

Galisteo Watershed Partnership Quarterly Forum

November 2, 2007

Purpose of today's meeting:

- **How do we create a more effective community participation process?**
 - **What partnerships and relationships do we need to create to overcome planning obstacles?**
 - **What should the action agenda for community participation and local partnerships look like?**
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Welcome & Announcements

- People are invited to e-mail any announcements or reports from committees.
- Website is up and we can post.
- Purpose of today's meeting is to work on generating recommendations for Santa Fe County Growth Management Planning.
- This is the 9th Galisteo Partnership meeting. GWP focuses on:
 - Water Mgt.
 - Growth Mgt.
 - Transportation Mgt.
 - Open Space for recreation and conservation
- GWP steering committee needs your help to strengthen our efforts in fulfilling the mission of partnership

Oct.12th Meeting Summary

We learned that SF County is developing a growth management plan (see map- yellow). SF County is exploring how to do this plan, focus on the Galisteo Watershed (SF County's definition of the Galisteo Growth Management Area does not include the watershed areas in Sandoval and San Miguel Counties and does not include Eldorado and the Gallina Arroyo sub-watershed). There is detailed data about ground water flows, which we need to apply better. We don't need more data; we need to use the data we have.

We want SF County to address the following

- Inclusiveness in process
- Consider time – climate change
- Anticipated growth and water supplies
- Land suitability for agriculture
- Impacts of water resources from growth
- Impacts of oil and gas drilling

Scenario planning exercise to determine collectively what we want for the Galisteo Basin

- Who are the partners?

- What actions we will take as a partnership?
- How will we interact to work together toward the goals for the future?

We need to be sure that we have the same intent to reach our future goal, get on the same page about those goals, what is a good starting point, think through how we can be successful.

What is everyone's role?

How shall we work together and who should lead?

Conci Bokum: Regional Water Plan Update

The Buckman Direct Diversion Project (BDDP) publication was referenced and handed out: about regional BDDP water diversion and how it works.

Jemez & Sangre (J&S) Regional Water Planning Process:

1980s litigation with Texas about exporting water to El Paso. This interfered with constitutional rights with interstate commerce. NM needs to prove that it needed the water for its citizens. State addressed this by letting the regional water planning process be from the citizens up.

- J&S started planning process in late 90s.
- City and County had \$ to start the regional planning efforts for this region.
- Spent 5 years for the plan, established the supply and demand and determine the gap.
- Defined 24 alternatives, but most won't close the gap between supply and demand:
 - Water Conservation
 - Reduce Demand
 - New Supplies from mkt
 - BDDP well project
 - New Wells

J&S Plan was accepted by ISC in 2003, last year (2006) we got 50K to do the update (Phase 1). Now we are focusing on how supply and demand has changed. Galisteo Watershed constitutes two sub-basins: each described separately.

Update also included a survey with tribes, City Council and SF County to see if they found the original plan useful.

We are in most regions closing the gap between supply and demand. Population is growing more slowly that we anticipated.

We need to deal with drought and climate change scenarios.

We don't understand the long term sustainability of our aquifers.

There has been growth and there are 150 new domestic wells since they originally wrote the plan.

Sigmund Silber: Many parts of region closed the expected gap. But in Galisteo, we still have the issue of being completely dependant on ground water. This issue hasn't been resolved. More straws on the same source will cause a problem over time.

? – *Do sub-basins exchange water?*

Conci: J&S Council doesn't have power to implement – implementers are the cities and counties; they have the power to change or bring alternatives on line. County government has the most impact on what happens with water – they implement the changes to water supply.

Sigmund: Look at the definition of basin – underground flow doesn't obey the laws of surface flow. The map of the sub-basins is based on surface flow.

SF County Staff Presentation

Jack Kolkmeier (Land Use Administrator):

We have arrived at a point in our development and growth in SF County that requires continued growth strategies.

The 1980's zoning plan of 160 acre lots (one well) was worked around due to exemptions to plan and family land transfers. People felt that the wells should be spread out to have a lighter impact on the aquifer and offer opportunities for recharge.

We need to have a community planning process and incentives, but we need to continue to harness more community participation. There are multiple issues with environmental degradation due to growth, driveways, ridge top homes, septic tank contamination, erosion issues and oil and gas drilling.

We are in this together and we need to determine our desired future together.

We need to define our strategy and goals for that future and determine who should be the partners in the decision making process.

We need to approach this process for strategy in a community participation process. We need to do our best to refine the community participation process to gain good representation of the area and what people want.

Arnie Valdez:

The framework for exploring alternative future scenarios includes 6 key questions:

1. How should the state of the landscape be described in content, space and time?
This question is addressed through representation models and the data upon which the study relies.
2. How does the landscape operate? What are the functional and structural relationships amount it elements? This question is answered by process models that provide information for analyses.
3. Is the current landscape working well? Need evaluation models.
4. How might the landscape be altered, by what policies and action, where and when? Change models help generate data to work from.
5. What difference might the changes cause? Impact models provide data
6. How should the landscape be changed? Decision models which use cultural knowledge for the responsible decision makers.

Need to look at the physical, economic and social geography:

- What are the areas major resources and are they linked?
- Is this area attractive, are there environmental problems?
- What are the future changes for the region? Growth related?
- Are these changes harmful? Or irreversible?
- Who are the stakeholders? Are there any conflicts?

Assets: Water, wetlands, vegetation, species, wildlife and ecology.
Cultural history and heritage

The issues facing the Galisteo area include:

Mining, erosion, watershed degradation, lack of water resources, poor forest management, and overgrazing. Threats of sprawl (uncontrolled growth), gas and oil, and degradation of historic resources.

Decisions should be made by?

SF County, Galisteo Watershed Partnership, Residents, State of NM Commissioner of Public Lands, NPS, Archaeological Conservancy.

The process needs to include:

Representation → Process → Evaluation → Change → Impact → Decision-

Andrew:

What is most important about the maps you will be using today is WHERE you would like to see development. Each dot represents a number of dwellings (250 sites). We are looking for where you as a representative of your scenario group see growth happening and how: therefore, the number of dwellings is not as important as the distribution of the dots.

Please look at the Exemptions list for current county development code. They are up on the wall.

The break-out groups represent 4 growth scenarios:

- A. We value decentralized control of water (via domestic wells) and conservation efforts
- B. We see the value of water infrastructure systems to supplement the use of domestic wells and septic tanks in certain high growth parts of the Basin
- C. We value a land-use pattern that helps minimize fossil fuel use and enables vibrant local economies
- D. We value communities in a landscape with a maximum of open space, wildlife habitat/corridors, scenic values, and cultural/historical resources

Reporting Back of Breakout Groups

Group 1: Individual decentralized control of water

What are the underlying values? What does it mean to have decentralized wells? Need services for different forms of conservation. Main value was that this group felt that there should be distance between neighbors. Work with county on issues of conservation – environment friendly water mgt. systems. No consensus on how to deal with this scenario.

Obstacles: variances and exemptions to code, how to monitor the wells, theory that spreading out the wells may establish some sustainability of the water resources.

- Need collective information and monitoring of water.
- There may be no guarantee of water, no recourse to lack of water.
- Create incentives for sustainability of aquifer – partnerships and actions.
- Work with elected officials, state and county for issues of monitoring.
- Stricter enforcements on lot splits and subdivision that is going on.
- Conclude that all dots just don't fit.
- Spectrum of values and expectations that still need to be explored with more time that will lead to alternatives and combinations of actions.

Group 2: Water infrastructure systems

Values that infrastructure may encourage growth and don't want pipes all over the place.

Decisions:

- Centralized ground water or imported water.
- If we give up the water constraint, how do we control growth? Do we really know what we want in the Basin?
- What happens if imported waters go away?
- What is the role of infrastructure, to facilitate growth or establish sustainability of the aquifer?
- How will the infrastructure be funded? Taxes, private sector, litigation?

Actions:

- How to protect pollution from septic, new technologies on septic?
- Encourage water re-use in developments.
- Where the dots go was difficult due to a NIMBY issues.
- Wanted to make sure that infrastructure assured that aquifer wasn't polluted.
- Dots were close to SF, and Hwy 285, infrastructure is related to where there are already large numbers of people.
- Some of the imported water should go to SF due to diminishing resources.

Group 3: Clean energy and vibrant local economies

Shift the fossil fuel use to distributive, systems with solar photovoltaic and wind.

Things need to be accessible to us verses high mobility to amenities that are not local.

- Technology breakthroughs with partnerships.
- Develop electric utility to renew energy.
- PNM has monopoly, and difficult to be grid tied.
- Need financial incentives to get all people on board, need to think in terms of quality and less on quantity.
- Retrofits are as important as new construction.

- Protection of existing vegetation.
- Cradle to grave perspective of energy use and resources.
- Parcel taxes and bonds to increase incentives for clean energy.
- Cluster infill, mixed use, low mobility model, protect agriculture, wildlife and open space.
- Dots were about in-fill in Eldorado. San Marcos, Village of Galisteo and San Cristobal.

Group 4: Open space values, wildlife, habitat, scenic values and historical resources

Clustering is valued, but doesn't work everywhere. Economic reality of open space; Who is going to pay for it?

- Identified 4-5 major ranches and need to look at realities.
- Tax base incentives for keeping large parcels intact.
- Partnerships and landowners and community planning groups.

Actions:

- Proposed zoning change.
- Bond issue for buying open space.
- Address cultural diversity in the area to unite to preserve open space.
- Work with the large landowners to keep open space intact.

Dots: in Rancho Viejo most dots create villages or infill.

JWJ: Hard process for decision making, and time constraints. Let's also look at the things that are in harmony. Then move toward partnerships

Jack Kolkmeier's feedback on the process:

Across the board – common threads of discussion:

County is doing a growth management plan for whole community – there are 4 County Growth Management Areas, Galisteo Basin is one of the 4.

What happens next; how does your voice become part the process?

Common Themes in Whole Group:

1. How do you get people to do things differently? To change? Has to do with choices. Why should we look at new energy systems or dry toilets? Getting people to change their lifestyle?
2. Who is going to pay for these changes?
3. Ranches – viewed as open space. This is private property and they have the right to do something with that land. How can we give them choices about what to do with their land that may be conservation or open space minded. You have to have open space otherwise you have sprawl.
4. How do you get these changes?

- a. Force the change: regulations; use them to provide incentives. When we say the word encourage, we are not planning. We need to create incentives to do the things we really want.
 5. Sustainability and Agriculture: How are we going to make agriculture a functional part of our lives?
 6. Demonstration projects – create models that show how some of the new alternatives can work. What should we be demonstrating and how can that be useful?
 7. What are the communities? What community do you live in? Not necessarily nomenclature, but what power or voice do you have? Who partners with who?
 8. What is our economic future? What are we going to do? What jobs are we going have? Do these things work for us? What do we need to focus on as our economic future? What is the economic benefit to the community of oil and gas? There doesn't seem to be a communal element to that development. Movie industry? Provides jobs?
 9. Connections: Energy systems connected, can we get off the grid? How do we link together different utility? Roads, water systems, views?
 10. Nomenclature paradigm: what do we call things? Use good words to frame things. As we move along this path to make decisions we need to focus on the changes, and determine from what to what. Looking at the descriptors and what they mean: Rural development, suburban, rural etc. We need to decide what the semantics are saying.
 - a. Eldorado: 'we view ourselves as rural, but we want urban services.
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JWJ: We may need to look at the overlap of what the maps are displaying (dots). If there are common areas, if they should be addressed together or separate.

Q & A/Dialogue with Jack Kolkmeier : Response to Exercise and Next Steps

?? – *What steps can county take to prevent the proliferation of oil wells in what is now open space? Are there tools available to the County to ensure that Tecton doesn't affect the groundwater resources and the open space?*

?? – *Does SF County have a shrinkage management plan? People will want to move out the area?*

?? – *Do we need more code enforcement people?*

?? – *Jurisdictional question of what County and State can do.*

Jack: All the Oil and Gas will be addressed by mining code. We first need clear regulations from which to evaluate what they are going to do.

There are no new permits.

There was one well that was considered open that they did a test drill.

We need a regulatory device to address the permits and opinions.

Ground water issue, protecting ground water is an issue that is not just oil and gas, but the private wells. SF County will try to protect the ground water from all uses. Too many septic tanks will contaminate water; the same as drilling will. No matter who pollutes, groundwater is our common denominator. The County Attorney is putting a new ordinance together for oil and gas extraction and groundwater pumping.

Jurisdiction: Agency process to determine where the jurisdiction lies. SF County will determine what their role is in terms of ground water. The way the SF County is trying to

do this, is through the most effective community participation. For oil and gas, we need to get the regulations that are most appropriate and get all stakeholders to talk about it. The pressure to do that will have to come from the community. We should not do anything until we will get the process right. We will feel better if the forum is done right.

?? – *The community needs to have a voice in public process. Things can get smoothed out if there is community participation.*

JK: Until we have the ordinance, we can still get to a decision point without the best mechanism in place. But we must make the process right.

?? – *What kind of mechanism is in place right now that will grow with development that will monitor our water, make sure that domestic wells will stay good? What is the big unknown quantity, what is down there and what kind of shape is it in?*

JK: Two important things are monitoring and enforcement. We need to figure out how to monitor what is there. We still need to figure it out. Meters are one alternative that we are relying on now; people call in their meter reading. We are having more things metered now to see what the problems are with consumption. However, the issues are not yet resolved.

?? – *Who is responsible for developing these regulations?*

JK: The draft ordinance that is being worked on is taking into consideration the State level laws. They are trying to make sure that it is effective for the community and from a legal point of view. Ordinances from NM, AZ, CO, and CA that have been most effective are being used to format this ordinance. We're also looking at court cases from other states.

?? – *Concerns of the community are that these things are done behind closed doors. Do we still have an opportunity to make changes once the draft is produced?*

JK: Was the ordinance strong or weak? It did not address groundwater issues or pit regulation issues. We take the good things out of the rock mining ordinance and put it into new OG ordinance. Ordinances are drafted by attorneys because they have to go to court with it. Where we need to focus is how it will be reviewed. What is review process? Is it just and does it enlist the community?

The elected officials are charged with how and whether this gets done. The way an ordinance goes through the County is that it is drafted, then it goes through assurers, then it is made public, and 2 months later there are 2 public hearings and then it is denied, amended or adopted. The CDRC are not assurers – they are recommenders. The assurance comes from your elected officials. If the public wanted more public meetings, the public can request this once it is made public and goes to public hearing. Development review goes before the public hearing.

JWJ: We need to go back to what a more effective community process will be.

?? – *The process of creating ordinances is the most important. All the regulations need to go before the county to get these done. Transfer of development rights is an ordinance that needs to be researched, analyzed and agreed to.*

?? – *Over many years and many meetings there hasn't been any traction about how to preserve open space.*

JK: We have taken steps forward. E.g., The Community College District and Rancho Viego were steps forward. But these steps are truncated.

How do we get these steps to continue into the future and function better in the future? We need to hear actions.

?? – *How can we have an effective review process if the community is fragmented, fearful or has vested interests?*

Commissioners need to weigh the 'noise' they hear. Is there a point where the ordinance is thrown back to community to be voted on? Is movie industry better for the county?

JK: The largest number of people you can get into the last public hearing has the most effect. Being vocal is enormously helpful; petitions don't seem to have that much effect. Be as specific as you can about what your issue is. You need to say: Ground water is the issue and County has the say on how to address the issue. Then the Commissioner can say: They must work with that specific need. Focus on specific problems and give some feedback.

Jurisdictional issues come from federal regulations put into place that ask for the use of the laws that are most stringent, either county, state or federal.

??- *Comment: The city will monitor the Buckman wells for water quality and quantity. The County really also needs that system. Who will pay?*

JK: We need to study what is going on in the aquifer now. The County should be encouraged to get the data for form a baseline for what is going on in the aquifer. Other areas of region are being monitored well. Then you will have a baseline for when oil and gas come in, or for state level monitoring and development pressures, etc.

?? – *Comment: Should we get too hung up with monitoring? The oil and gas ordinance needs to be focused on. The community can come to bear the expertise necessary to help the County.*

JK: I have a different opinion about oil and gas; it was the citizen group that looked at the ordinances. County responded by researching the ordinance based on the community request to look at the drilling issue. We need to put something on the table and talk about it and then go from there. The expedient way was to listen to what you said about these ordinances and now the attorneys are working on amending those.

?? – *Citizens, county staff and attorneys should sit down together to work out the ordinance.*

JK: Community planning takes 3-6 years to get everyone to talk to each other and work out the needs and actions. SF County needs to get to a point where we can have the best discussion possible to make the best decision possible.

But, where does this discussion begin? How do we have the discussion?

JWJ: You have to start by understanding who need to be involved, who can make and break the process. Need to put these processes on the table. Problems are with how you shape that, how do reach everyone who should be involved etc. People need to hear more form the County about the actual process. We can't always be successful in reaching everybody.

Adjourn