

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2017-81**

3 **INTRODUCED BY:**

4
5 Councilor Peter N. Ives

6 Councilor Renee D. Villarreal

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10 **A RESOLUTION**

11 **RECOGNIZING THE IMPORTANCE OF LIVING RIVER FLOWS TO ALL THE RESIDENTS OF**
12 **SANTA FE; CALLING FOR THE STUDY OF RIVER AND HYDRO-GEOLOGIC CONDITIONS,**
13 **AND THE BETTER MANAGEMENT OF BYPASSED FLOWS AND IRRIGATION FLOWS TO**
14 **INCREASE EFFICIENCIES IN THE DELIVERY OF WATER TO THE ACEQUIAS; AND FOR THE**
15 **FUTURE MANAGEMENT OF LIVING RIVER FLOWS FOR THE MAXIMUM BENEFIT OF THE**
16 **CITY OF SANTA FE, ITS CITIZENS, AND THE CITY’S BENEFICIAL USE OF ITS WATER**
17 **RIGHTS.**

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19 **WHEREAS,** the City of Santa Fe wishes to conserve its water resources, maximize its
20 beneficial use of surface water rights, and utilize this water in the best possible manner; and

21 **WHEREAS,** the City has obligations under state law to release and deliver water for the
22 Acequia Madre and Acequia Cerro Gordo fed by the Santa Fe River; and

23 **WHEREAS,** the City has recognized both the historic and environmental benefits of “Living
24 River” flows and formalized this recognition through its adoption of the “Santa Fe River Target Flow
25 Ordinance” in 2012; and

1 **WHEREAS**, the City must meet its obligations to provide specific delivery amounts of water
2 to Acequia Madre and Acequia Cerro Gordo; and

3 **WHEREAS**, the City wishes to make these deliveries in the most efficient manner achievable
4 to avoid wasting water; and

5 **WHEREAS**, the City desires to decrease the loss of water during the delivery of irrigation
6 water and the bypass of “Living River” flows, while maximizing any credits which could be obtained
7 from the State of New Mexico for water infiltrated to the aquifer underlying the Santa Fe River through
8 aquifer storage and recovery; and

9 **WHEREAS**, the City recognizes that infiltrated water can provide benefit to the City through
10 such storage and recovery; and

11 **WHEREAS**, the City wishes to demonstrate, document, and maximize this benefit through
12 appropriate hydrologic study and appropriate application to the Office of the State Engineer to obtain
13 a Groundwater Storage and Recovery Permit, pursuant to NMSA 1978, § 72-5A-1 through 72-5A-17;
14 and

15 **WHEREAS**, the City Attorney’s Office together with the Water Division prepared a Report
16 on the legal rights and obligations, the physical supply, and the community interests in the Santa Fe
17 River and presented the Report to the Governing Body on December 14, 2016; and

18 **WHEREAS**, the Santa Fe River Commission similarly considered the Report of the City staff
19 and made complementary recommendations to the Governing Body; and

20 **WHEREAS**, the Water Division can provide funding through its CIP and operational budgets
21 for the completion of these studies and to design and construct the diversions, metering stations and
22 other infrastructure necessary to efficiently and effectively deliver both irrigation water and bypassed
23 “Living River” flows, as well as to demonstrate the viability of an ASR permit; and

24 **WHEREAS**, the governing body of the City of Santa Fe support the use of funds for these
25 purposes; and

1 **WHEREAS**, the City and other land owners, stakeholders and community members all see
2 opportunities to work together so that more of the public can enjoy the Santa Fe River.

3 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
4 **CITY OF SANTA FE** that the Governing Body hereby:

5 Requests that the City of Santa Fe staff perform the aforementioned studies as necessary to
6 efficiently and effectively deliver irrigation water to Acequia Madre and Acequia Cerro Gordo in
7 accordance with their rights; and to support bypassed “Living River” flows to benefit all City of Santa
8 Fe residents;

9 **BE IT FURTHER RESOLVED** that the Governing Body hereby:

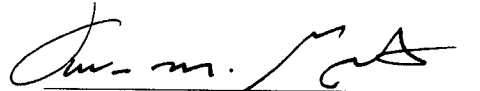
- 10 1. Directs Water Division staff to study the hydrogeologic factors influencing and
11 affecting irrigation flows, “Living River” bypass flows, and other releases or bypass
12 flows of water into the Santa Fe River.
- 13 2. Supports the Water Division’s use of CIP funds in the design and construction of
14 infrastructure necessary to improve the diversion and delivery of water for irrigation
15 and “Living River” flows, and other uses. This infrastructure includes, but is not
16 limited to, diversion structures, flow metering stations, Acequia metering, and all
17 necessary and associated automation and security needs.
- 18 3. Supports all actions and applications necessary by the City Attorney’s Office and the
19 Water Division to obtain credit for water releases into the Santa Fe River and
20 infiltrated into the aquifer fed by the river including irrigation releases, “Living River”
21 bypass flows and other releases to the river from the City’s two municipal reservoirs;
- 22 4. Directs staff to explore whether the City could host the annual fishing derby at the site
23 of the former two-mile dam, so that more citizens of Santa Fe have more opportunities
24 to enjoy the Santa Fe River.

25 **BE IT FURTHER RESOLVED** that the Governing Body recognizes the legitimate, legal,

1 and beneficial uses of the Santa Fe River for municipal uses, irrigation purposes and to fulfill the
2 ecological, cultural and recreational goals established by the Santa Fe River Target Flow Ordinance
3 (2012-10).

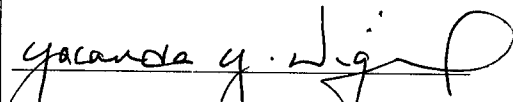
4 **BE IT FURTHER RESOLVED** that the Governing Body directs the Water Division to
5 identify and include all necessary operational and CIP funds necessary to achieve the actions and
6 objectives of this resolution for approval by the Council; as well as provide regular updates on actions,
7 construction and studies implemented to achieve these objectives and their resultant benefits.

8 PASSED, APPROVED and ADOPTED this 13th day of December, 2017.


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12 JAVIER GONZALES, MAYOR

13 ATTEST:

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15 YOLANDA Y. VIGIL, CITY CLERK

16 APPROVED AS TO FORM:

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19 KELLEY A. BRENNAN, CITY ATTORNEY