipal water utility for reservoir flood management; and

WHEREAS, the 2009 river water passed-through will provide the environmental flow committee the opportunity to collect necessary physical, biological, chemical, and ecological data and measurements on and along the river to assist in understanding the river system; and

WHEREAS, the operation of the pass through water will be coordinated with the senior water rights holders; and

WHEREAS, information regarding reservoir releases, quantity of water passing through the reservoirs, reservoir levels, water use, and stream flow will be made available to the public via the City's web page as it becomes available.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that:

1. Beginning April 1, 2009, the City shall allow water to pass through Nichols

Reservoir at a minimum 2 cfs through at least September 13, 2009, provided that the outflow does not exceed inflow rates above McClure Reservoir (as measured at the above-McClure USGS gage).

2. Beginning in May 2009, the City shall allow water to pass through in weekly increments to mimic a natural, 31-day, spring runoff. See Exhibit A attached - A Proposed Typical Schedule. The proposed start date shall be between May 1st and May 8th, and may be chosen by Water Division Staff. The actual number of days and rate of pass-through will be determined by Water Division Staff in coordination with the River and Watershed Coordinator, giving consideration to recommendations from the River Commission.
3. The City shall allow water to pass through in adequate quantity to provide for the needs of the Santa Fe River Fishing Derby on June 6, 2009, as per Resolution 2008-111.
4. City staff shall make monthly updates to the River Commission and monthly updates to the Public Utilities Committee on the rates and volume of water passed through, reservoir status, and water supply projections.
5. The above targets may be modified to meet the following criteria:
 - A. An annual total of 800 acre-feet, if the yield of the watershed by April 15, 2009, is projected to be 125% or more above the average yield;
 - B. An annual total of 700 acre-feet, if the yield of the watershed by April 15, 2009, is projected to be between 75% to 125% of the average yield;
 - C. An annual total of 500 acre-feet if the yield of the watershed by April 15, 2009, is projected to be less than 75% of the average yield; and
 - D. The City shall have a target storage level of at least 40% in the combined Nichols and McClure Reservoirs by the end of 2009.
6. The targets may be reduced by the Water Division if precipitation events provide

flow to the Santa Fe River below Nichols Reservoir to meet target flows.

7. The Water Division may increase, reduce or eliminate water passing through the reservoirs as necessary for operational or emergency reasons.

PASSED, APPROVED, and ADOPTED this 29th day of April, 2009.

DAVID COSS, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

FRANK D. KATZ, CITY ATTORNEY

Exhibit A

“Proposed Typical Schedule”

based upon a May 1 start date

days	cfs
3	3
7	3
7	7
7	4
7	4
Total	Total 268
31 days	AF

mdb/ca/JEP&MDB/Resolutions2009/Santa Fe River flows