

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF SEPTEMBER 19, 2014
BOARD OF DIRECTORS REGULAR MEETING

CALL TO ORDER.

The regular meeting of the SSCAFCA Board of Directors was called to order by Donald Rudy, Chairman, at 9:07 a.m.

ROLL CALL OF DIRECTORS.

Directors in attendance were Mark Conkling, Jim Fahey and Donald Rudy. John Chaney and Steve House were noted as absent. Charles Thomas, Executive Engineer, Bernard Metzgar, SSCAFCA's attorney, and members of the public were also present.

ANNOUNCEMENTS.

Announcements were made by Donald Rudy that all electronic devices needed to be turned off during the meeting and that the microphones are voice activated.

PLEDGE OF ALLEGIANCE.

The Board was led in the Pledge of Allegiance by Donald Rudy.

APPROVAL OF AGENDA.

A motion was made by Jim Fahey to approve the Agenda as presented. It was seconded by Mark Conkling and passed unanimously.

ACTION/APPROVAL OF THE MINUTES OF AUGUST 8, 2014.

A motion was made by Jim Fahey to approve the Minutes of August 8, 2014 as presented. It was seconded by Mark Conkling and passed unanimously.

PUBLIC FORUM.

None.

STAFF REPORTS:

Executive Engineer:

1. Summary of Lower Montoyas Commencement.

Mr. Charles Thomas stated that this past Monday, SSSAFCA had a commencement ceremony for the Lower Montoyas Water Quality Feature Project. It was called a commencement ceremony because it is still in the middle of design, however, there was an opportunity schedule wise to take advantage of the presence of the EPA Administrator, Gina McCarthy, visiting New Mexico for the ECOS Conference in Santa Fe, to be able to attend our event. He got the feeling that she was very excited about SSSAFCA's project and the direction it is headed. The national press follows the EPA Administrator, so there was a reporter from the AP gathering information and asking questions. There were also local news agencies in attendance. Mr. Fahey stated that there were quite a few New Mexico political representatives in attendance as well.

In response to a question from Mr. Conkling, Mr. Thomas stated that they did not get a chance to talk about the Waterways of the U.S. controversy. That topic was going to be one of the key topics at the ECOS Conference. That conference was only partially open to the public, it is mostly for state administrators within the Environmental Council of States. The resulting report will be forwarded to the Board once it is received. The comment period on the rule is open through October, so it is unlikely that there will be any response through the comment closing period.

2. SSSAFCA Projects Update.

Mr. Charles Thomas stated that there are a number of pending projects stretching across SSSAFCA's jurisdiction. The first, Lomitas Negras Phase I, is functioning exactly as it was intended to function. Staff did see a number of the storms that hit this summer were mitigated by this facility and reduced or prevented flow from getting into the Harvey Jones Channel. Staff has received the final close-out documentation and this project is essentially completed.

Mr. Thomas stated that the second project is the Lower Montoyas Water Quality Project. There will be various vegetation elements brought into the structures at various locations. The islands and embankment of the lower sediment pond, plus the smaller water quality detention areas and the water quality control structures will all have vegetation on them. Should the adjacent

privately owned property become available in the future it can be incorporated into the project, but it is not necessary for this project to function as designed. He noted that Wilson & Company did a great job on getting the information together for the ceremony in a short period of time.

Mr. Thomas stated that the next project to go out to bid is the Harvey Jones Channel. It is expected to go out to bid in October. The entire project will be finished in this bid. There are two parts to the project; one will be upper portion of the channel, and the second is putting in the hardened surface to allow access to perform the cleaning. This past spring, removal of the sill was completed. This part has done a great job in helping to move the water and the sediment through the system. The velocity of the water moving underneath the bridge remained high, which was the intent. The sediment didn't start dropping out until the lower portion of the channel. This is how it was modeled and it worked perfectly. The lower portion has been excavated as part of the sill removal project to provide for a volume of area to maintain flow, as well as sediment storage. The MRGCD syphon is the grade constriction on how low SSCAFCA can go. From here, the land flows overland to the river. They are looking at putting in more protection to maintain a low flow channel to allow most of the water to flow to the river in most events.

Mr. Ron Reeder, a resident of Corrales, stated that there seems to be an ecosystem developing with frogs and egrets that were there during the warmer weather. The pond has water in it a large percentage of the time. That will be an issue when SSCAFCA goes to clean it. In the past there has been concern about turtles and so forth. If anything can be done to increase the rate of infiltration that would be good. Mr. Thomas stated that the water table does fluctuate. With the amount of rain received this summer it has been a very wet year and has had a positive effect on the water table. When the pond was excavated groundwater was right at the upper boundary of the pond bottom so they knew the interface was very close. This is expected to decrease during the winter months.

Mr. Thomas stated that the next project is the Black Arroyo Wildlife Park Open Space Phase I. The project starts at Southern Boulevard near Lisbon Channel. They will create a parking area at the front end of the trail. It is going to be a permeable surface parking lot. There will be a number of small bridge crossings. There will be another parking area at Maggie Cordova School. This project is currently advertised for bid. The prebid will be next week. He is hopeful that a selected contractor will be brought to the Board for approval at the October meeting. Staff has received a number of questions on the bid packets. The trail terminates along 19th Avenue right above the proposed development from Springer. The project was terminated at the end of

SSCAFCA's property, although there may be the opportunity to continue the trail through the development, should Ms. Springer decide to incorporate that as part of her development. The limits of this project are the parking areas, the bridge and the trail systems. There is also some dry landscaping in this portion. There is no augmented water source at this point. There is some vehicular restrictions in place at that parking projects. The project does incorporate fencing to try to keep ATV traffic out of the area. Mr. Thomas stated that the other project on tap on the other side of this bridge structure, which is a separate project, has received a donation from PNM to provide a water harvesting shade structure on the east side of the arroyo near the school to be used for the children as part of their outdoor education classrooms.

Mr. Thomas stated that the next project is the Upper SLO Dam. It is about 98% designed and the final plans are expected to be in place within the next week. It is a fairly extensive soil cement structure that will tie into the natural landscape and the flood pool will be behind it and is about a 48 acre foot retention pond. The ultimate flow reduction will be from about 1,500 cfs to below 500 cfs. This is a huge benefit from a safety perspective. The arroyo does bisect the CNM property, so being able to provide a controlled outflow is a very big benefit. Also, by reducing the outflow, SSCAFCA will be reducing the FEMA flood plain which will allow more of that property to be freed up for CNM to construct its campus. This project is incorporated into the City Center Drainage Master Plan as far as the flow contribution to the future PDV Dam. This facility itself, hydrologically, is separated from the City Center by a ridge. Staff has submitted an application to the Water Trust Board for funding for the project and is asking for \$950,000. The total estimated cost of construction is about \$1.8 million.

Mr. Thomas stated that the next project is the Corrales Escarpment work. It began last July with the overloading of the inlets that were located along the Dam 4 to 1 trail. The five acres of property just to the north that are owned by SSCAFCA had some small retention ponds on site, which were also overwhelmed. Two of three phases of work have been completed to resolve drainage improvements in both of these areas. Phase 1 was construction of small retention wall along the western side of the trail. That wall's main function was to capture the sediment coming off of a large area, as well as the hillsides. That wall has been completed and has weathered several storms now and is functioning as intended. There have been numerous comments from residents that were very complimentary. Trail access was maintained in a much better fashion following storm events than previously. The second portion of the project is mostly complete. Staff worked with Easterling & Associates to design some slope stabilization measures on that portion. They re-excavated three detention ponds that have a controlled outflow point on them so there should be no future failure. All three were excavated below grade. They also incorporated a number of small

check dams and drainage swales that were presented previously to the Board. Those features have been functioning very well. The final step in the process is to go out and seed the area and put down some stabilizing mulch to encourage vegetative growth. The past two or three weeks was the ideal time and a contractor was hired to go out and do that. The contractor was on site and was prevented from doing their work because of threats of physical violence from a resident. Crews were pulled off site and the work could not be completed. They are hoping to reschedule the work within the next few weeks with the help of the Corrales Police Department. After the incident, the police did not talk with SSCAFCA staff or the work crew, but they did speak with the resident. Mr. Ron Reeder stated that one of the opinions that he heard expressed was that previous work that SSCAFCA has done on its land has exacerbated problems with at least one of the residents. That may negatively impact trying to come to a resolution on how to address this problem on SSCAFCA land. Mr. Thomas stated that the facilities have now been designed to contain two back to back 100 year events. As part of this project they are also putting in three retention walls in semi-circles around all three inlets on the western side just to address any potential sediment impacts from the small berm overlooking the escarpment.

Mr. Charles Thomas stated that the Lomitas Negras Project, Phase I has been completed. The next phase of this is west from 528 toward Saratoga. One of the functions staff will have to do is file a letter of map revision with FEMA to designate the flood plains. One of the key elements is designing a detention facility to reduce the overall flow rate that goes through the channel. By reducing the flow rate, that will allow the new flood plain to closely align with the channel feature itself. There is likely going to be a need to do a partial acquisition on the back side of the property for the proposed solution. This will be right in the flooding area. It is not property needed for the facility, but to accommodate where the water will be going. The road has been overtopped in the past. The flood event did cause some damage to the shoulders of the road. There is most likely an opportunity to partner with the City on this project. They continue to investigate sediment control. By only taking a portion of the flow, it allows the channel to maintain its sediment equilibrium. If all the flow and the sediment is removed, as soon as it gets into the downstream channel, it will erode it. By allowing that water to pass through unhindered, it will maintain the equilibrium in the lower channel. There are sediment facilities below that. The other feature is that the height of the embankment at the low end is only five feet which makes it a nonjurisdictional facility from a safety perspective. It is a berm, not a dam.

Mr. Charles Thomas stated that the final project is to go throughout all the major arroyo systems and complete some double ring infiltrameter tests to start documenting what the

infiltrative capacity of the arroyo is on a routine basis. Staff is trying to augment the data and information it has so that a robust defense can be prepared with regard to the infiltration. This phase is just to investigate the infiltration in the arroyos themselves. They are simply trying to obtain information at this point to identify the infiltration rate. Peak rainfall for maximizing erosion is about 6 to 10 inches a year, which is right where we are.

3. Development Review.

Mr. Charles Thomas stated that there have been a number of projects that have moved forward. The most significant is in the Edinburgh area where SSCAFCA has approved the drainage analysis reports for Milagro Mesa and the infrastructure construction drawings, as well as working with the Solosito Subdivision on their final drainage studies, which have been approved. The Edinburgh Facility Plan was put together in 2008.

Mr. Thomas stated that, at the intersection of Loma Colorado and Northern Boulevard, there is a McDonald's going in, which has been approved. There is also the La Vida Llena Retirement Facility going in at the southeast corner. That drainage report has also been approved. In the northeast portion in Enchanted Hills, there are still some questions on the Phase 2 Construction Plans on the homes in that area. The right-of-way widening for Nativitas Road, which will connect from Idalia to Paseo del Volcan is also moving forward.

Fiscal Services Director:

1. Recognition/Acknowledge of the Fiscal Services Report for August 31, 2014.

Deborah Casaus presented the Fiscal Services Report for August 31, 2014 in the Board's packets. Property tax revenues are coming in pretty much as expected. The majority of the new year collections won't be seen until about December or January. General fund expenditures for the current fiscal year amount to about 7.54% of the total budget and SSCAFCA is currently 17% through the fiscal year. Everything is on track with regard to the budget. She will probably bring back a budget adjustment next month based on the final reimbursement from FEMA. Staff was hoping to get the state portion last month, but since SSCAFCA is anticipating receiving that now, there will be an adjustment of about \$900,000 to the general fund. It will reduce that expenditure by about \$400,000 to \$450,000. For the month of July there were about 32 single family residential permits issued by the City of Rio Rancho. For the month of August, there were an additional 34

issued. Interest earned on the State Treasurer's funds was at a rate of .105% for the month of August. The audit entrance conference was held on September 9, 2014. Everything went very well and some of the new pronouncements were gone over. There will be a single audit act which has already been performed on the federal expenditures since there was over \$500,000 in federal expenditures due to the cleanup. Staff is in the stage of drafting the financial statements. She has no contract renewals this month but staff will be doing a new RFP shortly for O & M and general landscaping services.

The Fiscal Services Report for August 31, 2014 was recognized and acknowledged by the Board.

Environmental Services Director

1. Action/Acceptance of Additional Federal Funding for Black Arroyo Wildlife Park.

Mr. Dave Gatterman stated that this additional funding became available when Bernalillo County encountered issues with the Federal Fiscal Year 15 Transportation Alternatives Project in the South Valley. They were having issues working with the MRGCD and felt that they would not be able to use the funds in time to meet the deadlines. At the MRCOG group, they made this announcement and asked for projects from other agencies within the area that are close to shovel ready. There were about \$600,000 worth of federal funds available. SSCAFCA had the Black Arroyo Wildlife Park Project which could be eligible for this funding. The Village of Tijeras also had a project available. Staff proposes to use the funding to install an additional trail from the northern parking area across the Lisbon Channel, and then bring it back around to the trail to Maggie Cordova. In addition, they are also looking at putting grade control under the bridge. All of the environmental work has been done, including all the clearances needed. The cultural resources report for the whole area has also been completed. The proposed funding that staff is asking for from the Department of Transportation is \$301,422 federal dollars, which SSCAFCA will have to match with \$51,366 local dollars. These are parts of the projects that were anticipated already and were contained in the Master Plan that was developed in 2013 for this area. Staff is requesting Board authorization to proceed with this project and enter into an agreement with the New Mexico Department of Transportation when it is offered.

A motion was made by Mark Conkling to accept the additional federal funding and proceed with the project as presented. It was seconded by Jim Fahey and passed unanimously.

2. Watershed Based MS4 Permit Update.
 - Open Annual Report on MS4 Permit for Public Comment

Mr. Dave Gatterman stated that he is now ready to open up the public comment period on the MS4 annual report. This report covers the period from July 1, 2013 to June 30, 2014. It is the seventh annual report on a five year permit. In preparation for the MS4 watershed base permit, the EPA has administratively extended the old permit. Some highlights from this year's annual report are an overall increase in the number of people reached by educational programs - up 71%; continued active involvement with the storm water quality team and with the River Exchange Outreach Program; funded and implemented the arroyo classroom education program at four elementary schools in Rio Rancho; began implementation of the Black Arroyo Open Space Wildlife Master Plan; continued participation with the City of Rio Rancho, Keep Rio Rancho Beautiful and the Great American Cleanup; sponsored and helped organize ARID lid Conference in 2014; held a round table with EPA and development in the community on the watershed based permit; worked with high school students on Rio Rancho's sustainable film series. SSCAFCA had no illicit discharge reports within its system. SSCAFCA also designed and constructed the Lomitas Negras Water Quality Facility to reduce sediment runoff to the Rio Grande and completed the preliminary engineering report and environmental information document for the Lower Montoyas Water Quality Facility. SSCAFCA also collected 143 50 gallon trash bags worth of debris from its facilities as part of its annual maintenance cycle. The bulk of this trash was plastic water bottles, Big Gulp cups and plastic bags. Staff requests that the Board officially open up public review of this particular report and that it be posted on SSCAFCA's website for a minimum of 30 days.

The Board concurred that the report be opened for public review and that it be posted on SSCAFCA's website for 30 days.

Mr. Gatterman stated that SSCAFCA has not yet received the MS4 Permit Update from the EPA. Staff did go to a test of the electronic notice of intent program. Aside from that, staff has not heard when this is supposed to happen, but the theory is that it is imminent.

Mr. Rudy stated that he believes that the introduction of the Waters of the U.S. issue has clouded the matter. Mr. Thomas stated that the Waters of the U.S. Rule public comments are being received until October of this year, at a minimum, and there is no time table for the actual publishing of that rule. As yet, there is no change in the definition and staff expects the permit to be

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issued in the next couple of months. He expects that, at a minimum, for the next two years, SSCAFCA will be operating under the existing definition.

OTHER COMMITTEE REPORTS.

None.

ATTORNEY'S REPORT.

None.

CHAIRMAN'S REPORT.

Mr. Rudy stated that the state has required that the regions go to work on updating the regional state water plans. They assigned that to the local council of governments. This year, they put together an executive committee to oversee it. They passed that over to the Water Board. The Water Board and the others who reviewed it decided that the flood control authorities did not need to have a member on the Steering Committee. The main board changed that and now the flood control authorities have a representative from AMAFCA. There is now a steering committee; its business starts the beginning of next year and the entire budget is under \$15,000. By the second week of January, everything will probably be in abeyance for a long period of time.

BOARD OF DIRECTOR'S COMMENTS.

None.

PROPERTY MATTERS.

1. Action/Acceptance - Unit 21, Block 112, Lots 26, 27 & 29 - 1.82 acres - PDV Dam.

Mr. Chuck Thomas stated that there are three lots owned by a single individual in this Unit asks for Board approval of the purchase. This is a key acquisition for the future PDV Dam itself and will be part of the dam as designed. The purchase price is based on appraisal.

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A motion was made by Mark Conkling to approve the property acquisition as presented. It was seconded by Jim Fahey. Roll call vote was asked for by Mr. Rudy: Mark Conkling, yes; Jim Fahey, yes; Donald Rudy, yes. The motion passed 3-0.

FOR YOUR INFORMATION:

1. August 22, 2014 correspondence from the Department of Finance and Administration approving the Fiscal Year 2015 final budget.

OTHER BUSINESS.

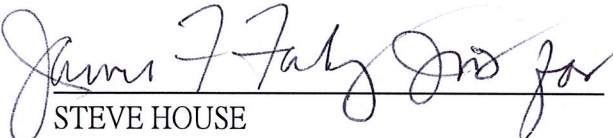
- Next Regular Board Meeting is on Friday, October 17, 2014 at 9:00 a.m.

ADJOURNMENT.

A motion was made by Jim Fahey and seconded by Mark Conkling to adjourn the meeting. It was carried unanimously. Meeting adjourned at 10:45 a.m.



DONALD RUDY
CHAIRMAN



STEVE HOUSE
Secretary

DATE APPROVED: 10/17/14