

**CITY OF CLOVIS
WATER POLICY ADVISORY COMMITTEE
AGENDA**

8:30 a.m.

Wednesday, January 11, 2017

**Assembly Room
Bert Cabiness City Government Center
321 N. Connelly
Clovis, New Mexico**

1. Call to Order
2. Roll Call
3. Approval of Minutes of November 1, 2016
4. Discussion regarding formulation of City of Clovis Water Security Plan, Mayor Lansford
5. Updates
EPCOR Update - Mark Huerta
ENMWUA Update - Justin Howalt
City update - Larry Fry
6. For the good of the order
- Date & Time of next meeting - 8:30 a.m., Tuesday, February 14, 2017
7. Future Agenda Items
8. Adjournment

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 321 Connelly at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk at 321 Connelly if a summary or other type of accessible format is needed.

STATE OF NEW MEXICO)
CITY OF CLOVIS) ss.

The City of Clovis Water Policy Advisory Board met in regular session at 8:30 a.m., Wednesday, January 11th, 2017 in the Assembly Room, Bert Cabiness City Government Center, 321 N. Connelly, in full conformity with the laws of the State of New Mexico and the ordinances and resolutions of said city with the following members present:

Commissioner Chris Bryant, Chairman
Commissioner Fidel Madrid
Commissioner Ladona Clayton
Mr. Larry Fry
Mr. Jack Muse
Mr. Vince Demaio
Mr. Gene Hendrick
Mr. Harry Pomeroy
County Commissioner Chet Spear

ABSENT: Commissioner Sandra Taylor-Sawyer

ALSO PRESENT: Ms. Vicki Reyes, Administration
Mr. Mark Huerta, EPCOR
Mr. Daniel Bailet, EPCOR
Mr. David Kube, Curry County
Ms. Sandy Chancey, EPCOG
Mayor David Lansford
Commissioner Helen Casaus
Mr. Adrian Chavez
Ms. Josephita Griego

Commissioner Bryant called the meeting to order at 8:30 a.m. and established the presence of a quorum.

Agenda Item No. 3 - Approval of Minutes of November 1, 2016

Mr. Pomeroy advised he had one correction on page 2, line 28 and 29, "Ogallala Aquifer" should be capitalized. Mr. Hendrick made a motion to approve the minutes of November 1, 2016 as amended; Mr. Pomeroy seconded the motion, which passed by acclamation.

Agenda Item No. 4 - Discussion regarding formulation of City of Clovis Water Security Plan

Mayor Lansford stated he would like this committee to consider modifying the policy to include several factors that they all face as a community. The first thing they need to discuss is the City of Portales not signing off on the resolution to support pledging their financial commitment to support the financial plan for the Utility Authority. There is no communication between the representatives on the authority and the city council. If the two or three major population centers can agree on where their priorities needs to be they can alleviate some of the personality politics. Something this big and complicated is

difficult to transition from person to person. Each entity should have a water policy that is somewhat consistent and it will alleviate the confusion. He stated the commissioners in Portales did not have a good historical knowledge of the project. They have to interface with EPCOR water as well. They have to get better organized and retune their focus. When the engineers are telling Portales that they will essentially be out of water in 10 years that is not something that the Department of Defense wants to hear from a community that supports a military installation. They need to decide what their policies are.

The New Mexico Finance Authority stated "According to our Water Trust Board staff the Eastern New Mexico Water Utility Authority has not submitted two of its outstanding project Readiness to Proceed items, evidence of secured easements and approval of its plans and specs. As we discussed several weeks ago the deadline for submitting these items was December 1st, 2016 and though the Authority submitted a request for an extension of the Readiness to Proceed date the request came after the deadline and will not be considered until the next Water Trust Board meeting which is scheduled for late March. So at this point we are in a holding pattern. We are awaiting clarity as to when to expect the Project Readiness to Proceed and for a resolution to the final finance plan." Portales needs to sign the resolution. They need to understand there is a return on the investment. Their bonding capacity is a little tight so they are worried about money. They need to figure out how to satisfy the City of Portales. They have to act on this situation and have Portales sign off on the financial part of this project. All of the effort that has been put into this project and the money that has been accumulated is vulnerable. Portales needs to see a 10 year return on investment and right now there is no action plan to put a 10 year plan together.

The last page of the Trinity Report says "Investigate and implement the purchase of nearby agricultural water rights." The second thing it lists is "Consider installation of a redundant potable water supply connection with the City of Clovis/EPCOR Water." They need to get past water policy and move into strategic planning. Mayor Lansford stated he is worried about Cannon, Clovis, Portales and the folks that don't have water because it all sends the wrong message about the community and its sustainability.

The next Water Trust Board will be in March. The City of Clovis needs to assert themselves in the Water Plan otherwise they are going to have consequences they don't like.

Commissioner Bryant stated the meeting in Portales was very frustrating. Portales' main concern was when are they going to receive water and that is something no one knows yet. They have to put a plan together.

Mr. Muse asked what the financial responsibility of the City of Portales is. Mayor Lansford stated their amount is \$600,000-\$700,000 over the next 20 years. Mr. Muse asked if they could ask them to drop out of the water authority and took over that amount. Mayor Lansford stated Portales is under allocated from the reservoir. They do not have enough allocation to meet tier average daily consumption. He did not think they would agree to that and believe the pipeline can be built for half the amount and in a faster timeline. Their expectations are not the same as his and they are not going to give up anything that they have a right to. Commissioner Bryant stated if Portales drops out then they have a problem with the Water Trust Board, the federal delegation and Cannon Air Force Base. They need to look at short term solutions and they may get back on board if they can show that they can have

water in a certain number of years. Mr. Muse stated the City of Portales did not understand anything about the pipeline.

Mr. Chavez asked if there is a neutral party that can work between the two advisory boards and communicate information back and forth. Mayor Lansford stated that is a leadership question. This is why he is leaning towards a policy and Portales now knows what the City of Clovis' policy is. The City of Clovis bought water from JR Wall and Portales should see that has a benefit to them, but they don't. Mr. Chavez asked how long the policy took to implement. Mayor Lansford stated he would like to have 8 or 9 sections of the policy.

Commissioner Madrid stated he thought the water authority was going to build infrastructure to Elida. Mayor Lansford stated that was halted when they wouldn't approve the Elida Pump Station. Commissioner Madrid asked why Mr. Ortega wasn't helping the situation instead of putting up a road block. Mayor Lansford stated former Mayor Ortega does not believe Portales will get a return on their investment. Commissioner Madrid asked where they are going to get their water.

Commissioner Clayton stated she appreciated the passion that Mayor Lansford shared his thoughts. She stated in defense of Portales she has to look at their perspective too. They have to put out the hand and say they are in this together. If Portales is out of water in 10 years then it affects Clovis as well. It is the most pressing issue and should be their priority. She asked how quickly they could work on the policy and begin talking about how they are going to get Portales water. Commissioner Bryant asked Commissioner Clayton if she would be willing to lead a strategic planning session. Commissioner Clayton stated she would.

Commissioner Spear stated there were a lot of questions from Portales and they couldn't give any answers. They need to give them something to hold on to along with the policy. There is a lack of communication with the authority and its members. He stated their board member only tells them he has attended a meeting.

Mr. Hendrick stated he would like to volunteer to work with Commissioner Clayton. Ms. Chancey stated EPCOG will also work with Commissioner Clayton. Ms. Griego stated she would like to volunteer to help as well.

Mr. Demaio stated they have to deal with what is in front of them. They have an underground water supply and need to secure that. They have to start thinking about how they spend economic development dollars. Until they can secure and maintain the supply around it they have no solution. Their number one single focus is to stop the decline. They have to conserve in a massive way if they want this to be sustainable.

Mr. Griego stated Albuquerque had a problem conserving as well. He asked if anyone has worked with Water Utility Authority in Albuquerque to try and implement a good water conservation program for Clovis. Commissioner Bryant stated they do have a conservation policy that they work on with EPCOR. Mr. Griego stated a lot of people don't know about the policy. Mayor Lansford stated the water consumption has gone down in the last 5 years so the conservation initiatives are working. Mr. Baillet stated the conservation program has been extremely successful. The average household usage is below what it is in Albuquerque. Commissioner Bryant stated they will continue their conservation work and is not something they will discontinue.

Mr. Muse stated one problem with communication in Portales is that Mayor King has lost the confidence in her commission. They are at odds in a lot of issues and they see the leadership of the Water Utility Authority as not in good judgment. There is not unity in the Portales commission and the Mayor's office and that does not translate well for the Water Authority. Some change in leadership with the Water Authority to establish new direction, better spending and a more "how do we get water now" attitude is an important component. Commissioner Spear stated the Water Authority's plan best case scenario for the Ute Pipeline to be completed is 2038, 21 years. He stated they need to worry about their immediate needs. Commissioner Bryant stated that is why they want to develop this plan. He asked Commissioner Clayton if she would like to have someone from the county and EPCOR to help her with planning. Mr. Huerta and Commissioner Spear volunteered to help.

Mayor Lansford stated they have to focus on extending the life of the aquifer and it has to be a priority. This project will not be built in a short enough amount of time to meet their needs. Mr. Demaio stated he believes they can make this aquifer sustainable for the current use. Commissioner Bryant stated if they can show that they have a water plan it will help their economic development.

Commissioner Madrid stated one thing they haven't mentioned is their wastewater plant. Mayor Lansford stated they need to have a policy on that as well.

Mr. Hendrick suggested setting a timetable to get this done. Commissioner Clayton stated she would get right on working on things.

Commissioner Bryant asked Mayor Lansford if he had the results of the Wall property. Mayor Lansford stated the Wall water property average increase in saturated thickness from 10 wells was 23 inches.

Mr. Muse asked when the Water Trust Board meeting was. Mayor Lansford stated it is in March. Mr. Muse asked if there were key components in the plan that they need to demonstrate to Portales. Mayor Lansford stated conservation and infrastructure. Mr. Hendrick asked what day the meeting is. Mr. Fry stated they did not have a date set that. Commissioner Bryant stated one of the problems with Portales is they don't know who to visit with. Mayor Lansford stated they need to get on their agenda.

Mr. Chavez stated he handed out a sheet to the committee showing everyone that is either low on water or out of water. They are working with the USDA to purchase a water truck. They hope to have an answer by June of this year.

Agenda Item No. 5 - Updates

EPCOR Update

Mr. Huerta stated in December the average was 34% pumping capacity. In December they replaced two hydrants at 14th and Main and 14th and Gidding. They are currently replacing five valves from Prince to Pile. Work is continuing on the east transmission line as well. Upcoming work is the 5th Street project which is an alley change out from 7th Street to Mabry. Mr. Bailet stated the work that Mr. Huerta talked about is \$3 million a year that they have put into the system.

ENMWUA Update

Commissioner Bryant read an update from Mr. Howalt "No major developments. We continue to secure easements and seek funding. We have met with our federal delegation to emphasize the

importance of water projects being considered as part of an infrastructure bill. They agree. The nominee for the Cabinet Secretary of the Department of Interior is Representative Ryan Zinke. He is from Montana which is good because they have two rural water projects currently and he has sought authorization for another one in his district. We have reached out to Senator Heinrich's office to see if they would be interested in us providing questions that the Senator may consider using during the confirmation hearings. They said yes, so we are gearing them towards the Rural Water Completion Act. Because of Rep. Zinke's background we assume he would be familiar with it and want to know his stance on the bill. We have also spoken with Commissioner Lopez and Brent Rhee, head of the BOR district in Salt Lake. They will be meeting this week to discuss how to allocate funds from the Continuing Resolution that was passed and runs out in March. We are going to follow back up with them next week to see how their discussions went."

City Update

Mr. Fry stated they are not through with phase 1B on the effluent reuse project. They will not meet the January 26th deadline as far as the spend down of those funds, but will be finished by the meeting in March. They have been approved for phase 1C, for \$2.5 million. They have approved more projects than they have money for so it will still be a matter of competing within that to ensure that the funding comes to the project. Commissioner Bryant asked if this being an ongoing project was going to help them any. Mr. Fry stated it could and they had money left over from phase 1B.

Agenda Item No. 6 - For the good of the order

Commissioner Bryant stated the next meeting would be at 8:30 a.m., Tuesday, February 14th.

Agenda Item No. 7 - Future Agenda Items

Commissioner Bryant stated they will talk more about planning at the next meeting.

Agenda Item No. 8 - Adjournment

There being no further business to come before the committee the meeting adjourned at 9:39 a.m.

Chairman

SEAL

(ATTEST)

City Clerk

**CITY OF CLOVIS
WATER POLICY ADVISORY COMMITTEE
AGENDA**

8:30 a.m.

Wednesday, February 14, 2017

**Assembly Room
Bert Cabiness City Government Center
321 N. Connelly
Clovis, New Mexico**

1. Call to Order
2. Roll Call
3. Approval of Minutes of January 11, 2017
4. Discussion/action regarding the duties, duration & membership of the Water Policy Strategic Planning Task Force, Commissioner Bryant
5. Discussion regarding setting April 2017 as Water Conservation Month and related activities, Commissioner Bryant
6. Updates
EPCOR Update - Mark Huerta
ENMWUA Update - Justin Howalt
City update - Larry Fry
7. For the good of the order
- Date & Time of next meeting - 8:30 a.m., Tuesday, March 14, 2017
8. Future Agenda Items
9. Adjournment

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STATE OF NEW MEXICO)
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The City of Clovis Water Policy Advisory Board met in regular session at 8:30 a.m., Tuesday, February 14, 2017 in the Assembly Room, Bert Cabiness City Government Center, 321 N. Connelly in full conformity with the laws of the State of New Mexico and the ordinances and resolutions of said city with the following members present:

Commissioner Chris Bryant, Chairman
Commissioner Fidel Madrid
Commissioner Ladona Clayton
Commissioner Sandra Taylor-Sawyer
County Commissioner Robert Thornton (for Chet Spear)
Mr. Larry Fry
Mr. Jack Muse
Mr. Vince Demaio
Mr. Gene Hendrick
Mr. Harry Pomeroy

ALSO PRESENT:

Ms. Claire Burroughes, Administration
Mr. Justin Howalt, ENMWUA
News Media

Commissioner Bryant called the meeting to order at 8:31 a.m. and established the presence of a quorum.

Agenda Item No. 3 - Approval of Minutes of January 11, 2017

Mr. Hendrick moved to approve the minutes of January 11th, 2017; Mr. Muse seconded the motion. With all voting in the affirmative, with the exception of Commissioner Taylor-Sawyer who abstained, the motion carried.

Agenda Item No. 4 - Discussion/action regarding the duties, duration & membership of the Water Policy Strategic Planning Task Force

Following the previous meeting, Commissioner Bryant suggested the Water Policy Advisory Committee should advise and make recommendations to the Water Policy Strategic Planning Committee in the development of water conservation and water planning projects and programs for the City of Clovis.

Duration. With regard to the duration of the committee, Commissioner Bryant asked how long they would need to continue with the tasks they need to do. Commissioner Clayton advised at their last sub-committee meeting they determined it would be a lengthy process as they are committed to looking into what needs to occur due to the difficult situation with water. They have a lot of research, and are currently doing reading and field trips. They are making informed

decisions and do not want to repeat themselves. She felt it would take 3 to 5 months to complete this work correctly and well. The initial work will take three months, possibly longer, and they will then bring their recommendations to the Water Policy Advisory Committee. If there are other recommendations they will reconvene and come back to the committee. She thought the whole process would take 6-8 months. Her recommendation was they would hold the accountability measure in place, so they would work that the actions that were created were actually implemented, and that would take a once a quarter basis. They would meet with this committee quarterly to make sure the actions are being implemented. She recognized Mr. Hendrick and Commissioner Thornton who were attending these meetings.

Commissioner Bryant asked if there were any other suggestions. There were none.

Commissioner Bryant asked if this would be a problem with the duration. Mr. Richards said it was not a standing committee. The policy of the City Commission is that all committees meet the requirements of the Open Meetings Act whether they are required to or not. If this committee is serving in a recommending capacity, they are fine. Commissioner Bryant advised the policy making will be the City Commission.

Commissioner Taylor-Sawyer said it has been the policy of the city to make all meetings open whether they are ad hoc or a task force and noted that this will be a closed meeting. Once it is referred to the Water Policy Advisory Committee it will be open. Commissioner Clayton said the first whole part of the work her group is conducting will be a strategic planning effort, and if you can start by building openness, candor and trust, so there is nothing that cannot be discussed within that group, then you have a much better end result in that particular setting. Strategic planning is to build trust in a set group, and then they would open it up.

Commissioner Bryant asked what the recommendation of the committee would be. He asked if they needed to set a duration or just move on. Mr. Richards said there was no requirement in any policy or the law that there be a set time limit. Commissioner Bryant said they would not put a duration on it.

Membership. Commissioner Clayton, Commissioner Thornton, Mark Huerta and/or Daniel Bailet, CIDC – Gene Hendrick, EPCOG, Sandy Chancey, City Administration. The members would have the ability to invite other individuals to attend the meeting on an as needed basis. He asked if this was acceptable or were there other thoughts. Commissioner Clayton said Blake Prather was vital. Ms. Chancey said he represented the agricultural interest. Commissioner Clayton said his banking background was really beneficial. She said his questions are thought provoking and his knowledge of water and his connections were useful. He has provided her with information regarding the well contractors in town. Mr. DeMaio said Mr. Prather did not represent agriculture per se, and did not represent one side or another. It is for the City of Clovis as it represents everyone. Mr. Prather represents an overall accomplishment of a goal, rather than an individual entity. Commissioner Taylor-Sawyer suggested Mr. Prather be a member at large. Mr. Prather will be made a member at large.

Commissioner Madrid made a motion for all the membership; Mr. Muse seconded the motion. Commissioner Taylor-Sawyer suggested they voted on the duties and the membership. Commissioner Madrid amended his motion to include them. Commissioner Clayton said the nature of strategic planning is there is no substitutions, the reason being is they build trust, and

the relationships are created. If you cannot make it then you cannot send a substitute. The motion carried by acclamation.

Commissioner Bryant asked how often they were meeting. They will meet every two weeks. Mr. Howalt asked that if there will be any discussion regarding the ENMWUA, they would like to be invited to attend to answer questions.

Agenda Item No. 5 - Discussion regarding setting April 2017 as Water Conservation Month and related activities

Commissioner Bryant advised regarding the 2014 Water Conservation month activities. He passed around a calendar that Santa Fe did with the schools and thought something like this was a good idea.

Mr. Fry thought it was important to promote conservation and continue to keep the urgency of their water situation in front of their citizens. Commissioner Bryant said the Commission has done a resolution each year. He asked if they would like to continue to do it. Mr. DeMaio thought bringing it to the schools was critical and getting this in front of them was important. He thought it was great to bring it to the schools. They will do PSAs, etc. Commissioner Bryant asked them to let him know if they had any other suggestions. He thought EPCOR would continue to do their low flow showerheads and the xeriscaping program.

Commissioner Taylor-Sawyer asked if they approached the hotels regarding water reduction last year. Commissioner Bryant said water conservation measures in the hotels was coming from corporate level and was not sure if the local hotels had followed up with them. Ms. Burroughes advised they would talk with the hotels regarding water conservation as they talk with them about the NMML conference.

Agenda Item No. 6 - Updates

ENMWUA Update

Mr. Howalt advised the session is ongoing and they are watching any bills that may impact the ENMWUA.

HB 275 and sister bill SB 143 regarding private/public partnerships. The senate bill allows for telecommunication and broadband through P3, while the house bill allows for any type of infrastructure. As the ENMWUA looks at different funding situations and considers the funding of the pipeline, they need legislation in place to allow private/public partnerships. P3s may be a part of an overall infrastructure package. Without legislation being passed, that will not be an option in New Mexico. P3s exist in other states.

HB 5 and sister bill SB 112 eliminates Water Trust Board funding for FY 17 which is the current application cycle. The house took the language exempting funding through the WTB out, but the senate bill put the language back in. It is currently in committee on the house side. If they concur with the senate then the WTB funding for FY 17 will be gone. HT 59 and sister bill SB

44 are bills that introduce the Water Trust Board projects to the legislature. The senate has passed the bill on their side.

At the federal level, the ENMWUA are watching the appointment of Interior nominee Ryan Zinke. ENMWUA talked with Senator Heinrichs' office and as a result the senator asked Mr. Zinke about his stance the Navajo Gallup project as well as the Ute Pipeline project. Mr. Zinke said they should look at how they are prioritizing projects where there are declines as other areas are facing water quality rather than water quantity issues. Mr. Howalt felt it was good they are watching this. Mr. Zinke's confirmation has been postponed indefinitely.

The ENMWUA are ready on the Clovis/Cannon piece and that is the piece they are pushing for funding, but they are also ready to go with 100% design for the Cannon to Portales piece. They would like both projects to move forward.

While at the last ENMWUA meeting in Santa Fe they met with representatives from the NMML, State Engineer's office, Association of Counties, etc. who are continuing to push their project.

Mr. Howalt advised instead of strategic planning, they are looking at scenario planning. He has visited with the planning community on consultants to help with that. Someone will come in and work with their member communities, to see how the Water Policy Advisory Committee's plan would work into ENMWUA plan. He advised scenario planning is a bunch of "what if" scenarios. For example, are they willing as communities to take a larger role in the project if the funding does not come through at the federal level.

Mr. Howalt advised they are working on their website and have put a lot of other information on it.

Mr. Hendrick asked what was happening with Portales. Mr. Howalt said Portales has agreed to pay their member contribution for this year. Mayor King and Councilman Lucero have been meeting with the Portales council members. They are going to research on their own their water needs and re-review their annual water reports from Mr. Wilson and work on looking through what Portales' individual needs are.

Mr. DeMaio said Mr. Howalt's report was a great report. He said it is perilous to depend on government funding. He said they need to work on how to figure out what to do at a local level. They should not depend on guys in Santa Fe and DC. Mr. Howalt said that was why they were looking at other ways to fund the project. They are looking at affordability and what each organization is trying to accomplish, and work together.

Mr. Richards said the P3 partnership would benefit the City of Clovis in partnering with private entities to build infrastructure projects. The project currently costs a lot more money because there is not a mechanism available to work with private entities. If they have any contact or could mention to any legislators, that is an impediment to government infrastructure in New Mexico, and if they could figure a way to do private-public partnerships, that would drive down the cost of government infrastructure projects in New Mexico.

Mr. Howalt said public-private partnerships are being done all over the world. States next to New Mexico already have this legislation. It is another tool that you want to have available. If the city has a vacant lot that they want developed, they could work with private partnerships. Mr. Muse asked with the Davis Bacon Act if there was a threshold that contracts had to be to be done through Davis Bacon. If it was city and private would work together you avoid that and lower the cost. Mr. Richards said wage rates were available at the state and federal level, and approved wage rates drives up the cost. Mr. Howalt said there is a bill to eliminate prevailing wage rates at the state level. Mr. Fry said the unions strongly opposed it. The unions oppose public-private partnerships as well.

City Update

Mr. Fry said they are waiting to hear about the Water Trust Board funding. Their next meeting is in late March and they will see where they are at that point. Mayor Lansford, Clint Bunch, representatives from Bohanan Huston, John Ryan and he met with the Bureau of Reclamation three weeks ago regarding federal funding for the effluent reuse pipeline. The feasibility study was discussed, which was approved in 2011 so that will help. This is for Phase 1C of the project, the main distribution part of the project from Sycamore to the Clovis High School.

Agenda Item No. 7 - For the Good of the Order

Ms. Burroughes advised the city will learn if the application for the Playa Lakes Joint Venture projects were successful later in February.

Next meeting March 14th, 2017.

Agenda Item No. 8 - Future Agenda Items

None.

Agenda Item No. 9 - Adjournment

There being no further discussion, the meeting adjourned at 9:10 a.m.

**CITY OF CLOVIS
WATER POLICY ADVISORY COMMITTEE
AGENDA**

**8:30 a.m.
Tuesday, April 11, 2017**

**Ingram Room
701 N. Main
Clovis, New Mexico**

1. Call to Order
2. Roll Call
3. Approval of Minutes of February 14, 2017
4. Discussion and action regarding city billboard at 8th and Main for Water Conservation Month, Commissioner Bryant
5. Report on meeting with CDM and Bohannon Houston, Larry Fry
6. Updates
 - EPCOR Update - Mark Huerta
 - ENMWUA Update - Justin Howalt
 - City update - Larry Fry
 - Recharge Update - Claire Burroughes
7. For the good of the order
 - Date & Time of next meeting - 8:30 a.m., Tuesday, March 9, 2017
8. Future Agenda Items
9. Adjournment

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STATE OF NEW MEXICO)
CITY OF CLOVIS) ss.

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Commissioner Chris Bryant, Chairman
Commissioner Fidel Madrid
County Commissioner Chet Spear
Mr. Larry Fry
Mr. Jack Muse
Mr. Vince Demaio
Mr. Gene Hendrick
Mr. Harry Pomeroy

ABSENT:

Commissioner Ladona Clayton
Commissioner Sandra Taylor-Sawyer

ALSO PRESENT:

Ms. Vicki Reyes, Administration
Mr. Justin Howalt, ENMWUA
Mr. Weldon Kube, Curry County
Mr. Mark Huerta, EPCOR

Commissioner Bryant called the meeting to order at 8:31 a.m. and established the presence of a quorum.

Agenda Item No. 3 - Approval of minutes of February 14, 2017

Mr. Hendrick stated on the first page, lines 37 and 38 state "the Water Policy Advisory Committee should advise and make recommendations to the Water Policy Ad Hoc Committee". Commissioner Bryant stated it should read "make recommendations to the Water Policy Strategic Planning Committee". Mr. Hendrick made a motion to approve the minutes of February 14th, 2017 as amended; Mr. Pomeroy seconded the motion. The motion passed by acclamation, with the exception of Commissioner Spear who abstained.

Agenda Item No. 4 - Discussion and action regarding city billboard at 8th and Main for Water Conservation Month

Commissioner Bryant stated the city recently purchased the property at 8th and Main. One side of the billboard will promote the Par 3 and the zoo and the other side will promote water conservation. There will be no monthly fee and the only expense will be putting the sign up. Clovis Sign has given a quote so now they just need permission to begin working on the project. Mr. Muse asked what the cost was. Commissioner Bryant stated it was a onetime cost of \$950. Mr. Hendrick asked if they had money for this. Commissioner Bryant stated there is a budget for it. Commissioner Spear asked how long the sign would be up. Commissioner Bryant stated indefinitely. This is something that could be very beneficial

to promoting water conservation. Mr. Muse asked if they could make changes to it. Commissioner Bryant stated they could change it as often as they want. The other side which will be used for Parks is being paid for with Lodger's Tax. Mr. Pomeroy asked if anyone was making a design for this. Commissioner Bryant stated they are meeting today at 4:00 p.m. to discuss the design with Liz Eisenbraun. Mr. Muse stated \$900 seems a bit high for a wrap. Commissioner Bryant stated he just did one and it was \$750 without the installation fee. He stated they will not have a fee with this one since the city owns it.

Mr. Hendrick made a motion to proceed with the billboard; Commissioner Madrid seconded the motion, which passed by acclamation.

Commissioner Bryant gave a handout of water conservation activities throughout the summer. Mr. Howalt stated he would take the resolution to the Water Authority as well.

Agenda Item No. 5 - Report on meeting with CDM and Bohannon Houston

Mr. Fry stated Mayor Lansford, Commissioner Bryant, Commissioner Clayton, Clint Bunch, Tom Phelps, Claire Burroughes and himself met with Kelly Collins, Paul Karas and John Bradby with CDM and Todd Burt with Bohannon Huston to discuss reuse water and the potential for the city to take the Southwest Cheese water. SWC will generate close to 2 million gallons of wastewater per day once the expansion is complete. The effluent reuse pipeline has the potential to release up 4.1 million gallons of reuse water per day. Currently they are using about 1.1 million a day and generating around 2.6 million gallons. Phase 1C will take it and distribute water to the high school in 10-12 different sites in the area. There were also conversations for the potential to inject the water back into the aquifer. CDM and Bohannon Huston will collectively draft a preliminary scope for recycled water expansion that will come back to the Water Policy Advisory Committee.

Mr. Muse stated he has some disagreement with re-injecting. There is a risk of contamination and it will cost a lot to pull the water back out. They should look at storage above ground. Commissioner Bryant stated they are just on the starting point and have not made any decisions. Everything will be taken into consideration. They have to look at how they will fund the project as well.

Mr. Huerta stated there will need to be a great deal of study done. They need to look at the sustainability of the aquifer. The storage is good to be able to have that available for reuse which also takes the strain off of EPCOR's system. Commissioner Madrid asked if EPCOR was injecting in Arizona. Mr. Huerta stated not that he was aware of. Commissioner Madrid stated Rio Rancho is already doing this and they are going to tour the facility next month.

Mr. Hendrick stated with above ground storage they will lose a lot of water due to evaporation. Mr. Demaio stated they need to reduce the amount they take from the aquifer. They don't want to spend a lot of time and money before they look in to every surface possibility. Mr. Howalt stated they need to look at supply and demand. Commissioner Bryant stated there is a strategic planning committee working on all of this as well.

Agenda Item No. 6 - Updates

EPCOR Update

Mr. Huerta stated for the month of March they had an average daily delivery of 6.7 million gallons which is 59% capacity. They are going to start on the 5th Street water line replacement project between Axtell and Wallace. They are doing a fire service for the new Pet Smart, replaced two hydrants and are going to start on the Almond Ranch Subdivision. They also completed work on the east transmission line that went down Sugar Beet to CR 9.

ENMWUA Update

Mr. Howalt stated they have received approved plans from the Construction Programs Bureau for the first sub phase of the pipeline which is north of CAFB. They are wrapping up Water Trust Board contracts and continuing to work on easements. The last board meeting they had a presentation from Ralph Mara regarding scenario planning. They were one of five projects selected in the Bureau of Reclamation to participate in a request for information regarding the viability or potential for a P3. They will release the RFI at the end of this month and hope to host an industry day in Denver next month. Senate Bill 462 which took away Water Trust Board funding for FY 17 applications was vetoed by the Governor, however, they haven't solved all of their issues and they expect to have a special session. The P3 legislation did not pass and he spoke with Larry Maxwell, State director of purchasing, who feels there is another avenue to look into. He was contacted by Representative Pearce's office last week and they are working on promoting this project towards an infrastructure bill.

Commissioner Spear asked when phase 2 would be completed. Mr. Howalt stated it would depend on funding. Commissioner Spear asked how much it would cost. Mr. Howalt stated it would cost \$25 million and they have \$10 million.

Mr. Hendrick asked if the Bureau of Reclamation was prioritizing that this project was last. Mr. Howalt stated inside the Rural Water Fund, which there are six authorized projects. The Ute Pipeline is the youngest of those six. Each year they rank them on various scoring criteria and that is how they look at funding the projects every year. Commissioner Bryant asked if that helped getting additional funding. Mr. Howalt stated it does. Mr. Demaio asked how far along the number one project was. Mr. Howalt stated he has the numbers but not with him.

Mr. Hendrick asked what phase 2 encompasses. Mr. Howalt stated it is the Interim Groundwater Project. Mr. Hendrick asked if that involved the intent to purchase water from agricultural interests. Mr. Howalt stated once the pipeline is in place then that would be the intent.

City Update

Mr. Fry stated the city's application for funding phase 1C of the reuse project was in a similar condition as the Water Authority's application. This is one of the more important phases because it distributes so much of the water that they are already producing.

Recharge Update

Commissioner Bryant stated Amy Ewing with Daniel B Stephens met with them last week. Mr. Fry stated the meeting was about different types of recharge and different methodology. This was all very preliminary.

Agenda Item No. 7 - For the good of the order

Commissioner Bryant advised the next meeting would be at 8:30 a.m., Tuesday, May 9th.

Agenda Item No. 8 - Future Agenda Items

None.

Agenda Item No. 9 - Adjournment

There being no further business to come before the committee the meeting adjourned at 9:29 a.m.

Chairman

SEAL
(ATTEST)

City Clerk

**CITY OF CLOVIS
WATER POLICY ADVISORY COMMITTEE
AGENDA**

**1:30 p.m.
Tuesday, August 8, 2017**

**North Annex
701 N. Main Street
Clovis, New Mexico**

1. Call to Order
2. Roll Call
3. Approval of Minutes of April 11, 2017
4. Approval of Public Works/Water Policy Minutes of May 9, 2017
5. Introduction of Guests, Commissioner Bryant
6. Report from N.M Bureau of Geology regarding mapping project, Stacy Timmons, Geoffrey Rawling & Dr. Alex Rinehart
7. Report from Andy Worley, Roswell office, Office of the Engineer
8. Report from Water Planning Task Force, Commissioner Clayton
9. Discussion and recommendation regarding an additional \$360 for a water conservation billboard, Claire Burroughes
10. Updates
EPCOR Update - Mark Huerta
ENMWUA Update - Justin Howalt
City update - Tom Phelps
11. For the good of the order
- Date & Time of next meeting - 8:30 a.m., Tuesday, September 12, 2017
12. Future Agenda Items
10. Adjournment

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 321 Connelly at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk at 321 Connelly if a summary or other type of accessible format is needed.

STATE OF NEW MEXICO)
CITY OF CLOVIS) ss.

The City of Clovis Water Policy Advisory Committee met in regular session at 1:30 p.m., Tuesday August 8th, 2017 in the North Annex, Clovis-Carver Library. 701 N. Main in full conformity with the laws of the State of New Mexico and the ordinances and resolutions of said city with the following members present:

Commissioner Chris Bryant, Chairman
Commissioner Fidel Madrid
County Commissioner Chet Spear
Mr. Tom Phelps
Mr. Jack Muse
Mr. Vince Demaio
Mr. Gene Hendrick
Mr. Harry Pomeroy
Commissioner Ladona Clayton

ABSENT: Commissioner Sandra Taylor-Sawyer

ALSO PRESENT: Ms. Vicki Reyes, Administration
Mr. Tom Phelps, Administration
Ms. Claire Burroughes, Administration
Mr. Justin Howalt, ENMWUA
Mr. Weldon Kube, Curry County
Mr. Mark Huerta, EPCOR

Commissioner Bryant called the meeting to order at 8:31 a.m. and established the presence of a quorum.

Agenda Item No. 3 - Approval of minutes of April 11, 2017

Mr. Hendrick asked if the figures were correct on page 3, lines 84 and 85. Mr. Huerta stated it read "6.7 million gallons which is 59%". Mr. Muse made a motion to approve the minutes of April 11, 2017 as amended; Mr. Pomeroy seconded the motion, which passed by acclamation.

Agenda Item No. 4 - Approval of Public Works/Water Policy minutes of May 9, 2017

Commissioner Clayton made a motion to approve the public works/water policy minutes of May 9, 2017 as presented; Commissioner Madrid seconded the motion, which passed by acclamation.

Agenda Item No. 5 - Introduction of Guests

Commissioner Bryant introduced Stacy Timmons, Geoffrey Rawling, Dr. Alex Rinehart and Andy Worley.

Agenda Item No. 6 - Report from N.M. Bureau of Geology regarding mapping project

Mr. Rawling stated the project was to create lifetime maps of the aquifer.

Agenda Item No. 7 - Report from Andy Worley, Roswell office, Office of the Engineer

Mr. Worley advised they want to offer immediate assistance to this group that would help moving forward in the future. They have seen several different methods to help reclaim water. One thing the state engineer has done in the past is issuing meter reading orders. That is when an order is issued by the state engineer requiring water right owners to install meters on their wells and submit meter reading data to the office of the state engineer. They have an active water master office that administers the water rights in this area.

In 2012 they implemented new guidelines for the high plains and this type of order could assist in prolonging some of the water resources.

Commissioner Spear asked how long Mr. Worley thought it would take for the Ute Pipeline project to be finished. Mr. Worley stated they need to look at every opportunity to try to reclaim. Commissioner Clayton stated if in the conference call with the state engineer she understood him to say it would be 50-100 years. Mr. Worley stated he hoped wasn't the case.

Mr. Clint Harden, 1348 CR H, asked if it was correct that they do not meter wells in Curry County. Mr. Worley stated that was correct. Mr. Harden asked why they don't meter them. Mr. Worley stated that has never been a request to the state engineer, but is something they would entertain. Mr. Harden stated in the '90's that request was made by the Soil and Water Conservation District of Curry and Roosevelt County. That reply was never acted upon. He asked what the procedure was to request that well metering occurs in Curry County. Mr. Worley stated if that is the direction this group would like to go the state engineer would entertain that. A metering order is nothing popular, but that may not be important. Mr. Harden stated he would like to request that this committee consider that request of the state engineer. What they know statewide in both groundwater and surface water, metering has been a very effective tool in monitoring and reducing the decline of water. Therefore, as a citizen he requests that this committee considers asking the state engineer that it does occur.

Agenda Item No. 8 - Report from Water Planning Task Force

Commissioner Clayton thanked Daniel Bailet, Sandy Chancey, Gene Hendrick, Mark Huerta, Larry Fry, Tom Phelps, Blake Prather and Robert Thornton for all of their help on this plan. This committee was asked to identify measures that would secure sustainable water supply for the City of Clovis for at least the next 40 years while the Ute water pipeline project would be completed. They are 100% in support of the Ute water pipeline project. They recognize that both surface water and ground water be made available.

They reviewed NM House Bill 15, which is the bill that put ENMWUA into place. In their perspective ENMWUA was created to "plan, design, develop, purchase, acquire, own, operate, establish, construct, and maintain the eastern New Mexico rural water system pipelines and waterworks to supply water for domestic commercial, non-irrigated agricultural and industrial purposes by any individual means to persons within and without the boundaries of the authority."

The Bureau of Reclamation 2014 Assessment reported at a Quarterly Workshop in March 2015, "At an annual funding level of approximately \$50 million for construction, without additional non-Federal funding above the minimum requirements, some progress would be made towards project completion, but some of the currently authorized projects would be completed much later, perhaps not until well after 2065.... It is estimated that as of 2065, an outstanding balance of approximately \$1.8 billion

[Inflated] would still remain to complete construction of currently authorized projects.” They are one of six currently authorized projects that this is referring to. ENMWUA's financial impact study over 25 years due to inflation and additional administrative costs showed the following: by 2038, a cumulative capital cost of \$1.18 billion would exist and be carried by the following entities: \$885,000,000 federal share, \$177,000,000 state share and \$118,000,000 local share.

Commissioner Clayton stated one of the questions asked was why did they choose the paleochannel. They reviewed the Trinity Report which was prepared for Cannon Air Force Base identifying the paleochannel as a potential future water supply. They identified it as an area containing multiple playa lakes with potential to recharge the aquifer. It is close in proximity to a planned interim pipeline and to the City of Clovis water owned wells. That area contains over 70 producing wells.

They created five different action plans. The first one is effluent water reuse and the result will reduce City of Clovis groundwater usage from the Ogallala Aquifer by 37% and create a revenue stream to secure water resources by completing the Clovis effluent pipeline. The projected cost is \$11 million to complete. Currently the City of Clovis wastewater treatment plant is receiving 2.5 million gallons daily but are permitted to treat up to 8 million gallons per day. Approximately 1,034 acre feet of reuse water remains that can be sold to increase reuse water sales, further extending ground water supplies and revenue streams to finance water and water infrastructure.

The second action plan is paleochannel water banking which results in aggressively pursuing water conservation opportunities that grow and maintain the economic base of the community by securing available water resources to meet future water needs. Action plan three is palya lake restoration. The result of this is to recapture surface water for Ogallala Aquifer recharge through playa restorations. Action plan number four is conservation land and water trust. The result of this is to conserve water for long-term use through conservation easements and sustainable management practices with a projected cost of \$70,500. The last action plan is the Ute Reservoir Water Project. The result of this is to construct a delivery system that transports surface and groundwater to Eastern New Mexico Water Utility Authority (ENMWUA) members.

Current water needs for the City of Clovis are estimated to require approximately 5,600 acre feet of water annually. The completion of the water reuse system will reduce ground water demands by approximately 1,750 acre feet leaving a remaining need of 3,850 acre feet.

When the \$11 million pays for itself, \$9,250 will be remaining. The projection today is that the reuse water will garner an annual revenue of \$1.347 million. This plans result is to aggressively pursue water conservation opportunities that grow and maintain the economic base of the community by securing available water resources to meet future water needs. They are going to work with farmer to turn off the wells. If they turned off 70 wells that would make a significant difference.

They have identified funding sources for long term water acquisition. They identified New Mexico Finance Authority, the New Mexico Environment Department, USDA EPA, Bureau of Reclamation, EPCOR and members of the ENMWUA. ENMWUA can lease or purchase water rights as stated in their law.

They will begin a process with NMED and OSE to convert wells from agriculture to municipal use. Then they will construct the paleochannel pipeline to connect with the ENMWUA interim pipeline.

The conservation measures put into place by the implementation of this plan should reduce the City of Clovis demand for groundwater by 30%-50% by using water reuse and playa recharge. The conversion of the wells in the paleochannel from agriculture use to commercial use will reduce the pumping to approximately 20% of capacity which will extend the life of the remaining water in the paleochannel from approximately 10 years to beyond 50 years meeting the future needs of the City of Clovis. For every year that the wells and the paleochannel are pumped at the current rate it equates to four years of groundwater use by the City of Clovis.

Commissioner Clayton stated she would like to see town hall meetings in every district. They would like to create and publish an information brochure. They also want to have an insert with the EPCOR water bills as well as something on their website. They want to aggressively pursue change of management practices in land and water conservation. They recommend that the City of Clovis, Curry County and the ENMWA form a joint task force and work together to finance the master water assurance plan.

Commissioner Spear asked how many people in the county don't have water. Ms. Josephita Griego, 1320 N. Connelly, stated two years ago a resident of Curry County went to her and told her she had no water and neither did the neighbors around her. They have tracked 40 homes without water. They were advised by the County to start a water co-op and their ideas didn't match the county's so they are floating on what to do next. Their first step was to secure a water truck which costs a lot of money. Commissioner Spear stated they have homes in the county that have been abandoned because they don't have water.

Mr. Steve Gershon, 304 Woodson Way, stated they were so long winded that everything was lost on a lot of the people that are present. They did a lot of work, but the aquifer is losing water and they are planning on finding water someplace. Commissioner Clayton stated they are planning to stop using that groundwater. Mr. Gershon asked if it was correct that they will have 60 years left if they conserve and use the new channel. Commissioner Clayton stated they have to shut down the wells that are producing the groundwater so it is not drawing down from the aquifer. Mr. Gershon stated she was not answering his question. They are planning on taking water from this channel to help supply water for Clovis. Commissioner Clayton stated they were, but that channel is currently already drawing down a significant amount of water currently. Mr. Gershon asked how long they think using water from that channel is going to be before it runs out. He stated this was not going to work. Commissioner Clayton stated they have to have groundwater.

Mr. Gershon stated they went to the county and begged for their help and they were lied to. An organization gave the county a rundown of how much it would cost to replenish the playas and the county did not want to spend money on it.

Commissioner Bryant advised they were talking about conservation as a whole and they have to work together. The team from the County, EPCOR and the City, are working together and have to come up with solutions as to how to address some of these things. There will be a lot of discussion regarding how to move forward. He understood the frustrations but had to start somewhere and move forward.

Mr. Gershon said they had to stop the agriculture as that was the only to replenish the aquifer.

Mayor Sharon King, Vice Chair for the Water Authority advised throughout Commissioner Clayton's presentation she mentioned the ENMWUA and partnering with them and asked why a representative

from the ENMWUA was not included in the task force as they had made a lot of plans for the ENMWUA without consulting the ENMWUA. Commissioner Clayton said they were not making plans for the ENMWUA but were asking them to consider partnering with them in the plan. They were not directing the ENMWUA as to what they should or could do because they did not have the authority to do that. Mayor King asked why she did not include a representative from the ENMWUA in the task force. Commissioner Clayton advised because they were looking at City of Clovis specifically and in the heart of the plans there were conversations as to how they would reach out to the ENMWUA because the City of Clovis has membership on that board. Mayor King said anytime they are talking ENMWUA they were talking 7 communities and not just the city of Clovis. Anytime they make a recommendation that involves the ENMWUA it expands past the City of Clovis and effects all of them. She advised she was a little offended as the vice chair of the ENMWUA that she did not include a member of the ENMWA, whether that was Mr. Howalt their director, or one of their members. She knew that she and Commissioner Thornton were on the task force but she only attended one meeting of the ENMWUA so far so her background is not as extensive as what was probably needed before she came up with some of the recommendations. She said she just wanted to get that off her chest.

Mayor King asked if there had been a legal interpretation of the state statute that established the ENMWUA because several of them do not believe they could use that money to pay the farmers to not use their wells. She asked if they have looked to the state Attorney General for interpretation for this. Commissioner Clayton advised not the state Attorney General. Mayor King asked if she got any kind of legal input. Commissioner Clayton said she spoke with Dave Richards regarding HB 15 and that was the only conversation she had and she saw where it authorized the lease or purchase of water rights. If that was not doable it was listed and not a direction for ENMWUA to do that. Mayor King said the numbers they had for that particular item was \$38-\$58 million. If they spend that much Ute pipeline dollars to pay the farmers they will never have a pipeline because there will never be enough money to put the pipeline in the ground so they might just as well forget Ute if that was how they were intending to spend the money. Commissioner Clayton said they were not recommending spending all of Ute money or possibly a portion of Ute money, but if they built a pipeline and there was no water, what was the use of a pipeline. Mayor King said they had talked about lateral for a long time, but not paying farmers not to pump, which is different from buying water rights and is a whole different issue. Commissioner Clayton said it was banking water so it is available to begin moving water to the pipeline. Mayor King said she would like a legal interpretation by the state to ask if that is an allowable activity.

Mayor King asked if the report was available to the public so they could obtain a copy of it. NM Tech advised there was a link on the factsheet.

Mr. Clint Harden complimented the City of Clovis Water Advisory Committee on their work. He said effluent reuse was a potential use, utilizing SWC Water. However they were not able to use it because of high phosphorous levels. As a result it is not being utilized for reuse at this time. He asked if there had been a cost benefit analysis and would it be more or less expensive than buying water rights from the agricultural community. He asked if that was part of the consideration in the process. Commissioner Madrid said the city is working with SWC on a plan to address this through the Public Works Committee. Mr. Harden asked if that was in the plan. Commissioner Clayton advised it was outlined in the plan. Mr. Harden said he would like that to be followed more closely.

Ms. Gayla Brumfield, former ENMWUA Chair and Mayor of Clovis advised she had been involved in the water situation and thought they had done a good job of looking over everything. She was on the ENMWUA when the project was authorized by the state and helped get it written with Mr. Thompson and the other entities. There were a lot of opinions as to how the pipeline should be done. If they look at the funding, they do not have the availability to do this through the Water Trust Board. The only thing they can do with funding from the state of New Mexico for the pipeline is to design and construct. Capital outlay funding is for design and construction of infrastructure. EPCOR do not buy water rights anymore. Just because you have rights to the water, does not mean you have the water available. She was for the agriculture. It should be about a portfolio approach which included groundwater but not buying water rights. Lease the real wet water and you have to have a pipeline. They started phasing this. The federal government does not want a pipeline to nowhere and they wanted some beneficial use and so they looked at the interim pipeline. They were told the Wall property was there to have the water rights and she assumed they had enough water there to get it started once the pipeline is put in. Mr. Howalt said the first phase would be this fall. Ms. Brumfield said the pipeline to the 70 wells in the Paleo is a little bit better water but they are all in this together. Buying the water rights to reserve and put back was something they would need some other form of state funding form. She asked how beneficial would be for banking the water for them.

Ms. Brumfield said you could not buy water rights through the BOR and she knew they looked at that. BOR funding is for design and construction only unless they can figure out another way. She was an advocate for the Ute pipeline project. She felt they needed to concentrate on getting the project built like Lubbock did. It needed to be a blended approach.

Ms. Brumfield agreed that someone from the ENMWUA like Mr. Howalt should have been on the task force as the ENMWUA is mentioned throughout the report. She said she thought they had done good work and had put a lot of work into it. She said there could be some other funding.

Commissioner Bryant said these reports had not been discussed in detail with the Water Policy Advisory Committee. It will go to them next and they will discuss each report in their entirety and look into the legal situations before it goes to the City Commission. He said this was only a report, and that was all it was.

Ms. Rosellen Dunn, 213 Remuda, approached the podium. Her grandfather OA Patterson homesteaded in northern Curry County and her dad had been involved in the water business in the county. She told Commissioner Clayton she did a great job and she had done well.

Ms. Sharon Miller, 2200 Las Palomas Road, advised she had lived in Clovis for 23 years. Of the 70 proposed wells for closure, what was the total number of wells in the Paleo channel. Commissioner Clayton said in the heart of the paleo channel there were some wells not being accessed because they are dryland farming. She asked Mr. Prather if he knew. Mr. Prather said 10 more.

With regard to the effluent water, Ms. Miller asked if there would be an upgrade at the treatment plant to clean that up? (1:59:34 - 2:02:35 recorder ceased recording).

..... Mayor Lansford said he would like for New Mexico Tech to redefine or better define what a lifetime is for an aquifer. The life of an aquifer was when it had 30 feet of water remaining, not when it was completely dry. Dr. Rawlings said the 30 feet was the useable life for intensive agriculture. The rule of

thumb has been used in Kansas and Texas. The full life, until all the water is gone was longer as you were going down to zero feet. Mayor Lansford said the maps that say 5, 10, 15 years of water is for irrigation life and they should not be alarmed that there is 5 years of water left in Clovis - there is much more water than that. He said he did not feel that the sky was falling, though it seemed that some of those who made comments gave him the impression they felt the sky was falling. The recommendations by the task force were comprehensive, logical, doable and, by utilizing the various tools, it was an outstanding way to project optimism for the future of the community. With the maps and projections and full knowledge of where they were, they could take appropriate action. The projections are if they do nothing. They want to mitigate what they are currently doing and increase the life of the aquifer by taking these steps they will recharge the aquifer, add more to the effluent system by accessing playa lake and cheeseplant water. The projections by the task force are conservative and they can go beyond 60-100 years by becoming good stewards of the water supply. They will have to change their farming practices in a respectful fashion, allowing the ag community that has been viable to transition to other methods of agriculture so they can continue to have an agricultural economy that supports the area. No one is ready to throw any industry or community aside and consider what is best for them. He thought the committee had done an outstanding job. If they look at it without the attitude that the sky is falling they will be able to see the benefits of the plan and take action that makes it work.

Agenda Item No. 9 - Discussion and recommendation regarding an additional \$360 for a water conservation billboard

Ms. Burroughes advised regarding the matter. Commissioner Bryant advised it was a lit billboard and they were seeking to put something on one side encouraging water conservation. Commissioner Madrid made a motion to approve; Commissioner Clayton seconded the motion which carried by acclamation.

Agenda Item No. 10 - Updates

EPCOR Update

Mr. Huerta said they are currently averaging 5.8 million gallons a day, representing 51% of their total pumping capacity. July average was 7.8 million gallons per day, representing 61% of their total pumping capacity. Their peak day was June 14th and that was 8.9 MGD - about 76% of total capacity.

They have completed work on the installation of 2 fire hydrants at the Freshman Academy. J&H Services completed the work of 1300 feet of new 4" PVC to replace an aging 2" line on south Prince between Tatum and Brady, the portion that serves Clovis Recycling, Eds Recycling and the businesses in that area. It will improve pressure and water quality in the area.

They have completed inspection on 46 system valves in July and 143 fire hydrants.

ENMWUA Update

Mr. Howalt advised they are working on the first phase of the interim groundwater project, looking to go out to bid in the early fall for that portion of the project, just north of CAFB to east of CAFB. It is a \$9 million project. They are closing on two loan/grants with the Water Trust Board which will be applied towards the nine million.

They are securing easements along the Cannon - Portales and Cannon-Clovis route. They closed on two with the state land office. They are working with the Bureau of Reclamation and have participated in their private/public workshop and industry day. They are waiting for the results from the BOR as they are one of 38 projects that might be considered for moving forward. They have \$5 million from the BOR which is not included in the \$9 million project. They will begin to build funds to go forward with a future project. They are in the federal FY 18 budget for \$1.875. The House has passed their energy and water bill.

Mr. Ryan thought it was good they were diversifying as it was a good way to deal with a situation like this. He thought everyone working together with a diversified portfolio was good. There is a lot of work ahead. He liked the fact the document was a living document and as they start to develop the priorities they may have to do something different as the farming community moves to dry land farming they do not want them to lose their water right or ag tax rate. With the team they have put together to advise, they should have the least amount of harm or unintended consequence to move forward.

Commissioner Madrid said south of town people don't have water and the county couldn't get the money because of anti donation. He asked if there was a way to change the law regarding anti donation. Mr. Ryan thought there were ways around the anti donation clause, like creating a pass through of a governmental entity. You cannot give directly from state to an individual and he would not suggest going down that path.

City Update

Mr. Phelps said the City has held discussions with SWC regarding bringing their effluent water to the WWTP and they will have a meeting on the 21st August to continue the discussions. It is the hope of both sides to effectively and efficiently get the water to send to the parks and schools. The water reuse project was mentioned in Commissioner Clayton's presentation - there is \$11 million needed to complete that. They were not successful of obtaining WTB funds. They are planning to apply for 2018 and it is for Phase 1C which will extend to Yucca Jr. High to the High School with distribution lines and schools at a cost of \$2.6 million. They understand the importance of it, but there is a dollar cost associated with it. Water is at the top of the priority list.

Mr. Hendrick said they have mentioned what Rio Rancho is doing and he would like to know what they are doing. No one has ever told them what they are doing. Mayor Lansford said he went to Rio Rancho who are starting injecting one million of clean effluent back into their aquifer and will reclaim the water a few miles away beginning 20-30 years from now. They are doing aquifer storage and recovery as the first community in New Mexico to do that. They will harvest it a mile or two away from where they are injecting it. They will reclaim it in 20-30 years. It is the same quality as the water the city has now.

Commissioner Bryant recognized Senator Woods. Senator Woods found the presentation interesting. They took money from the Water Trust Board this year and it was sad they were using bond money to run government instead of cutting budgets. There is some real economic growth in the state currently as seen in the GRT and corporate income taxes. Government should create taxpayers. He advised the city would have to fund some of these themselves as there are so many needs in the state. Not having water in New Mexico is not unusual, it is not a way to sell homes, and something they do not like. There are a lot of people making a living in the county and they employ a lot of people. The average dairy

employs 40-50 people. What will happen to the cheeseplant when there are no dairies to support it? He complimented NM Tech for their work.

Mr. Muse said when they look at having a strong dairy - what is essential to them? How soon will they not be able to dairy if they keep drawing from the water table like they are now. He thought they should be working with them to establish longevity and see if they can modify their practices to reduce their water use.

Mr. Muse said he had been pushing to look for water outside the Ogallala and thought they should focus on water outside the Ogallala. He was reminded of when Boone Pickens came and offered the water from Hartley, Texas, and someone told them they did not need their water as they had Ute lake. The person did not have the authority to do that. Lubbock and Amarillo have that water and there is a possibility they could work with them.

He asked Mr. Bailet if someone offered to deliver water to Clovis and build a pipeline, could he give a cost as to how that would be advantageous to EPCOR instead of them having to pump their wells and deplete the aquifer. What the water would be worth. Mr. Bailet said right now they are paying 95 cents per thousand gallons for 10 year lease water. Regarding the reuse and injecting it into the wells, if they get the water to a quality they could put it in the potable water system, how much difference in cost to EPCOR if they put it in above ground storage tanks than putting it in the aquifer. Mr. Bailet said the difference is pumping costs (electricity). Mr. Muse said if you had 2 million gallons in a surface tank rather than pumping from the ground, what would the cost be. Mr. Bailet said he could not because he was talking about evaluating the cost of building storage vs. the cost of pumping from the ground. He would not hazard a guess. Mr. Muse asked if he could have some numbers about that. He was adamantly opposed to putting reuse water in the pristine aquifer but a conversation with Randy Crowder recently had got him on the fence. The power bill is enormous. As they look at reuse he would like some numbers. He asked what it would cost to take the next step to make the reuse water potable. Commissioner Bryant said he did not know. Mayor Lansford said it is considered Class A water but there was not a lot of additional work needed to make it drinkable, it was more the acceptable activity of the person drinking it than further treatment. It is the notion that you are drinking effluent water that is hard to take for some people. He did not know the additional cost.

Commissioner Madrid said the Mayor of Vaughn they bought water rights in the Estancia valley and had enough water to sell Clovis all the water they would need. It is 100 miles from here to Vaughn. Mr. Muse said they should look anywhere and everywhere. If it is uphill the water becomes really cheap. Mr. Muse said the power cost for pumping from Ute was \$6-\$10 million a year to pump it up the Caprock.

Agenda Item No. 7 - For the good of the order

Mayor Lansford said they are here today because there has not been an effort put forth in the larger community by the City of Clovis or ENMWUA to address the supply issue. The former chair was correct, there is no state or federal money available for anything but infrastructure unless you assess the members. He had reached out to the Authority for several years, wanting them to address the supply side as well as the infrastructure side and there has been no effort to do that so the City of Clovis took it upon themselves to address the supply side issue. It was obvious that building a very expensive pipeline project was not happening as quickly as they hoped for.

Mayor Lansford said the City of Clovis purchased the Wall property and took ten wells out of production north of Cannon AFB. Couple that with aggressive conservation measures on base, and the result has been the decline has been mitigated at Cannon. There is a case that the wells on Cannon are sustainable at their current usage levels. It makes sense to selectively and intelligently identify areas where you can mitigate the declining aquifer. The Paleo Channel is a small set of square miles in Curry County identified in this and the Trinity Report to take out production. They are trying to identify additional supply so they can take the heat off with regard to supply. The ENMWA was not addressing the supply issue so the City of Clovis leadership said they would address the supply issue, we asked them to address it for a number of years and they did not want to. They said they were an infrastructure organization. To be criticized for not including them is really a poke in the eye he thought was uncalled for.

Mayor Lansford thought what the committee had done was remarkable. It started them on the pathway to make supply a high priority and they would utilize whatever tools were out there to assure the public that their economy was going to be sustainable because they are going to take care of their future water supply and the infrastructure will take care of itself over time. He advised the City of Clovis and commissioners and himself as mayor were just as concerned about all of eastern New Mexico as they were about the City of Clovis when it comes to water supply. They are reaching out to all the other members of the ENMWUA and trying to partner with them to see if they want to participate in extending and identifying other sources of supply because they were accused recently at a meeting 6-9 months ago that the City of Clovis wanted to secure all the water and charge them. The City of Clovis said they did not want to do that and did they want to join them and they would just be partners in securing additional supply. He felt the criticism was unwarranted and was not going to continue as long as he was chairman of the ENMWUA. Commissioner Bryant thanked him for his comments.

Mr. DeMaio asked if it was a fair statement to say the single best way to extend the life of the aquifer was to reduce irrigation and that the more irrigation is reduced, the longer the life is extended. Dr. Rawlings said that was.

Agenda Item No. 8 - Future Agenda Items

September 12th, 2017 at 8:30 a.m., City Hall.

Agenda Item No. 9 - Adjournment

There being no further business to come before the committee the meeting adjourned at 4:08 p.m.

Chairman

SEAL
(ATTEST)

City Clerk

**CITY OF CLOVIS
WATER POLICY ADVISORY COMMITTEE
AGENDA**

**8:30 a.m.
Tuesday, October 10, 2017**

**Assembly Room
321 N. Connelly
Bert Cabiness City Government Center**

1. Call to Order
2. Roll Call
3. Approval of Minutes of August 8, 2017
4. Update regarding Pilot Project with Southwest Cheese, Durwood Billington
5. Discussion and action regarding Master Water Assurance Plan, Commissioner Clayton
6. Updates
 - EPCOR Update - Mark Huerta
 - ENMWUA Update - Maggie Chapman
 - City update - Justin Howalt
7. For the good of the order
 - Comments regarding Master Water Assurance Plan, Walter Bradley
 - Date & Time of next meeting - 8:30 a.m., Tuesday, November 14, 2017
8. Future Agenda Items
9. Adjournment

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 321 Connelly at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk at 321 Connelly if a summary or other type of accessible format is needed.

STATE OF NEW MEXICO)
CITY OF CLOVIS) ss.

The City of Clovis Water Policy Advisory Committee met in regular session at 8:30 .m., Tuesday, October 10, 2017 in the Assembly Room, Bert Cabiness City Government Center, 321 N. Connelly in full conformity with the laws of the State of New Mexico and the ordinances and resolutions of said city with the following members:

Commissioner Chris Bryant, Chairman
Commissioner Helen Casaus (for Commissioner Madrid)
Mr. Justin Howalt
Mr. Jack Muse
Mr. Vince Demaio
Mr. Gene Hendrick
Mr. Harry Pomeroy
Commissioner Ladona Clayton
Commissioner Sandra Taylor-Sawyer
County Commissioner Chet Spear

ALSO PRESENT:

Ms. Vicki Reyes, Administration
Mr. Mark Huerta, EPCOR
Mr. Durwood Billington, Public Works
Mr. Ruben Alfaro, Public Works
Ms. Sandy Chancey, EPCOG
Ms. Maggie Chapman, ENMWUA
Members of the public
News Media

Commissioner Bryant called the meeting to order at 8:32 a.m. and established the presence of a quorum.

Agenda Item No. 3 - Approval of minutes of August 8, 2017

Commissioner Bryant stated on page 3 line 120 it should read "they will being a process with NMED and OSE". Mr. Hendrick made a motion to approve the minutes of August 8, 2017 as amended; Commissioner Clayton seconded the motion. The motion passed by acclamation, with the exception of Commissioner Taylor-Sawery who abstained.

Commissioner Bryant stated he would like to move the comments regarding Master Water Assurance Plan up before agenda item number 4.

Comments regarding Master Water Assurance Plan

Mr. Walter Bradley stated he is employed by the Dairy Farmers of America and water is a main concern of everyone. They are 100% in favor of conservation, but he asked how many believed the City of Clovis was running out of water right now. The fact is that dairies state wide accounted for 1.3% of state water use. The dairies recycle their water up to four times and are very efficient at what they do. They have

commercial wells at the dairy which is a requirement of the State Engineer. The dairies are not large water users. Southwest Cheese, which Dairy Farmers of America is a partner with, is a generator of water and they generate more than they use. He read "industry sources tell the milk weed that the New Mexico cheeseplant may have a shelf life of less than 10 years". This is not a true statement.

Mr. Bradley stated 5-6 years ago New Mexico American Water asked to help find a way to acquire water without buying farms. Out of the discussion with a few farmers they came up with legislation which allowed farmers to lease their water to New Mexico American Water. Since then, not only does EPCOR meet the state standards for water but they have a reserve. The city has the possible availability of 3.5 million gallons, which would double what the city uses. They need to capture that and would be the easiest and quickest way.

Mr. Bradley stated the work the city is doing is important, but they need to tone down some of the rhetoric. Commissioner Taylor-Sawyer asked what the difference was between commercial and irrigation well. Mr. Bradley stated an irrigation well is allowed 3 acre feet and a commercial well is allowed 1.29 acre feet.

Commissioner Spear stated the concerns he has are the dairies. He was told the dairies that have double crops use more water. How do you explain the wells being shut down and dried up. Mr. Bradley stated drinking water is one issue and irrigation is another. Mr. Demaio stated the dairy industry is a sustainable model for this area. He agreed that the dairy and ag industry will be huge contributors to the area for a long time.

Josephita Griego stated at a previous meeting Gayla Brumfield made it clear that EPCOR had a contract with the city to make sure the city has water. Is that something they could readdress that the city is not running out of water, but that the county does need water. Mr. Bradley stated EPCOR and the city do have a binding contract that they will provide water to the city. As for the county, when he was Lt. Governor they had the same issues around the State of New Mexico.

Agenda Item No. 4 - Update regarding pilot project with Southwest Cheese

Mr. Billington stated they are at 100%, the equipment is online and they are adding another storage tank. They already do all of the testing that EPCOR requires. TDS is typically 700 and their recommended limit is 500 and that is a non-enforceable requirement.

They have the pipe in for the Southwest Cheese project. They have one basin down and should start working on it in a week. They should be ready by the first of the year. It will take CDM Smith that long to do all of their data research. They have two bids on the pipe and it will run \$2.00 a foot. They are moving forward, but do not have the personnel to keep the schedule he originally thought of.

Mr. Howalt stated they are looking at direct injection and also infiltration. They could do infiltration basins, which is getting through the caliche layer so water will not go through as quickly. They have looked at existing well log data, the makeup of the soil conditions and how quickly the water will infiltrate into the aquifer.

Mr. Howalt stated they have a kickoff meeting scheduled with Southwest Cheese on October 19th. They are trying to work together to get that water back into town. With the rebuild of the plant in 2012 they added treatment processes to the existing plant and are now at a point to get the headworks back into

the effluent and see what extra treatment they may have to do. Mr. Billington stated the biggest issue has always been phosphorus limits from Southwest Cheese. They cannot put high phosphorus numbers in a standing body of water, but if they are putting it directly on grass or directly in the ground then phosphorus is not an issue. Commissioner Bryant asked how far away they were from being able to use reuse water to drinking water. Mr. Billington stated they are very close. It is designed now for direct human contact, but not human consumption.

Mr. Muse asked for a complete description of the pilot project. Mr. Billington stated CDM was tasked to see what it will take to take the phosphorus levels down so they can put the wastewater into a body of water. Mr. Howalt stated they are putting infrastructure in to get the water to the headworks. Mr. Muse asked if the water comes from a lagoon. Mr. Billington stated they have to bring it straight from the plant.

Mr. Hendrick asked when they would test for direct pharmaceutical. Mr. Billington stated when they go toilet to tap. He stated Cloudcroft is the only one in New Mexico that is doing toilet to tap. Mr. Demaio asked if the city would do the direct inject. Mr. Billington stated the purpose of this was to get the water to the quality that EPCOR needs it then EPCOR takes it from there and injects it. Mr. Demaio asked if EPCOR has been approved to inject that water. He stated the idea of putting water back into the aquifer is beyond comprehension. This committee needs to take a stand. He asked why they would want to put that back into a pristine basin. Before they pursue anything they better have a big insurance policy. Mr. Huerta stated this is very much in the infancy stage. The only resources that have been used at this time are EPCOR's resources. This is something strictly exploratory. Mr. Demaio asked if EPCOR was prepared to take a liability if that aquifer is contaminated. Mr. Huerta stated they have not hammered out the details of that yet. Commissioner Bryant stated that was something this committee would study before they ever move forward.

Mr. Blake Prather stated the issue came up about Wastewater during the Strategic Planning meetings. If they can use this water on top of the ground they don't want to inject into the ground. They want to save the water under the ground in the aquifer to use for drinking water.

Agenda Item No. 5 - Discussion and action regarding Master Water Assurance Plan

Commissioner Clayton stated they are supposed to be working toward the common good and she has not always seen that. They are all in this together. They have been recipients of very unkind words and criticism. She stated she appreciated each question that had been asked so far and every question that is coming after today.

Commissioner Clayton stated they had four town hall meetings and had low attendance for a strong topic. There were various questions from all of the meetings and she is working on getting responses to all of them so that they can be given back to her committee, the Water Policy Committee and then on the city's website. The major themes of the presentations were agriculture, reuse water, funding, dry wells south of town and EPCOR. She read her statement regarding agriculture "Clovis and Curry County are not considering stepping away from agriculture. Agriculture has been the bedrock of our community and the regional economy for more than a century and is an integral part of the customs and culture of Curry County. Farmers and their related businesses as major food producers make up 70% of our economic base. In addition they have contributed greatly to Clovis and Curry County to enhance economic progress in our quality of life. We believe farmers have an important voice in conservation

efforts and we plan to seek their help and ideas as we move forward. Several farmers have already converted to dry land farming and many are making significant efforts to conserve water. Some farmers have either converted to cattle or considered converting from irrigated farming to raising cattle. Ag producers are vital to our area and we must be respectful of their private property rights. We must work with agricultural institutions, companies and researchers to provide information to land owners regarding available programs and proven conservation practices where data is already available. We intend to work with local, state and federal agencies to assist land owners interested in changing their land management practices to conserve more water. We believe the conservation districts, NMSU Ag Science Center and NRCS will be great resources for this and we hope to include them in any future discussions."

Regarding reuse water they toured the facility at Rio Rancho and she has spoken with people from Cloudcroft. Questions asked regarding funding were: Are you aware that President Trump is cutting water project funding by 30%? Has the team read documents that regulate federal dollars and what you can and cannot spend those dollars on? Have you considered the dollars received by water utility authority from the state? Has the team reviewed the ¼% for the tax for the ENMWUA? Has the water planning team reviewed the election resolution for this tax stating what it could be used for and the question on the ballot? Where does the money come from to lease wells? Commissioner Clayton stated they spoke mostly about leasing water rights and would have to come up with funding locally. They have been very honest and forthcoming about the total cost to do the paleo, which is \$38-\$58 million for the complete package. Their intent is to exhaust all possible funding sources with the goal of placing the least amount of burden possible on local tax payers.

There are people from south of town who are moving to town for water, which increases water demand. More people are also hauling water from the city, loading at least 500-gallon tanks twice a week. The questions asked regarding dry wells were: How many homes are there without water? What is happening about homes that are actually dry? How long will it take to construct the line? Will EPCOR pay for the infrastructure to bring water to the Alpaca farm? Will Curry County keep citizens informed, as they would like to know what is happening because they have lost hope south of town?

Questions regarding EPCOR were: EPCOR has more water than they need right now. It may be 10 years before they need water. Why not let EPCOR do this and provide a guarantee in a 40-year water plan? What assurances are coming from EPCOR in regards to water, what are they doing right now, and is there support from them to make sure we do not run out of water in five years?

There was some confusion about playas. They do not want to restore the city playas. People thought the city wanted Playa Lakes Joint Venture to do the restoration on city playa's. Externally they were talking about paleochannel. There is evidence that there is recharge in playas. They can produce water and has value. When they put this in the plan it doesn't cost them anything and should allow other farmers to take advantage of conservation easements, land and water trust opportunities in order to restore their playas if they choose.

All of these questions will be answered and sent to the water policy members and posted on the website.

Commissioner Clayton stated they can accept the plan with all five action plans, they can send the plan back to the Water Planning Task Force with recommendations for revisions, completely reject the entire plan or reject individual action plans.

Mr. Muse asked if EPCOR precluded from banking water or are they not allowed to include banking water in their rate structure. Commissioner Clayton stated they could, but is not what they do because the PRC said they can't. Mr. Muse stated they are a private industry, but their rates are regulated by the PRC. Commissioner Clayton stated they do not want to bank the water. They have more water than they need to reach peak demand. They are focusing on infrastructure and have leased more wells. The city also cannot force their hand and insist that EPCOR's 40 year plan has them banking water. Mr. Howalt stated as far as the 40 year water plan that is filed with the Office of the State Engineer that is based on water rights. EPCOR currently has more water rights than what they technically need so there is no reason for them to have a 40 year plan. Mr. Muse asked if they could move water rights. Mr. Howalt stated there is a way to do a global permit. The state engineer would then put that into their model and make sure a neighbor isn't being impacted. (Commissioner Spear left the meeting at 10:20 a.m.)

Commissioner Thornton stated within the plan part of the negotiations leaves the door open for anyone to take the role on the paleochannel.

Commissioner Bryant would like to bring this back to the committee before it goes to the city commission. Mr. Muse stated that was an excellent suggestion. One of the biggest potentials they have as far as surface recharge is Ned Houk Park. There are several areas around Ned Houk Park where they could put more water in the dam. Commissioner Clayton stated she had a conversation with Don D'Amour, Roman Well Service, and he would not recommend Ned Houk Park over paleochannel. He looked at with EPCOR and there were some problems about the wells being considered. Mr. Muse stated he was referring to recharge. Mr. Hendrick asked if it was for recharge

Mr. Pomeroy made a motion to send this back to Commissioner Clayton's committee for revisions and updates and bring back to the Water Policy Advisory Committee for recommendation to the City Commission; Mr. Demaio seconded the motion, which passed by acclamation.

Agenda Item No. 6 - Updates

EPCOR Update

Mr. Huerta stated the peak day for the summer was at 9 million gallons which is 79% of pumping capacity. Last month they had an average pumping of 5.4 million gallons a day, which is about 48% of the total capacity. As of the June performance they had the ability to pump 11.3 mgd, which is about 7,863 gallons per minute. They are starting work on the Hartley wells which started yesterday and will be completed first quarter of next year. They moved on to GBK wells, east of town towards the airport, which should be completed by the end of 2018. Mr. Demaio asked what it costs to lease water from those wells. Mr. Huerta stated they pay \$.95 per thousand. Mr. Hendrick stated that was about \$315 an acre foot.

ENMWUA Update

Ms. Chapman stated this month they submitted the Water Trust Board application and will give a presentation on October 24th. They are working with CAFB on their last easement purchase. They will also have to do an environmental piece on that. They are working with the New Mexico Finance Authority on closing their loans. Mr. Hendrick asked if the right of way issues were settled. Ms. Chapman stated they are not. Mr. Muse asked how many they lacked on the Cannon leg. Ms. Chapman stated they are lacking two. Mr. Hendrick asked if they were trying to go down roadways. Mr. Howalt stated they are not. Mr. Demio asked about easements from the state land office. Ms. Chapman stated the state land office has their own way, but they negotiated for a longer term and a cheaper price.

City Update

Mr. Howalt stated they will also be giving their update at the water trust board.

Mayor Lansford stated the direct injection is the lowest priority. Capturing all of the reuse water they can capture is a great idea, but it is also a great idea to have that water for industrial growth. Then they have that money to invest in conservation. He agreed with Mr. Bradley to a large degree, but why is EPCOR even looking at water injection and why is the city even looking at the Ute Water Project. They want to ensure that they have fresh water supply for the citizens for a long period of time. Mr. Demaio stated they do not need a disaster to act.

Mr. Hendrick asked if they looked into metering wells. Commissioner Bryant stated they would add that on to the next agenda.

Agenda Item No. 7 - For the good of the order

Commissioner Bryant stated the next meeting would be at 8:30 a.m., Tuesday, November 14th.

Agenda Item No. 8 - Future Agenda Items

None.

Agenda Item No. 9 - Adjournment

There being no further business to come before the committee the meeting adjourned at 10:37 .m.

Chairman

SEAL
(ATTEST)

City Clerk

**CITY OF CLOVIS
WATER POLICY ADVISORY COMMITTEE
AGENDA**

**8:30 a.m.
Wednesday, November 8, 2017**

**Assembly Room
321 N. Connelly
Bert Cabiness City Government Center**

1. Call to Order
2. Roll Call
3. Approval of Minutes of October 10, 2017
4. Discussion and action regarding Master Water Assurance Plan, Commissioner Clayton
5. For the good of the order
 - Date & Time of next meeting- 8:30 a.m., Tuesday, November 21, 2017
6. Adjournment

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 321 Connelly at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk at 321 Connelly if a summary or other type of accessible format is needed.

STATE OF NEW MEXICO)
CITY OF CLOVIS) ss.

The City of Clovis Water Policy Advisory Committee met in regular session at 8:30 a.m., Wednesday, November 8, 2017 in the Assembly Room, Bert Cabiness City Government Center, 321 N. Connelly in full conformity with the laws of the State of New Mexico and the ordinances and resolutions of said city with the following members:

Commissioner Chris Bryant, Chairman
Commissioner Ladona Clayton
Commissioner Sandra Taylor-Sawyer
Mr. Justin Howalt
Mr. Jack Muse
Mr. Vince Demaio
Mr. Gene Hendrick
Mr. Harry Pomeroy
County Commissioner Chet Spear

ABSENT: Commissioner Fidel Madrid

ALSO PRESENT: Ms. Claire Burroughes, Administration
Mr. Mark Huerta, EPCOR
Mayor David Lansford
Mr. Clint Harden
Mr. Raymond Mondragon, EPCOG
Mr. Blake Prather
Mr. David Kube, Curry County
Mr. Wesley Myers

Commissioner Bryant called the meeting to order and established the presence of a quorum.

Agenda Item No. 3 - Approval of minutes of October 10, 2017

Commissioner Clayton made a motion to approve the minutes of October 10, 2017 as presented; Commissioner Spear seconded the motion, which passed by acclamation.

Agenda Item No. 4 - Discussion and action regarding Master Water Assurance Plan

Commissioner Clayton stated they held two public meetings in the last two weeks. They met on October 24th for the first time and the first thing they did was attempt to remove all language related to direct/indirect injection. That was split between the committee. It was rejected as far as removing all language but they did reword it.

1. Page 11, step 8 - reworded to "work with EPCOR on their independent study of indirect potable reuse, IPR, of effluent reuse water to determine technical and economic feasibility for future consideration." They had members that attended the public meeting who also gave input.

2. "Create a new plan for indirect/direct injection instead of a one step plan." and that was rejected by the team as a whole.
3. "Identify funding source for paleo channel plan". That came from this committee. They have been provided with an addendum called the "Master Water Assurance Plan Funding Sources". They made one change to that plan and it is on the final page.
4. "Reconsider all references to ENMWUA". There were a handful of people that had concerns about leaving that language in. They decided to leave ENMWUA in the plan, however, they changed some of the language throughout so it is clear that this is not something they are directing ENMWUA to do but are asking them to be considered as a party in the Master Water Assurance Plan.

They have removed HB15 from the plan. Page 4, Executive Summary, has considerable changes. The second paragraph and the four items listed below are all new. The City of Clovis Master Water Assurance Plan directly aligns with four of the twelve recommendations outlined in the Northeast New Mexico Regional Water Plan. The four include looking at data and aquifer mapping, support policies that support policies that promote water reuse and efforts to advance treatment technologies, look at water shed management and playa lake conservation projects and the final one is the creation of a water conservation initiative which would pay producers to reduce their irrigation demands by funding the implementation of agricultural water conservation sub strategies.

On page 5, they listed the five water goals for the city that the Northeast New Mexico Regional Water Plan has cited, 1. increase conservation 2. reduce the drain on the aquifer, 3. identify new water sources for long term supply, 4. obtain grants for the construction of water improvements and 5. protect the quality of existing water supplies.

5. "Consider removing action plan 5, which focuses on the Ute Pipeline Project." They did not remove it.
6. "Specifically include the 1.2 mgd of reuse water from SWC." That was recommended by one individual who said they overlooked SWC's contribution. That was already written into the plan, they verified that it was and they wrote it as 1.75 mgd. They left the language in there.
7. "Visit the moratorium language". Page 25- B "Ensure a safe adequate and stable water supply is available to meet the current and future needs of the community. Future economic development projects will be subjected to rigid review by the City Commission to determine the impact on the area water supply." That is in lieu of the moratorium language.
8. "Revisit the playa restoration plan to clarify city versus paleo agricultural land owners playas". The result of this is "recapture surface water for ogallala aquifer recharge through playa restorations in the paleo channel and the county." On page 18, step 8, there is more language to ensure clarity "utilize and develops city owned playas for stormwater management and possible aquifer recharge".

Commissioner Clayton stated from 2011-2013, the aquifer as a whole, the overall water level dropped by 36 million acre feet. The ogallala continues to decline annually. There are 40 homes south of Clovis that are out of water. The February 2012 trinity report said "dwindling groundwater supplies in the

region sole source aquifer are of paramount concern. The ogalalla is the sole source of water for all of Cannon Air Force Base's potable, irrigation and industrial needs. Regionally this water source is being mined at an exhaustive rate as withdrawals continue to far exceed recharge."

By combining the Effluent Reuse System Plan and the Paleo Channel Banking Plan they will get 40 years of water supply. It reduces the stress on the city's water supply for fresh groundwater 37%. At the same time it saves the quality water, while creating a critical revenue stream. In addition to these two facets if she adds paleo channel and effluent reuse then they get 20 years of water supply by combining playa restorations, the conservation easements and water use pipeline with the EPCOR water that exists and the City of Clovis wells. They believe they can get 60 years of water through all of those combined efforts. For every year that they bank water they acquire four years of available city water.

The New Mexico Tech study and the Trinity Report favorably looked at Paleo and sees possibilities. There is a consensus based on variety of geologic hydrology, logic and geochemical evidence that recharge beneath the playas is likely 10 to 100 times higher than in inner playa upland areas. In the third bullet it says "through this water plan a land and water trust allows the city to leverage resources through tax credits paid to land owners who are compensated for whatever conservation practices they implement to enhance water resources either through playa restorations, water conservation and land management practices that conserve soils and contribute to or enhance habitat as long as those practices are for the public good."

The Bureau of Reclamation has talked about the Ute Pipeline maybe by 2065 and the State Engineer confirmed that it could be 50-100 years out if given the current situation does not change for funding purposes. The Ute Pipeline project is number 6 on a list of 6. The number one project is still not completed.

Mr. Prather stated he met with Mr. Howalt and Ms. Melancon and they tried to find revenue streams within the city to pay for the water they are trying to secure. They looked at the 1,000 gallons of water that are currently being used and used two numbers. If they take \$3.30/K and charge the schools and other businesses in town that rate, which is half of the rate charge for using fresh groundwater, then use the rate that the city commission proposed in 2014 of \$2.34/K the city will pay the same rate as other users which is \$1,475,618 a year. Operating and maintenance expenses are \$350,000, total debt service is \$614,673 which gives a net number of \$511,945. They think the city needs to go forward with the reuse system and stop using existing groundwater.

The City has 2, 1/8 GRT available from the hold harmless holdback. The City can increase gross receipts tax by 1/4% which would generate \$1.6 million annually. There will be shortfalls down the road because of the GRT changes with the hold harmless agreement. Currently a 1/4% gross receipts tax of \$1.6 million is obligated to the ENMWUA for planning, development and infrastructure of the Ute Pipeline. The voters approved this tax in 2011. Currently, \$1.2 million of these proceeds are being used to pay back loans of the ENMWUA and for operations of the ENMWUA. These proceeds are dedicated to the ENMWUA for 10 years, until 2021, and are not authorized to be used for the purchase or leasing of water rights. To change the use of these funds a voter referendum would have to be held in conjunction with the city election in March of 2018.

Currently a 1/8% gross receipts tax of \$950K is obligated to Economic Development. This is pre-hold harmless which adds an additional \$150K annually to annual receipts.

Current residential property tax levies for the City of Clovis are: state .001360, county .009062, city .003300, schools .007377 and community college .001922. The city commission is authorized to increase property taxes by .003925 mills which would generate \$2.3 million annually. If they raised that on the maximum allowed on a \$150,000 house it would increase that property tax from \$1151 to \$1323 annually which is an increase of 13%. On a business non residential property if they increase the maximum property tax rate it would increase to \$653 or 14%.

The city currently receives about \$3 million annually through sewer and garbage. A 10% increase of \$.59 per drain would generate approximately \$300,000 annually.

The 2016 rate charged by EPCOR to the customers was reported to be \$6.68 per thousand. Gross sales over the same period were \$10,972,305, \$10,237,758 and \$11,016,305. Estimating EPCOR annual water sales at 1,400,000 thousand gallons using the stated rate increases.

Thousand Gallons	Rate Increase	Additional Revenues
1,400,000	\$2.00/K	\$2,800,000
1,400,000	\$1.90/K	\$2,660,000
1,400,000	\$1.80/K	\$2,520,000
1,400,000	\$1.70/K	\$2,380,000
1,400,000	\$1.60/K	\$2,240,000
1,400,000	\$1.50/K	\$2,100,000
1,400,000	\$1.40/K	\$1,960,000
1,400,000	\$1.30/K	\$1,820,000
1,400,000	\$1.20/K	\$1,680,000
1,400,000	\$1.10/K	\$1,540,000
1,400,000	\$1.00/K	\$1,400,000

There is a franchise agreement in place with EPCOR that began January 1, 1996 and is a 25 year agreement, which expires in 3 years and 2 months. The agreement refers to the 2% gross receipts tax paid by customers to EPCOR and paid to the City as a franchise tax. There could be an increase of that rate, but would have to be agreed upon by the city and EPCOR. EPCOR has 14,298 residential customers and 1,629 non-residential customers. A franchise fee of \$10 per month on residential customers would generate annual revenues of \$1,715,760 annually; a \$30 increase on non-residential customers would generate \$586,440 annually. Combined that could generate \$2,302,600.

These potential revenue streams and sources can be put in place or a combination there, generating substantial revenue to acquire water rights and build infrastructure. An example:

Revenue Streams for Paleochannel Water Acquisitions:	
Net Income from Water Reuse Sales:	\$940,185/Yr.
Revenue from ¼%, Economic Development GRT:	\$200,000/Yr.
Revenue from ¼% GRT dedicated to Water:	\$200,000/Yr
(1) Revenue from .00100 mill increase in Property Tax:	\$600,000/Yr
(2) Revenue from \$5.00 per month Franchise Fee 15,927 rate payers:	\$955,620/Yr.
Total Revenue Available:	\$2,895,805/Yr

Projected Cost of Water Rights or Perpetual Leases of Water in Paleochannel:

(3) \$40 Million @ 25 Years @ 5.0% Interest = Annual Payment of: **\$2,838,098/Yr.**

Excess Margin: \$57,707/Yr.

(1) Would increase property taxes on a \$150,000 residence \$50/Yr.

(2) Would increase water rates \$60/Yr. per EPCOR customer.

(3) Any increase or decrease of \$1M would change this amount by \$71K/ Yr. + or

This scenario would generate \$1,340,185 or 47% from reuse water and existing GRT at no additional cost to taxpayers, the balance of \$1,555,620 or 53% would be paid from a \$5.00 per month water Franchise Rate increase and @ .00100 Mills Property Tax Increase.

Mr. Hendrick asked what they were paying individually for franchise. Mr. Prather stated the city is paying 2% of whatever the gross receipts tax is collecting which is 2% of the water bill. Mr. Demaio stated if there are 14,000 users then it cost \$15 per user for a franchise fee. Mr. Prather stated it would depend on what the agreement was.

Commissioner Bryant stated they would go down list of recommendations and decide what they wanted to do.

1. *Remove all language related to direct/indirect injection.*
2. *Create a new plan for direct/indirect injection instead of one step in Plan #1.*

Mr. Demaio stated this was an action plan and they need to focus on action. The reason to take this out is in three parts, (1) if they have to go to direct injection they fail in this action plan (2) this is not cost effective and (3) it's not worth the risk. They need to focus their energy and direction on keeping this water on the surface and using it. Mr. Huerta stated the reasoning they had for leaving it in was that this was a length study and it will take time. They want to put the leg work in now and just have it there in case they need it at some point. It would be an injustice to wait until they are ready to start contemplating putting this into motion to start studying. Commissioner Bryant stated EPCOR can do a study at any point they wants. He asked if was something that needed to be included in their recommendations. Mr. Demaio stated he felt this was a distraction and didn't need to be in there. Mr. Muse asked what it would cost to clean the city water enough to go into EPCOR's system in 60 days. Mr. Howalt stated he could not give those numbers. When they start looking into reserve osmosis systems it gets expensive. Whether this is in the plan or not it is something that they should look at in the overall picture of available sources of water. If they don't consider this then they are not looking at all of the options. Commissioner Spear asked if they removed the statement about EPCOR's research does that mean they will stop researching the possibility of using injection. Mr. Huerta stated that is something they are going to look at regardless. It would take some type of partnering with the city to help get information that they need to conduct their study. Mr. Muse stated he would like someone to bring them some numbers showing what it would take to bring the water up to put it directly into the system. Commissioner Thornton stated if they were going to even think about this as a possibility 50 years from now they want to know everything they can about it. This was their way of protecting the city to allow them to have involvement with the study to see that it was done according to what the city would want.

Commissioner Clayton asked how everyone would feel if this was in the recommendation section. Mr. Huerta stated if they want to look at that he would be good with it. Commissioner Spear stated he is not clear on how it impacts. Mr. Prather stated it should not be in an action plan. It has the ability to impact the remaining water supply. Commissioner Spear asked if there was anything in EPCOR's contract that would prohibit them from introducing new procedures into the water system. Mr. Howalt stated their obligation is to supply the City of Clovis with water. From a reuse standpoint the city's system is

designed to handle 4 million gallons of water per day. There is excess of water that is potentially there for industry use.

Mr. Demaio made a motion to remove this from the plan entirely; Mr. Muse seconded the motion. Upon a roll call vote, with all voting against except Commissioner Spear, Mr. Muse and Mr. Demaio who voted in favor, the motion failed 6-3.

Mr. Demaio made a motion to make this a recommendation; Commissioner Clayton seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

3. *Identify funding source for paleochannel plan*

Mr. Muse asked what the capacity of the wells were. Mr. Prather stated they can produce 19,267 acre feet if they were up all the way. Average gallons per well on the 70 wells is 170 gallons. That is all estimation. Mr. Muse stated when he read the plan it looked like \$20-\$40 million to purchase that. Commissioner Clayton stated part of the price is the pipeline and testing each well. Mr. Muse stated if they divide the \$30 million by 70 wells that's \$428,570 per well. That's a lot of money for 170 gallons. Mr. Prather stated based upon what they have as far as acres if there are approximately 19,000 acre feet available at 3 acre feet they have water rights of 30,870 and at 1.29 acre feet they have water rights of 13,274. If they pump those wells at 20% capacity that produces 3,853 acre feet a year and the city uses 5,600. The farmers do not want to sell their water they want to lease it. There is not a deal made on this water. That will be determined in the next year. Mr. Muse stated a year ago when they commissioned this study he said they needed to get their name on some water. Mr. Prather stated the biggest economic burden they have is having a water supply. Mr. Muse asked how many landowners comprise the 70 wells. Mr. Prather stated 10. Mr. Muse asked if the program was available to any other farmers. He stated there is a lot more water in the paleochannel than those 70 wells. Mr. Prather stated not next to Cannon Air Force Base, it would be further to the northwest. It is going to be a negotiated deal, but they will have to put together enough block of water. Mr. Muse asked if there were a lot more farmers that were interested might there be some competitive bidding. He asked if they have explored the potential to put out an RFP. Mr. Prather stated that is a potential, but they have looked at the maps which tell them that the water they are looking at is the best water in the paleochannel. There are no other farmers in that paleochannel unless they go further towards House. Those wells are not as good as the ones next to Cannon Air Force Base. Mr. Muse asked how many service acres of irrigation is there that these 70 wells are getting. Mr. Prather stated it was right at 8,000 not including the Wall property. Commissioner Thornton stated it could become a revenue source. If they sell that water back to the Water Authority or EPCOR they could use that revenue source to help repay the debt. If they had a group of farmers that would group together and give a big enough area that they could pay for the infrastructure, but if they had scattered farmers it would not benefit what they are trying to do.

Commissioner Spear asked if they were going to purchase water rights. Are they going to pay the farmers to lease their water? Mr. Prather stated that is something they are going to have to determine in the next year. Commissioner Clayton stated they have no authorization to do any kind of deal. This is just a plan on paper that they are proposing.

4. *Reconsider all references to ENMWUA*

Commissioner Bryant stated there was some language changed that was left in the plan.

5. *Consider removing action plan #5, which focuses on the Ute Pipeline Project*

Okay with changes.

6. *Specifically, include the 1.2MGD of reuse water from SWC (This was already identified, but was shown as 1.75MGD)*

Commissioner Clayton stated there was no change.

7. *Revisit the moratorium language considering instead parameters for water usage and what anew industry brings to the table.*

Okay with changes.

8. *Revisit the playa restoration plan to clarify city vs paleo/agricultural landowners playas*

No changes.

Mr. Muse asked if they have looked at the potential for trading water rights on state land. Commissioner Bryant stated he didn't think so. Mr. Muse stated they should explore that.

Mr. Pomery made a motion to make a recommendation to the City Commission to accept the City of Clovis Master Water Assurance Plan; Commissioner Spear seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously. Commissioner Bryant stated this would be presented to the City Commission in December.

Commissioner Bryant thanked Commission Clayton and her team for all of their hard work.

Agenda Item No. 5 - For the good of the order

Commissioner Bryant stated the next meeting would be at 8:30 a.m., Tuesday, November 21st. They will tour SWC at that meeting. Commissioner Taylor-Sawyer asked if they would have a December meeting. Commissioner Bryant stated they normally do not have a December meeting.

Commissioner Clayton asked the committee members to attend the commission meeting if possible. Commissioner Spear asked if they could get an email to let everyone know the date and time of the meeting.

Mr. Mondragon stated NM First is conducting a town hall on December 13-14 on the State water planning in Albuquerque. Commissioner Clayton stated on the same days the NM Environment Department will be in Clovis for 3 days of conference on primarily water at CCC.

Agenda Item No. 6 - Adjournment

There being no further business to come before the committee the meeting adjourned at 10:45 a.m.

**CITY OF CLOVIS
WATER POLICY ADVISORY COMMITTEE
AGENDA**

**8:30 a.m.
Tuesday, November 21, 2017**

**City Hall
321 N. Connelly
Bert Cabiness City Government Center**

1. Field Trip to SWC

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 321 Connelly at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk at 321 Connelly if a summary or other type of accessible format is needed.

**CITY OF CLOVIS
WATER POLICY ADVISORY COMMITTEE
AGENDA**

**7:30 a.m.
Friday, December 1, 2017**

**Assembly Room
321 N. Connelly
Bert Cabiness City Government Center**

1. Call to Order
2. Roll Call
3. Approval of Minutes of November 8, 2017
4. Discussion regarding conflicts of interest
5. Discussion and action regarding proposed addendum of plan 2
5. For the good of the order
 - Date & Time of next meeting
6. Adjournment

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 321 Connelly at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk at 321 Connelly if a summary or other type of accessible format is needed.

STATE OF NEW MEXICO)
CITY OF CLOVIS) ss.

The City of Clovis Water Policy Advisory Committee met in regular session at 7:30 a.m., Friday, December 1, 2017 in the Assembly Room, Bert Cabiness City Government Center, 321 N. Connelly in full conformity with the laws of the State of New Mexico and the ordinances and resolutions of said city with the following members:

Commissioner Chris Bryant, Chairman
Commissioner Fidel Madrid
Commissioner Ladona Clayton
Mr. Justin Howalt
Mr. Jack Muse
Mr. Vince Demaio (via telephone)
Mr. Gene Hendrick
Mr. Harry Pomeroy
County Commissioner Chet Spear

ABSENT: Commissioner Sandra Taylor-Sawyer

ALSO PRESENT: Ms. Vicki Reyes, Administration
Mayor David Lansford
Commissioner Tom Martin
Commissioner Helen Casaus
Mr. Raymond Mondragon, EPCOG (via telephone)
Ms. Sandy Chancy, EPCOG
Ms. Gayla Brumfield
Mr. Blake Prather
Mr. Steve Gershon
Ms. Ernie Kos, Chamber of Commerce
Mr. Chase Gentry, CIDC
Ms. Tish McDaniel

Commissioner Bryant called the meeting to order at 7:43 a.m. and established the presence of a quorum.

Agenda Item No. 3 - Approval of minutes of November 8, 2017

Commissioner Bryant stated revised minutes were sent to the committee. Mr. Muse made a motion to approve the minutes of November 8, 2017; Commissioner Spear seconded the motion, which passed by acclamation.

Commissioner Bryant stated he would like to move item 5 up to number 4.

Agenda Item No. 4 - Discussion and action regarding proposed addendum of plan 2

Commissioner Clayton stated they considered an addendum to attach to the proposed action plan. The committee has a replacement plan instead. The original plan as it was approved on November 8th was paleochannel water banking and the replacement is just water banking. There was concern about the paleochannel because it only allowed for one group of agricultural producers to provide the water supply. Other agriculture producers wanted the opportunity to submit a proposal for their water. The team decided this concern was valid and they are recommending this change. The reason paleo was on the table was because of so many different land owners with good water sitting side by side in one area. They are not going to change the amount of water needed or the number of years they will need it. Step two now reads "Consider offers from water right owners to sell and/or lease water rights" with the outline to follow (see attached). This says if they want to come together to make a proposal to be the suppliers of the water this can happen. They changed all of the timelines for how this should be done.

Mr. Demaio asked if there was still a water retirement option in there. Commissioner Clayton stated there is still a retirement option. Now it will be open to whoever wants to do that.

Mr. Hendrick asked who would be responsible for the pipeline expense. Commissioner Clayton stated when someone submits a proposal they will have to talk about the cost of the infrastructure. When

they consider each proposal presented that will be a major factor on the selection. Mr. Hendrick stated at one time they were proposing for farmers near Grady to be able to deliver water to the Ute Pipeline but the delivery cost would be theirs and not the pipeline cost. Mr. Howalt stated this does not put the cost on the City of Clovis. It states how to get the water to connection point. Commissioner Clayton stated it does not commit the City of Clovis.

Mr. Muse asked if there are smaller units of water that were located where the infrastructure would be a problem do they have to have that volume of water. He asked if there was anything to preclude any other water deals. Commissioner Clayton stated everything had to be considered. They have to look at every option. Mr. Muse asked if someone that was not part of the initial group could still be considered. Commissioner Clayton stated they are trying to prevent anyone who has existing land with wells that are currently producing and to continue to draw. They have to get a certain amount that will stop using water. Mr. Muse asked if the overall plan ties the Ute Water project to this plan. If there were land and water towards Ute then they don't have the duplicate infrastructure cost. Commissioner Clayton stated when they looked at paleo it was because the pipeline was going to be constructed close to that proximity.

Mr. Hendrick stated one of his concerns was when they could begin water banking. It seems they are pushing the date back. Commissioner Clayton stated they will try to complete studies on well performance static water levels by December 2018. Mr. Hendrick stated every year they push this off they are losing more of their water. Commissioner Clayton stated they predict February 2019 is the new date for them to be able to shut the water down. The original date was May 2018.

Commissioner Madrid asked why there was a hurry to have this on the December 7th commission agenda. No one has had time to study it. Mayor Lansford stated he intended to ask the commission to discuss this and acting on this next Thursday is too quick. They need to discuss it and allow for public comment then continue to discuss. Mr. Demaio agreed with Mayor Lansford. He thought this was discussed and voted on and now they are adding a lot of bureaucracy. Commissioner Bryant asked if they should send this back to Water Policy for further discussion before sending it to the City Commission. Mayor Lansford stated they need to take this to the City Commission, continue discussion and let the commission make the final decision. They need to go through the process and hope it is acted on in some form.

Commissioner Clayton stated the criteria drives the selection process. Mr. Demaio stated he just wanted to clear up how that was going to go. Mr. Muse stated if they put this out and not a single farmer responds then they need to go with what they have. The old structure had no incentive to save money.

Commissioner Madrid made a motion to approve the plan and submit to the commission for discussion; Mr. Muse seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

Agenda Item No. 5 - Discussion regarding conflicts of interest

Commissioner Bryant asked for everyone to stay on topic and any questions need to be directed through the chair. He read a letter from Blake Prather that was sent to Commissioner Clayton, Mayor Lansford and himself expressing that he will be stepping down from the Strategic Planning Team after this meeting. He stated when they first started this committee it was decided that Mr. Prather had a sense of communication with the agriculture community that they didn't have. He understood the conflict of interest but he appreciates the many hours he's given to this project. Commissioner Spear stated he does not believe they are where they are without Mr. Prather's experience and professionalism. He does not believe there is a legitimate conflict.

Commissioner Bryant stated there were also some comments about land that Mayor Lansford owns. Mayor Lansford stated in 2008 when he left office his oldest son was getting into the farming business and asked him to buy the farm for him which he was going to lease from them. It is a dry land farm. The comments on facebook implied that he bought that farm recently knowing that this committee was recommending securing water in the paleochannel. His farm is 3 ½ miles from any irrigation farm. To imply that he took advantage of his public policy position to make a profit is insulting. He bought this property before he knew about the paleochannel and before he knew Mr. Prather. It is ridiculous that someone would try to poison this process by villainizing him as a corrupt politician. It is insulting. He stated he did not know who fed that information to Josephita Griego or if she got it on her own, but shame on them.

Commissioner Clayton stated it troubled her personally to see the agriculture producers villianized on social media. The narrative that was being fed instead of the narrative that is true is where would they be if they weren't willing to forgo what has been their livelihood for generations. They have a right to sell their water. Anyone that comes forward is very honorable in order to help this community bank water.

Mayor Lansford stated in 2012 he received the Trinity Report from Col. Elton. The two most outstanding recommendations were to build a redundant line between the Clovis system and Cannon system. The other recommendation was to secure water rights from area ag producers. He stated he has been pressing for the line between Cannon and Clovis. They are on the cusp of being able to break ground and much of that effort is due to Ms. Brumfield and her efforts. He wants to continue to carry that baton. They had success with the Water Trust Board offering a waiver to be able to accumulate more money in order to get to economies of scale and build that line between Cannon and Clovis. He is frustrated with the criticism of the Wall property. That was a legitimate offer made to the City of Clovis by a water right owner. They took the offer, acted on it and good results are happening as a result of that purchase. They are doing what the Trinity Report suggested they do. He does want to get into more competition and this plan is what they have to act on. They are setting a precedent for other communities to sustain their water. It seems ridiculous that there is criticism for a plan. Commissioner Bryant stated when they go to Washington they actually have a plan in place and this could help with getting funding for projects in the future. Commissioner Madrid stated this is a good plan, but now they have to convince the community to accept the plan. Commissioner Bryant stated that was one of the reasons they had town hall meetings. Mayor Lansford stated Commissioner Madrid is absolutely correct. They need to have universal consensus and flush out the accusations. Unless they have community support they are going to fail.

Mayor Lansford stated the NM Tech study was not initiated by this city, but was sponsored by several government agencies wanting to know the water situation in Curry and Roosevelt County.

Mr. Steve Gershon stated at the last meeting EPCOR stated they could not bank anymore water because they were full and Walter Bradley said they had 60 years of water. He asked what the rush was in getting money. Mr. Prather stated they have 60 years of water with the plan. Mayor Lansford stated EPCOR is not allowed to bank any more water by law. Mr. Gershon stated those were some of the misconceptions that people are listening to. Mayor Lansford stated the water is in rock formations. Some areas of the rock formations are tight and some are loose. Water will migrate about a 1 1/2 to 3 feet a year. Mr. Gerson stated his idea is to block the media and this committee needs to get out explain this to the public. He stated people do not have the knowledge of what is going on in these meetings. Commissioner Bryant stated they need to market this plan for people to know the truth.

Ms. Gayla Brumfield stated there were people on the other side saying derogatory things about particular people. She understood the frustration and they need to respect each other's opinion. Mr. Gershon stated this committee should start a "media" page to get the information out there. The other opinions of people is hearsay and 95% of it is gossip. Mayor Lansford stated the city does have a website and this can be put on there.

Tish McDaniel stated the NM Environment Dept Surface Quality Bureau has a playa forum on December 11-14 in Clovis. Commissioner Clayton will make a presentation at that meeting.

Agenda Item No. 6 - For the good of the order

Commissioner Bryant stated the next meeting would be at 8:30 a.m., January 9th.

Agenda Item No. 7 - Adjournment

There being no further business to come before the committee the meeting adjourned at 8:40 a.m.

Chairman

SEAL
(ATTEST)

City Clerk