

**CITY OF ALAMOGORDO, NEW MEXICO
CITY COMMISSION SPECIAL MEETING MINUTES
MUNICIPAL BUILDING, 1376 E. NINTH STREET
3:00 P.M., COMMISSION CHAMBERS
JANUARY 23, 2003**

MAYOR DON CARROLL

COMMISSIONER ED COLE

MAYOR PRO-TEM RON GRIGGS

COMMISSIONER JOHN ROBERTSON

COMMISSIONER INEZ MONCADA

CITY MANAGER PAT McCOURT

COMMISSIONER STEPHEN EASLEY

CITY ATTORNEY WILLIAM KIRSCHNER

COMMISSIONER DON COOPER

CHIEF DEPUTY CLERK BETSY KIDWELL

Call Meeting to Order and Roll Call.

The Meeting was called to order at 3:00 p.m. Commissioner Moncada and Commissioner Easley were absent. Mayor Pro-Tem Griggs arrived at 3:06 p.m. after the meeting had started.

1. Discussion regarding La Luz/Fresnal Canyon water situation.

No Recommendation.

Mayor Carroll began the meeting explaining that this meeting was scheduled at the request of several citizens. He explained that the meeting must adjourn by 4:30 p.m. due to prior commitments of some of the Commission, but they could schedule another meeting if needed. He asked Mr. McCourt to give a brief background on what the City has done in the canyon over the years with water.

Mr. McCourt informed the Commission that the City has a couple of water sources. He said that the Fresnal Canyon surface water collection system is our primary source by far. He said it flows out of the mountains and we

collect it at our La Luz water treatment plant. We have storage reservoirs there. We treat the water and then we distribute it into the City of Alamogordo. He explained that we also have a surface collection system from Bonito Lake, which is brought to the La Luz treatment plant through a pipeline that is primarily owned by the United States Air Force. He noted that our water allocation there is essentially split between the City and the Air Force. He added that there are some other minor users on that waterline. He said we have a third surface water collection system in the Alamo Canyon that we have developed over the years. He said that water comes in on the southeast side of town and flows through a small treatment facility we have at the mouth of Alamo Canyon. It is then piped into our distribution system. He explained that the system also has a well field located in the vicinity of the La Luz water plant facility. The most northern well is near La Luz and then we have wells strung out between it and down to North Scenic, east of Florida Avenue. He explained that we use the well field to supplement our surface flows normally during the summer months to keep us in supply of water. He said that we have three large reservoirs at the La Luz treatment plant. There is a 100 million gallon reservoir that we have lined and covered and two 80 million gallon reservoirs. One of these is lined and covered and the other is in the process of being covered and is almost completed. Mr. Miramontes said it would be covered next week. Mr. McCourt stated that in the winter months we have more surface flows than we have consumption so we store those in the reservoirs. We use that water during the summer months. The production out of all the surface sources has dropped dramatically in the last 5 or 6 years. He believes there has been about a 50% reduction in surface flows in the last 5 years. We have compensated in various ways. We increased our pumping of the well fields. We have put in much stricter conservation and we have dropped our per capita use dramatically. He explained that the City has developed these water sources and our predecessor, the Alamogordo Development Company actually started developing these water sources at the turn of the last century in the 1900s. He said we acquired and developed these water sources over the years. In the 1960s, we developed a more extensive piping system, a diversion system. It was rebuilt and slightly realigned in the 1990s, especially the La Luz/Fresnal Canyon one. In the 1970s, the Alamo Canyon one was also rebuilt. The Bonito dam has not had work on the collection system there although we have done repairs and modifications to the Bonito pipeline to maintain its integrity. The northern most section of the pipeline from the dam down to Nogal was rebuilt in the 1980s. The Air Force is completing the rebuild of the pipeline from the La Luz reservoir north to Carrizozo. We have been rebuilding sections of the distribution line that carries water from La Luz to the base. It is jointly used by the City and the Air Force base. We have jointly been rebuilding those sections through the city. He said that we have had several meetings with individuals from the La Luz Fresnal Canyon over the last couple of years concerning the decline in

available water from that area. We have made written offers or verbal offers to provide assistance. We explored one individual case where an individual requested water. We essentially were told by New Mexico Environmental Department that we could not do it. We could do it, but we would have to set up a treatment plant and make sure the water met all the requirements before we could make it available. They did tell us that we could sell to an association and then that liability would transfer to the association. He said it is likely that there would be other permits that would be required to do that through the State Engineer's office if we wish to pursue that path.

Mr. McCourt asked if there were any other items Mayor Carroll wanted him to cover. Mayor Carroll said that he assumes everyone is aware how water is adjudicated in New Mexico. He asked Mr. McCourt to touch on our water rights and obligations.

Mr. McCourt said the City has purchased and developed additional water rights in the La Luz Fresnal Canyon area. Our policy now is to develop new water rights rather than take away from existing water rights because we feel that is the way to help the entire Tularosa Basin. He said taking away from existing water rights would diminish the possibility of growth in the area. The City's rights exceed our actual wet water collection. He said that when the allocations were done back in 1914 they felt that much water was available up there.

Commissioner Robertson asked how many water rights we have and how much we are using in this area. Mr. McCourt said he does not have that information at his disposal at the moment, but he could get it for him. Mayor Carroll said he understands that we have rights to about 10 million gallons per day. Mr. McCourt said we have a maximum flow of 16 cubic feet per second. Mr. Miramontes said that is about 11 millions per day. Commissioner Robertson asked how much of that are we actually using or getting. Mr. McCourt said it varies quite a bit. The system we have developed is designed so that we cannot draw more than allocated. The flows over that are owned by other parties. Mr. Miramontes added that we are entitled to about 16 cubic feet per second, but the amount of water that has been available over the years has been dropping. He said that in 1992 we were using about half of it off this system. This past year we were down to 22% simply because water was not available. Commissioner Robertson clarified that we are getting about 250,000 gallons a day. Mr. Miramontes corrected that we are getting about 2.5 million gallons per day over the past year. This is the lowest we have been since 1990. Mayor Carroll asked if the 22% counted the water that the La Luz ditch association got. Mr. Miramontes replied that the association gets their full right. What is left translates into about 22% explained Mr. Miramontes. Mayor Carroll stated that they have a senior right to the City so they get their water first. He noted that the 2.5 million gallons we are talking about is in addition to the

400,000 gallons they get. Mr. Miramontes reiterated that they get their full right.

Mayor Carroll welcomed two Otero County Commissioners, Clarissa McGinn and Doug Moore. Commissioner Moore asked if any water gets by our collection points. Mr. McCourt explained that happens only if the water exceeded our allotted flow such as in a storm event.

Commissioner Robertson asked how many collection points we have and use. Mr. Miramontes replied it is complex. We have a large number of springs. We pipe the water directly from the springs and have been doing that since the 1950s. He added that there are two or three additional diversions along the Fresno Creek. They are typically used when we have flood waters or additional flows, which we have not seen the last 3 or 4 years. Commissioner Robertson asked if we had increased our collections this past summer or in the last 10 years. Mr. Miramontes replied we have not. He said in 1992 we used about half of our water right and we have seen that decline. Mayor Pro-Tem Griggs said we have become more efficient in collecting water, but because there is less water, we have collected less.

Mayor Carroll informed the audience that there was a sign up sheet for requesting to speak. He asked that they please try to limit comments to 2 or 3 minutes. He asked that in lieu of reiterating what the problem is that speakers offer short term and long term solutions to the water problem in the canyon and mountains in general.

Dr. Larry November came forward and said there is an enormous amount of water in the basin that has yet to be exploited. He feels there is a good opportunity for the City to get past this water problem, but a lack of willingness on the part of the City to develop these resources. He credited Commissioner Robertson for addressing the possibility of purchasing water to use. He said he thinks the State Engineer's office is more willing to work with us than we think. He offered to help in any way he could.

Rick Warnock said it was hoped that a dialogue would begin for resolving conflicts between the City and the County residents. He said that the format of this meeting is not conducive to dialogue. He added that a series of 2 minute presentations by either side is not a discussion or a dialogue. He said that La Luz Fresno Canyon watershed is failing and stale as a result of the City's removal of the water at the spring heads. He said now we are at risk of losing it all. He asked that we not talk at each other, but with each other as true neighbors. He said he thinks Mr. McCourt is not willing to sit down and talk about alternatives.

Other residents of the La Luz Fresno Canyon area came forward asking the Commission to work with the residents to research and find a solution to

the water problem in the area. Mayor Carroll agreed that it is difficult to dialogue in this type of setting. He recommended we sit down with a group of people that we can dialogue with. After further ineffective debate, Commissioner Cole suggested we get some of the people together to talk some of the issues over. Mayor Carroll said this format with limits is not conducive to sitting down with a lot of dialogue. He suggested Mr. Warnock's group and some of the stakeholders in the canyon come up with a few representatives to visit with Mr. McCourt, some of the Commission, and some of the staff to go through the various options. He said he will leave it up to the people in the canyons to see who and how many. This way we can see if we can refine some of this down and find where we agree or disagree. This being the consensus, it was determined a less formal meeting would be set up.

The meeting was adjourned at 4:45 p.m.

Mayor Donald E. Carroll

ATTEST:

City Clerk Angie J. Rahn

(SEAL)

(Prepared by Chief Deputy Clerk Betsy C, Kidwell)

Approved at the City Commission Regular Meeting of 02/11/2003.



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