

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF AUGUST 19, 2003
BOARD OF DIRECTORS REGULAR MEETING**

CALL TO ORDER.

The regular meeting of the SSCAFCA Board of Directors was called to order by Dub Yarbrough, Chairman, at 1:07 p.m.

PLEDGE OF ALLEGIANCE.

The Board was led in the Pledge of Allegiance by Dub Yarbrough.

ROLL CALL OF DIRECTORS.

Directors in attendance were Mark Conkling, Richard Deubel, Donald Rudy, and Dub Yarbrough. John Chaney was noted as absent. David Stoliker, Executive Director, and other staff were present. Bernard Metzgar, SSCAFCA's attorney, was also present.

APPROVAL OF AGENDA.

A motion was made by Richard Deubel to approve the Agenda with the removal of item #12, Closed Session. It was seconded by Donald Rudy and passed unanimously.

ANNOUNCEMENTS.

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

CONSENT AGENDA.

1. Minutes of June 17, 2003 & July 29, 2003 Regular Meetings.

A motion was made by Richard Deubel to approve the Minutes of June 17, 2003 and the Minutes of July 29, 2003 as presented. It was seconded by Mark Conkling and passed unanimously.

2. Recognition/Acknowledgment of the Treasurer's Reports for June 30, 2003 and July 31, 2003.

Mark Conkling indicated that the Treasurer's Reports for June 30, 2003 and July 31, 2003 were in the Board members' packets for review.

PUBLIC FORUM.

None.

CHAIRMAN ' S REPORT.

Discussion/Selection of the Drainage Policy Review Committee.

Mr. Yarbrough stated that the Board has previously discussed reviewing its Drainage Policy for possible revisions. He has also met with Mr. Chaney, Mr. Stoliker and Mr. Metzgar to discuss this issue. He stated that he would like Mr. Stoliker to prepare a list of the names that have come up as possible committee members and give it to each of the Board members. The Board members can then review it and make any comments or suggestions. Mr. Stoliker stated that staff will have that information in the Board members ' boxes tomorrow.

BOARD OF DIRECTOR ' S COMMENTS.

Action/Acceptance of SSCAFCA Bosque Restoration Program Adjacent to its Outlet Structures.

Mr. Conkling stated that he had previously proposed that SSCAFCA reach out on both sides of where SSCAFCA ' s drainage comes to the river in the Bosque and participate with others to clean up the areas nearby. He would like the Board to authorize Mr. Stoliker to direct SSCAFCA ' s normal O & M people to go into that area for those activities. He had in mind that SSCAFCA would complete essential clean-up of the trash that has washed down there; he did not have in mind a scientific eradication of non-native vegetation. He believes that is already in place with the Friends of the Bosque and he doesn ' t believe that SSCAFCA has the expertise to manage that. He doesn ' t think that any kind of special program will be needed, rather a consensus of the Board that it is appropriate for the Executive Director to move maintenance people into that area for that purpose.

A motion was made by Mark Conkling to encourage SSCAFCA ' s Executive Director to work with other organizations to help clean up the Bosque. It was seconded by Donald Rudy.

Mr. Yarbrough stated that David has requested that SSCAFCA go no more than 100 feet on either side of SSCAFCA ' s easements. He stated that SSCAFCA can work with the Bosque committee on this issue.

Mr. Stoliker stated that within its existing O & M agreements, SSCAFCA can take care of things within its easements. He has spoken with Sterling Grogan from the

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MRGCD, who recommended that SSCAFCA write a program which would indicate how SSCAFCA should take care of things outside of their easements and then coordinate that effort with them. Mr. Stoliker said that he also spoke with Ben Blackwell, of Corrales, who also was very appreciative of any work SSCAFCA could help with. He stated that all entities involved are probably going to wait until after the summer monsoons and for all the bans to be lifted on the Bosque. He proposes waiting until October or November.

Mr. Conkling stated that he would rather see SSCAFCA reach out as far as the water floods, which can go out 400 yards, rather than hold back to 100 feet. Mr. Yarbrough stated that he's talking about 100 feet outside of SSCAFCA's easements. Mr. Conkling said that he does not believe that that's far enough because he's seen trash 400 yards from SSCAFCA's easements. Mr. Stoliker stated that the 100 foot limitation was with regard to the Harvey Jones Channel, not the Venada. With the Venada, he has no problem going as far as the water reaches. He is trying to ensure that he complies with SSCAFCA's statute. Mr. Conkling suggested that SSCAFCA go as far as the plume of the flood area and no further.

The motion passed unanimously.

Mr. Donald Rudy stated that there is a meeting in Corrales of the Bosque Restoration Group tonight. He will be attending that meeting and he is willing to discuss this with them. Mr. Stoliker stated that he was going to have Jim Service go to that meeting to listen to the discussion.

ATTORNEY'S REPORT.

1. Discussion/Action Regarding Official Board Rules of Procedure for Work/Study Meetings.

Mr. Metzgar stated that a work/study session is one where more than a majority of the Board is present, with other people, to study an issue. They will not take any official action at a work/study meeting; it is more to discuss at length a particular issue. However, because there may be a majority of the directors present, it must be advertised. The notice that must be given is like a special meeting notice. Special meetings are those that may be called by the Chairman or a majority of the members, upon a minimum of three days notice. The notice may be given by posting at various public places.

EXECUTIVE DIRECTOR'S REPORT.

1. Mike Trujillo and Bob Wessely presenting, "A Progress Report on the Regional Water Plan".

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Mr. Stoliker stated that Mike Trujillo is the water planner with the Council of Governments and the administrative services director who works under Lawrence Rael, Executive Director of the Council of Governments. SSCAFCA belongs to the Council, which does, among other things, water planning. With Mr. Trujillo is Bob Wessely, who is the chair of the Water Assembly. They are here to make a presentation on water planning.

Mr. Rudy and I have been going to their meetings and they are trying to develop a regional water plan for the Middle Rio Grande. They are trying to get this Plan approved by the SSCAFCA Board, among others, within the next six months. They will come back for final approval of the Plan at a later date.

Mr. Wessely stated that the Middle Rio Grande Region includes Sandoval, Bernalillo and Valencia Counties. The Water Assembly and the Council of Governments are working jointly on this plan. The mission of the Water Plan is to balance water use with renewable supply. Water planning deals with three questions: what is the region's water supply; what is the regional water demand; and what can be done about it when there's a mismatch. They are currently trying to understand which remedial action is acceptable to the community and are pondering how they get implemented. The Plan is a set of recommendations and one of the ingredients is going to be the local jurisdictions taking actions to implement the Plan.

Mr. Wessely stated that the Plan is due to the New Mexico Interstate Stream Commission, the entity responsible for regional water planning, by the end of this year. The Interstate Stream Commission is requiring acceptance by the local governments of the region. He stated that in late September they are having a region-wide joint workshop; in mid October they are going to have a region-wide forum for the general public to present the Plan; at the October SSCAFCA meeting, they would like to present the Plan to the Board; then, at the December meeting, they would like to come back to the Board for final acceptance.

He stated that they have data taken from 1972 to 1997. On the average, the renewable supply has been about 330,000 acre feet. We have consumed about 385,000. We have used up about 55,000 of our water assets. The Council of Governments did a study projecting in 50 years that our demand will grow to about 480,000. He stated that renewable supply is the surface water and precipitation. He stated that we are drawing on the underground supply to make up for our consumption. They have been asked to exclude for this planning, the region south of Valencia County. On the average over this period, 140,000 acre feet have evaporated from Elephant Butte, but this number has not been included in the above numbers. The water returned through the sewage system is not counted as consumption. The water numbers include all residential consumption, any irrigation, the riparian, and the open water surfaces in the three counties. He stated that the last quarter century has been wetter than any quarter century in the past 2200 years, yet we are still in the hole by 55,000 acre feet.

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Mr. Wessely stated that they are one of 16 regions in the State, each of whom has been tasked to develop a regional water plan, send it to the State, for some kind of assimilation into a State water plan. Approximately 6 of the plans have been submitted and accepted; about 6 are predicted to be submitted later this year, with the remaining bunch dribbling behind. The Puerco and Jemez watersheds are working on their own set and Rio Grande is working on its own set. All will be part of the same physical document. The Water Assembly consists of all volunteer organizations with a diversity of people, i.e., agriculture, urban, environmentalists, water managers, and specialists. The Water Resources Board has a representative and an alternate from each of the jurisdictions in the region. The Water Resources Board is SSCAFCA's communication channel with the process and David Stoliker represents SSCAFCA very well at the meetings.

Mr. Wessely stated that they have focused the planning on three foundation topics. First is the issue of wet water. The water that flows around is the wet water and paper water is permission to use it if you can find it. They are focusing on wet water first, not to minimize the complexity and difficulty of the paper water problem. Next is long term averages for sustainability. Third is consumptive uses as distinguished from diversions, re-routing, and return flows. The reason for that is that diversions and return flows deal with the same gallons several times and is a process ripe with the possibility of playing a shell game. They are trying to avoid that and are, rather, focusing on the consumptive use.

Mr. Wessely stated that the requirements for the Plan is to recognize the implications of the aquifer depletion; the Rio Grande Compact obligations, which contains a certain amount of water that must be sent downstream; balance water use with renewable supply while maintaining a balance among all the other features, environmental rights, cultures, traditions, etc. He stated that there has been a lot of public involvement from the beginning. They have had internal and external coordination with neighboring regions and with the State and Federal governments. There have also been a lot of technical analyses done.

Mr. Wessely stated that the suggestions they have received from the public were geographically oriented. The people in Valencia and Sandoval counties had wonderful ideas as to what the people in Albuquerque could do, and vice versa. They have merged all of those ideas into 'alternative actions' and blended them into five scenarios. They have been working on the preferred scenario in joint meetings with the Water Assembly and the Water Resources Board. They think they are close to converging on that scenario, which will become the basis of the documented Plan. The Plan will have water management principles, actions needed to solve the problem, and implementation strategies.

Mr. Wessely stated that some of the actions we could take to increase supply would be to desalinate or import brackish water, harvest rainwater, re-use pumped water, reduce open water evaporation, restore the Bosque and manage the watershed. Some of the

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actions to decrease demand would be to implement an Urban Conservation Plan, implement a Rural Conservation Plan, adjust water pricing, meter water uses, limit new domestic wells, and moderate population growth. Some of the actions to be taken besides direct supply and demand would be to establish educational programs, adjudicate and enforce water rights, manage new uses of water, protect sensitive areas from contamination, centralize wastewater treatment, select water per quality needs, establish environmental water rights, and establish substantial funding mechanisms. He stated that probably most of the above should be adopted because we have a serious problem with water shortage. It is predicted that population will double in about 50 years.

Mr. Wessely stated that the different jurisdictions need to share in making a solution that works and they want input from the Board before the Plan is finalized. Once the Plan is finalized, they will need help in making it work. He stated that the question is how to balance water use with renewable supply and keep the balance among the jurisdictions in the region. The jurisdictions will need to share the balancing target, while working on conservation needs, new water and impositions. Should the sharing be proportional to consumption? The various jurisdictions and the Water Resources Board need to think about what they want to do and then talk with each other about how to do it. The Plan is due within 2003. In summary, he stated that there is a regional problem to which a regional solution is needed. However, the solution needs to be balanced.

Mr. Conkling asked how he sees the interface between this region and upstream and downstream regions. Mr. Wessely said that the people in Santa Fe anticipate importing some 2,000 acre feet from the river. The people planning for this region say no way. Similarly, the Socorro County Commission has declared that it is against their policy to export water. The Water Board is anticipating buying 20,000 acre feet by buying property and water rights over 50 years. The real question is whether the State will make a declaration on how to resolve it or make the two regions resolve it themselves.

Mr. Deubel asked how they calculated the renewable supply figure and how they calculated the consumptive use figure. Mr. Wessely stated that there was a team of about 30 people, many of them hydrologists who, in 1999, did a study of the middle Rio Grande, tying other studies together. They published a booklet called "The Water Budget," which showed how they did the calculations.

Mr. Trujillo stated that they would be happy to come back for a work/study session. This is a very complex issue and once it comes down to accepting the Plan, the emotional level will rise. He stated that Mr. Stoliker has done quite a bit of work on the Water Resources Board and that he is a vital part of the commentary that goes on. He stated that he will make copies of "The Water Budget" available to the directors so that they can understand the complexity and the depth of the technical analysis. Mr. Wessely stated that "The Water Budget" is a five county study, which goes from Sandoval County to Elephant Butte Dam. Mr. Trujillo stated that in its contract there is no requirement for

formal approval or acceptance by local governments, but, the Interstate Stream Commission has stated that they must get acceptance by a majority of the local governments. It is anticipated that they will be back in October to present the final plan and return in December for approval of the plan.

2. Action/Acceptance of the Hawk Site Drainage Plan.

Matthew Spangler, attorney for AMREP, stated that in June 2003, AMREP submitted the Hawk Site Drainage Management Plan to SSCAFCA to obtain approval of both the drainage management plan and the bulk plat for the Hawk Site. He said that a bulk plat is a plat that divides the land into large bulk parcels, 50 to 70 acres that are set up for further subdivisions, before development occurs. The Hawk Site is a 500 acre master planned development located in the far northwest corner of Rio Rancho near the intersection of Highway 550 and the Northwest Loop Road. It is a mixed use development that has residential, commercial, and industrial land. The only development near it is the Hawk Site missile battalion. He stated that 95% of the entire surrounding watershed area is undeveloped. The lots are subdivided, with scattered ownership. The Hawk Site is one of the few last large undeveloped contiguous areas in Rio Rancho which has large industrial parcels available for development. The issue has to deal with the scattered ownership of the lots surrounding the Hawk Site. The Drainage Management Plan assumes that the off-site flows are from undeveloped land; however, SSCAFCA requires that off-site flows be assumed fully developed. The Plan does assume that all land area within the Hawk Site has developed flow.

Mr. Spangler stated that SSCAFCA requires, at the downstream end of this development, that AMREP only discharge undeveloped flow. SSCAFCA is telling the developer to take on fully developed flow, but they can only release undeveloped flow. He stated that this is unfair and that AMREP should be able to discharge the same water that it is being required to accept. This Plan asks SSCAFCA to approve undeveloped flows going in, and undeveloped flows going out. They have come up with a compromise, which is that AMREP will size the conveyance facilities, not the structures, but the actual land area, to accommodate fully developed off-site flows. The land will be available for the fully developed flows if that is what happens in the future. They will accomplish that by adding some easement areas, some extra ponding areas, and by sizing the land areas to accomplish fully developed flows. AMREP will then ask SSCAFCA that, if in the future, a drainage management plan is enacted around the Hawk Site where only undeveloped flows flow onto the Hawk Site, that AMREP would then be able to get that excess land back. On the other hand, if this area develops out before a drainage plan goes into effect, and fully developed flows go onto the Hawk Site, then the land would go permanently to the correct governmental entity.

Mr. Spangler stated that they are here today to ask SSCAFCA for conceptual approval of the Drainage Management Plan with the compromise proposal. If they get

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conceptual approval, they would come back and ask for final approval when the Plan has been completed. This would be done at the same time as when they come back for approval on the bulk plat, which would also show the changes.

Russell Grayson, of Huitt-Zollars, stated that there are existing conveyance structures within the Battalion site to pass water through the property. Those improvements are based on a pre-developed off-site flow coming onto that property. The existing watershed indicates a pre-developed 100 year run-off of about 1,400 cfs. When you go to the final discharge point of the watershed, there is no evidence that there have been any major flows that have happened on this property, such as incised arroyos. There is an existing 20 - 30 acre foot playa right in the middle of the subdivision. Their belief is that the majority of the water gets to the playa and never gets out. The Hawk Site Battalion was developed with the consideration of only off-site pre-developed flows going into it. The total watershed area is about 1,600 acres; the off-site watershed is about 1,100 acres and the on-site watershed is 500 acres. The flow through the culvert under Northwest Loop Road winds up in the Jemez Dam.

Mr. Grayson stated that the original concept that was presented was that there would be large open space corridors with large naturalistic conveyances, with three pond locations, and park sites adjacent to the open spaces. In the original master plan, it was intended to use the playa as one of the flood control ponds. After looking at the flow rates, it was determined that the pre-developed run-off at the final discharge point is approximately 1,400 cfs. The existing storage within the playa played a significant role in the hydrologic model. The existing multi-plate culvert on the Northwest Loop crossing acted as a bottleneck for drainage. In the first master plan, the off-site watersheds were assumed to be at pre-developed flow rates. The study assumed that watershed management principles would be applied to these areas but the report indicated that these measures would be implemented as those basins developed. The discharge at the final outlet point was limited to 1,400 cfs. To do this, they determined that they would place two detention ponds. The first one would be just upstream of the Northwest Loop Road, using the existing multi-plate culvert as the outlet control for that pond. The second pond would be located at the final discharge point to ensure only 1,400 cfs was discharged. The drainage conveyances were proposed to be a mixture of hard-lined open channels and underground storm drain systems. Because of where the ponds were located, it was determined that they would be joint-use detention pond and park sites.

Mr. Grayson stated that after discussions with SSCAFCA and the City of Rio Rancho, they were instructed to generate another model with developed conditions. This was generated to determine the worst case scenario. They assumed that the off-site watershed would be fully developed based on the existing antiquated platting of each watershed. Again, they made sure that the discharge at the final outlet point was limited to pre-developed flow rates. Ms. Sandy Gaiser stated that when Rio Rancho was platted in the 1960s, the engineering was not typically done because the subdivision regulations for

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the State in incorporated areas were not in place at the time. What you have are lots that are larger than in new subdivisions, but the engineering as to drainage, transportation routes, and road dedication, were not there. Mr. Ken Curtis stated that the reason they chose to use the antiquated platting was because of the criteria of looking at a fully developed watershed. If the area is redeveloped, it will be subject to the new regulations that are on the books between the City and SSCAFCA. A redevelopment plan will be held to the same criteria as on the Hawk Site. Mr. Rudy stated that if that area is in individual lots, SSCAFCA does not have control requiring on-site detention on individual lot development, only in group development. There is no guarantee that if that area is developed individually that there will be any on-site detention. Mr. Grayson stated that they are assuming that the platting, as it is right now, is fully developed, with no on-site detention.

Mr. Conkling stated that there is no ordinance at this time, but the City of Rio Rancho encourages on-site ponding when you build. If everybody did that, then this would not be an issue. Mr. Yarbrough stated that SSCAFCA does not get involved unless the property is more than 50 acres or 500 cfs. Mr. Metzgar stated that SSCAFCA's policy is to appoint an agent, which is the City, and the City determines the drainage policy within the City's boundaries. Only when it gets to the threshold, does SSCAFCA start enforcing any kind of policy itself. Mr. Stoliker stated that its policy allows SSCAFCA complete jurisdiction over drainage or flooding. However, as a practical matter, there are limitations on what SSCAFCA can or can't do. When large subdivisions come in, SSCAFCA does certain things to protect the public health and safety, which is when SSCAFCA enforces its rules. For developments less than 4 lots or single lot development, it is very difficult to enforce its rules as a practical matter.

Mr. Deubel stated that AMREP is basing full development of those lots as they were platted 40 years ago. He asked if there is any possibility that these lots could be further subdivided with more homes and more development per lot than what was platted 40 years ago. Mr. Grayson stated that there is always the possibility that another subdivision could happen. He stated that if the subdivision comes in and they go through the subdivision process with the City of Rio Rancho and SSCAFCA, they will be required to release, at the bottom of their development, at a pre-developed flow rate. They will be under a tighter restriction than they are based on this plan. They will have to look at the property before there was any development on it at all.

Mr. Grayson stated that the information they have to base their flows on is the same information as contained in the GIS system. The new mapping would not change their calculations. The delineation of their outside basin would not change. The new mapping would help them if they got into the watershed management of each little basin to try to figure out where each tributary was flowing. If individual homes are built on the lots, it will almost double the flow rates because there will be no ponding; however, if a subdivision goes in, they will have to comply with the flow rates. Mr. Conkling stated that it sounds like

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the unfairness is attached to the first developer in. Mr. Grayson stated that if a developer is doing something in the upstream, they're in a lot better shape under this criteria.

Mr. Grayson stated that if they assume fully developed flows coming onto the site, and developed flows on-site, they have a flow of about 3,500 cfs in the channel. Assuming undeveloped run-off, they have around 2,200 cfs. Mr. Rudy stated that they have an area which, over the history of several hundred years, there is no example of the playa having over-topped. Nevertheless, the model calculates that the playa will generate 1,400 cfs worth of flow off of it and he has a problem resolving that. The situation is that there is something wrong with the model which is giving very high numbers. He wonders if it's possible with some revision and revisiting of that simple problem, that the flows may be over-calculated. Mr. Castillo, of AMREP, stated that the technical input into the model which SSCAFCA determined, is wrong. He spoke to several engineers, and they told him that the factors being used are in excess of what they should be. Therefore, the model creates flows that do not conform with reality.

Mr. Stoliker stated that the model is not developed by one engineer and was developed over many years, specifically for this area. It has been checked by FEMA and other entities. When the storm in 1999 came through and created the problem in the Barranca, that model worked very well. That this area has not overflowed has not been shown. It may be that the soil in the area is much more porous and absorbs water better. He stated that the model works, is very conservative for the public, and is exactly what SSCAFCA should have. SSCAFCA presents the basic software, approved by FEMA that tells the developer what they need to do in order to protect the public in a specific area. To change from using this model would have to be approved by FEMA. Mr. Grayson stated that he agrees with David in that the model is the accepted standard here. He stated that he is not challenging the model. What they have is a situation with a playa that has not experienced a 100 year event over that entire watershed. Mr. Grayson stated that the issue is whether they should be using pre-development upstream flows or fully developed upstream flows.

Mr. Grayson stated that the second scenario assumes that the outside watershed is fully developed and limits the discharge at the bottom to 1,400 cfs. It will have one large detention pond located at the final discharge point. The drainage conveyances were proposed to be a mixture of hard-lined open channels and underground storm drain systems. The reason they did this was the quantity of flow and the additional capacity at the bottom of Northwest Loop Road. This scenario also assumes no joint use/ park detention ponds. The joint use facility pond in the first scenario was eliminated in this scenario when they moved everything to the bottom of the conveyance to handle it at that point. However, this site will also be a joint use facility. They are trying to preserve as much of the existing vegetation as they can. Because there are no existing channels to work with, they will have to create a channel. They have high flows with high velocities and they have to be careful with sediment load. When they looked at all the alternatives, it was

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their opinion that a concrete channel, or hard-lined channel, would be the best alternative. This can be incorporated into the over-all plan and still maintain the wide open space corridor. The channel would be moved to one side of the open space easement, and use the remaining open space as park areas. They propose doing something like the Embudo Arroyo in Albuquerque. If they try to do a naturalistic channel, they will have to rip the entire corridor up, put in a lot of rip-rap, a lot of drop structures, and it would be difficult to incorporate walking paths. They would have to re-establish the vegetation, and they would still have problems with maintenance and erosion.

Mr. Grayson stated that they are requesting Board approval of the Hawk Site Master Drainage Plan in a conceptual format in order to process the bulk land plat for approval. They are proposing to provide detention pond areas and conveyance parcels that are going to be created by the bulk land plat that will be adequately sized for the second scenario, which includes fully developed off-site and on-site watersheds. If SSCAFCA approves the conceptual plan, they can provide the final Master Drainage Plan and bulk land plat to the City and SSCAFCA for final approval. The infrastructure planning includes terms that the project will be designed with a single large detention pond located at the final discharge point. They propose that the developer will dedicate a parcel to the City of Rio Rancho with an O & M easement to SSCAFCA for the right-of-way required for the pre-developed off-site flows and fully developed on-site flows. They would also create a reserve tract with a drainage easement on it that would be reserved to the City and SSCAFCA for the additional right-of-way that would be required to expand the detention pond to accept the fully developed off-site flows. They are assuming an off-site watershed management plan that will be put into place. If that is put into place, then the reserve tract would be released and put back into development of the Hawk Site. The entire site would consist of approximately 15 to 20 acres.

Mr. Grayson stated that the conveyances would be set up as hard-lined concrete channels, with a large open space corridor. The channels will be designed for pre-developed off-site flows with two feet of freeboard. The difference between the pre-developed and fully developed off-site flows can be conveyed within the concrete freeboard. They are proposing concrete channels because of highly erosive soils, no defined existing channels, steep slopes, high runoff flows, and to maintain existing vegetation within remaining open space. He stated that for the storm drain systems, they are proposing that they be designed for pre-developed off-site flows. The difference between the pre-developed and fully developed off-site flows will be conveyed in the overflow channel within open space corridors.

Mr. Stoliker stated that staff has looked at this and there was supposed to be some information supplied regarding the off-site developed versus undeveloped conditions. This comes down to three issues as far as staff is concerned. One is, aesthetically, what the arroyo should look like. SSCAFCA has said it prefers more naturalistic arroyos. In order to do that, SSCAFCA would ask to make it wider. He stated that Mr. Grayson is presenting

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200 to 300 feet. Staff doesn't know if that would keep the arroyo naturalistic. However, the velocities will most likely be high enough to warrant hard-lining the arroyo. Secondly, SSCAFCA's policy says that you have to take into account fully developed conditions. Third, the City has a plan and a desire in this area to utilize some of these arroyos as open space.

Mr. Grayson stated that there is a totally different scenario here than in the rest of the City. To find the centerline of the arroyo is just about impossible. Mr. Stoliker stated that he may agree with him, but the Board needs to know that, under the plan, the arroyo will not be naturalistic. The bigger issue is what to do with the off-site flows and how to work with the City to work this out. Mr. Grayson stated that the channel would be in a low spot which is a very gentle, very wide swale that is probably 1,000 feet across. They are proposing to press the concrete below the existing ground. The channel would be about a ten foot bottom and five foot deep. Mr. Castillo stated that this channel will handle the developed flows. By going with this proposal as opposed to complying strictly with SSCAFCA regulations will save AMREP several million dollars.

Sandy Gaiser, of the City of Rio Rancho, stated that it is unfortunate that this Drainage Plan was not done at the time of the master plan and the development agreement. She has not had the opportunity to take this new proposal and review it with the master plan to see if it fulfills the intent of what the developers and the City agreed upon. She is concerned that if this Drainage Plan is approved today, that the City may not have an opportunity to make any refinements that may need to be done. The integrity of the open space and trails needs to be preserved. The City of Rio Rancho does not have a bulk platting process. They have a preliminary, final and summary plat process. They are putting together a process in ordinance form to take the preliminary and final plat process and put them together. She asked if it was possible that this matter be tabled until the City had a chance to review the Plan to ensure compliance.

Mr. Stoliker stated that there was an Executive Committee meeting on this issue yesterday morning. Mr. Chaney knew he could not make it to this meeting today and he specifically asked him if this issue could be tabled until he could be present. He suggested having a meeting next Monday at 8:00 a.m. to discuss it.

Mr. Spangler stated that they are not here for final approval. They are asking if this concept is something that they should pursue. They still have to pursue it with the City and have not held out that the City has approved it. They don't want to pursue it if it's not something that looks like it's a possibility. They want conceptual approval on the proposed Plan. Mr. Stoliker stated that staff has no problem with this concept. It takes care of what SSCAFCA needs, so long as the Board realizes that these will be hard-lined channels. Mr. Yarbrough stated that if the Board approves the concept today, it will still lock in the concept that SSCAFCA will not require them to take care of the upstream developed flows. Mr. Stoliker stated that they will take care of the flows, but it will be done

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later, in the hard-lined channel. Mr. Castillo stated that they are providing SSCAFCA the land area needed to handle the flows. The developer will be responsible for paying for the infrastructure. The developer will not have to pay for anything that's off-site. Mr. Stoliker stated that the developer is going to pass the fully developed conditions through his development and that is all SSCAFCA asks for in its policy. Mr. Metzgar stated that is correct.

Mr. Foglesong stated that AMREP would be responsible for the cost of infrastructure for the increased flow at the time when it is needed. Mr. Spangler stated that is not what AMREP has stated. This is where the unfairness of SSCAFCA's policy lies. The extra infrastructure would be required because of development somewhere else. Mr. Deubel stated that if the Board were to vote on this concept it would, in essence, agree with non-compliance with SSCAFCA's policy. Mr. Stoliker stated that the policy says that, if this development is approved, AMREP will build to ultimate fully developed conditions both on-site and off-site. He stated that AMREP's first concept was that they were going to use their off-site land, put them into neighborhood ponds, and knock the fully developed conditions off-site down to historic conditions. Today, AMREP wants to give SSCAFCA enough space to either pursue that concept of knocking flows from fully developed to historic, or to build the infrastructure to transport the fully developed conditions through the site.

Mr. Conkling stated that the first guy in gets a variance so that SSCAFCA can get some outstanding drainage controls and parks in the City. From that point on, the policy works just fine. Mr. Yarbrough stated that he is not opposed to the concept, but he would like to have staff and the City of Rio Rancho get together and try to address the concerns of the City and SSCAFCA before SSCAFCA makes any decision on the concept. Mr. Spangler stated that they can't finalize the bulk plat until they know that this concept can go forward.

Mr. Castillo stated that they are offering to carry the water through the property; they are offering to set aside the land to store the developed flows; they are offering to make use of AMREP's land upstream for water harvesting and management to meet SSCAFCA's policy. He stated that he wants conceptual approval because SSCAFCA's policy is going to require him to build a storm water detention pond to hold all the developed flows, which is an additional \$3 million, which will never be necessary in his opinion. The detention pond at the north end will not hold 100% of the developed flows of the entire watershed. It will hold 100% of the flows of the project and the undeveloped flows. Mr. Rudy asked what was the point of building conveyances to a pond if the pond isn't large enough to hold the water that will flow into it. Mr. Castillo stated that the development in the upstream area will not take place for decades. Mr. Rudy stated that if it is developed and AMREP has an inadequately sized detention pond, it is going to overtop and flood. Mr. Castillo stated that for AMREP to have to commit today to spend an additional \$3 million is uncalled for.

Mr. Yarbrough stated that, under the circumstances, he would like to give SSCAFCA staff and the City of Rio Rancho staff time to look at this information.

A motion was made by Richard Deubel to table this issue until the next regular meeting. It was seconded by Dub Yarbrough. Roll call vote: Mark Conkling, yes; Richard Deubel, yes; Donald Rudy, yes; Dub Yarbrough, yes. The motion passed 4-0.

3. Action/Acceptance of Proposed Lomitas Negras Exchange of Platted Property Between SSCAFCA and AMREP.

Mr. Stoliker stated that the Board has a hand out which is a contract that was provided by Chris Pacheco, an attorney for AMREP on this property that staff and Mr. Metzgar have reviewed. Tract D-1-B is currently owned by AMREP and Tract D-1-C is in questionable ownership. SSCAFCA has the Lomitas Negras soil cement structure on that property. SSCAFCA is trying to get that tract deeded to it by AMREP. The area between the two tracts is an easement area that SSCAFCA is giving back to AMREP as part of this exchange. Tract D-1-A is the area where SSCAFCA's current sedimentation pond for the Dulcelina Curtis Channel is located. The area indicated by the pentagon on the map is the area that SSCAFCA is proposing to buy from AMREP at the same appraised value as in January 2003. The total cost of that is \$27,405.00. The dimpled area below that is what AMREP will be giving to SSCAFCA. Tract D-1-D currently has a pond on it that is used to provide drainage protection for Gray Hawk, which AMREP is deeding to SSCAFCA at no cost. The SSCAFCA staff is recommending approval of the Land Agreement.

Mr. Metzgar stated that paragraph 6C, page 2, is the property which has reversionary language in it. The paragraph states that AMREP will execute a Quitclaim Deed to SSCAFCA for Tract D-1-C and Tract D-1-D with a right of reversion in case that it is no longer needed for drainage facilities. Precedent has been that SSCAFCA has given rights of reversion to developers if land is no longer going to be used for drainage facilities, but in each of the cases, SSCAFCA has always received something of value in exchange for this right of reversion. In this case, SSCAFCA already has a facility on Tract D-1-C and is taking over maintenance of the present facility on Tract D-1-D. This is probably a benefit to AMREP to take over the maintenance of the facility on Tract D-1-D. He is not sure if the Board wants to give a reversionary right to AMREP under these conditions.

Mr. Deubel stated that SSCAFCA should get fair market value for any piece of property that would revert to AMREP. Mr. Metzgar stated that there is case law that says that if a developer puts parks and other things into their development and if the municipality no longer needs or uses the park, that it does revert to the developer. Reversions are not uncommon. Mr. Matt Spangler stated that he was standing in for Chris Pacheco. He stated that the two tracts which have the reversionary interest are essentially being donated by AMREP to SSCAFCA. If AMREP retains a reversion on the property, it cannot

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take a tax write off. Mr. Metzgar stated that this is not a trade for the property. This is a Land Agreement for the entire area, where SSCAFCA already has an easement on Tract D-1-C, but it was going to be deeded to SSCAFCA subject to a reversionary right. SSCAFCA has an easement on the portion directly below that tract also. Under this agreement, SSCAFCA will quitclaim Tract D-1-B to AMREP, which will give AMREP the easement back on that tract because SSCAFCA no longer needs it. The only portion that will be purchased by SSCAFCA from AMREP is the pentagon shaped property. The tract below it will be given to SSCAFCA by AMREP and will not be subject to a reversionary right. That property is not developable, but SSCAFCA wants it for drainage purposes. AMREP will grant Tract D-1-D to SSCAFCA, however, that already has a drainage facility on it, so Mr. Metzgar is not sure what real value is being given to SSCAFCA since SSCAFCA will be taking over the maintenance of the facility. This is not a value, it is more a responsibility. AMREP is also asking for a reversionary right on that lot.

Mr. Metzgar stated that right now, AMREP owns Tract D-1-D; Tract D-1-C; Tract D-1-B, subject to an easement by SSCAFCA; the pentagon shaped property in the middle of Tract D-1-A; and the bottom hash-marked portion of Tract D-1-A. The rest of Tract D-1-A is presently owned by SSCAFCA. Mr. Yarbrough stated that Tract D-1-D was improved for the Gray Hawk development. Mr. Spangler stated that he does not know if AMREP has an agreement with Gray Hawk for Tract D-1-D. Mr. Stoliker stated that his understanding is that there is no agreement between Gray Hawk and AMREP with respect to that parcel. Mr. Metzgar stated that this Land Agreement has not been approved. It is a proposal being made by AMREP which has been under negotiation.

Mr. Rudy stated that the pentagon shaped piece of property is right in the middle of the arroyo. Mr. Yarbrough stated that the reason SSCAFCA needs that property is because SSCAFCA is thinking about making a holding pond in that area. Mr. Stoliker stated that the area between the pentagon shaped property and the dimpled area was appraised and is currently in a flood plain and SSCAFCA owns that property. SSCAFCA had it appraised as if it had access. The property is 1.78 acres for \$13,500.00 per acre. SSCAFCA is using that same appraisal to get the pentagon shaped property, which is not in a flood plain. That property is 2.03 acres and comes out to \$27,405.00. AMREP wants to clear up Tract D-1-B and have SSCAFCA take over the responsibility for Tract D-1-D and Tract D-1-C. His concern is that SSCAFCA is taking on O & M on the dimpled area and maintenance responsibility on Tract D-1-D.

Mr. Metzgar stated that a title report showed that AMREP owned Tract D-1-C. The City of Rio Rancho thought it owned it and granted SSCAFCA an easement in order to build its facility on Tract D-1-C. SSCAFCA built the facilities and that easement is of record. The title report has shown that the City of Rio Rancho did not own it, but since it had granted SSCAFCA an easement, SSCAFCA has the right to be there. To get the property into SSCAFCA in fee simple, AMREP would deed Tract D-1-C to SSCAFCA, with a reversionary clause. Mr. Rudy stated that the likelihood of Tract D-1-C ever reverting is

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very small and is probably not very valuable. Mr. Metzgar stated that AMREP feels the exact opposite. If the property was not needed for flood control purposes anymore, Tract D-1-C would be prime land fronting on 528 and Corrales Road.

A motion was made by Donald Rudy to approve the exchange of property as set forth in the proposed Land Agreement. It was seconded by Mark Conkling and passed unanimously.

4. Presentation by Wilson & Co. on Cabezon Drainage Plan.

Mr. Tim McDonough, representing Wilson & Company, stated that in the letter he wrote to SSCAFCA, he had indicated that the City of Rio Rancho had approved the Drainage Master Plan. What they actually approved was the Master Plan for planning purposes, which included a drainage component.

He stated that Curb, Inc. is doing the redevelopment of Unit 16. They have a development agreement with the City of Rio Rancho, along with an approved master plan. They recently submitted a drainage management plan for Phase I of the development. Phase I is essentially the northwest corner of the property, Phase II comes further down, and Phase III is the northeast corner. Curb, Inc. is hoping to move forward with an unofficial preliminary plat because they don't have a bulk plat of the major infrastructure throughout Cabezon. It will begin with the approval of the Phase I Drainage Management Plan which has been submitted to SSCAFCA and the City of Rio Rancho. They are hoping to bring that to the Board for approval at the September meeting, assuming they can get any issues worked out between Curb, Inc. and SSCAFCA staff in sufficient time to get it on the Agenda. With that approval of the Phase I Drainage Management Plan, Curb, Inc. will go forward with requesting the preliminary plat for the major infrastructure.

Mr. McDonough stated that the last time Curb, Inc. spoke to the Board; there were two outstanding issues that Curb requested that it be allowed to further discuss with SSCAFCA. That had to do with what the east branch channel will ultimately look like in terms of channel versus overbank and issues regarding the west branch of the Black Arroyo and how to deal with that. In discussions with SSCAFCA, the City and Curb, Inc. for this preliminary plat and to get things moving, Curb agreed to go ahead and plat it with the LEE lines for both the east branch and the west branch, with the understanding that as they come back in the subsequent platting for Phase II and Phase III they will modify those LEE lines to reflect what will actually be built there.

Mr. McDonough stated that there are existing flows coming down Western Hills which will be picked up in a pipe and piped down to a detention pond/park combination in Unit 17. Ultimately, that will discharge into another pipe that will carry it to the east branch of the Black Arroyo. The pipe is sized from 60 to 84 inches. For Phase I, because the total connection will not be made, the pond will be enlarged to 25 acre feet and will serve for

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detention for Phase I up to the 5 year storm. What can't be held in the detention pond will be directed into the existing arroyo to flow into the east channel. After that, they will ask FEMA to take out the flood plain and revise the map to reclaim the land.

Mr. McDonough stated that Phase II will connect onto the pipe and route it all the way down to the channel and begin building the channel up to the confluence. That part of the channel needs to be done as early as possible. The idea is to maintain the northern end of the east branch in its natural condition, with some shaping and some check structures for collection of sediment to clean up the water and then put it into a channel for the remainder of the area. The channel would be built to handle a 10 year event and the 100 year event would use the overbank to carry the water. The alternative is to put the entire 100 year event into the concrete channel, but maintain the full right-of-way as a pedestrian corridor, open space area, throughout the Cabezon development.

Mr. McDonough stated that part of the overall discussions deal with possibly reshaping or hardlining the channel from the county line down into the dam. One of the proposals is to expand the Black Dam to account for some of the storage they will need for their developed flows within Cabezon, as opposed to creating more storage within the area. There will be water quality features within Cabezon, but there is a requirement for an overall 50 acre feet of storage throughout the development.

He stated that they are hoping to get the drainage management plans for Phase I acted on by SSCAFCA and the City in time to come back to the next SSCAFCA Board meeting and get action on it. With that action, Curb would be able to go to the platting of the major infrastructure and the right-of-way so that they can get the zoning and get moving on Phase I of the development. Once that happens, Wilson & Company will start developing the drainage management plan on Phase II. The map he has with him is being submitted to the Corps of Engineers and they currently have an application for an individual 404 permit to cover all the improvements that will be done within Cabezon.

Mr. McDonough stated that the flood plain flows have now been cut off by the channels on Unser and inlets at Unser and Southern Boulevard. They are going to move ahead with a letter of map revision on that section so that it can be removed from the flood plain. They will pipe all the way down to the park in Phase I, which will cause the arroyo to be filled in. He stated that the Corps of Engineers is interested in leaving as much natural channel as possible, which is part of the reason that they made the decision to not do anything in the area, but to keep it natural. At this point, they don't have any plans in that area but to do some cleanup and possibly some isolated hardening of the arroyo.

Mr. Stoliker stated that the Cabezon development as proposed will be different from the Watershed Management Plan approved by the Board and Rio Rancho. Staff is working on the premise that as long as their plan meets the intent of SSCAFCA's Master Plan, it can go forward. He stated that in one area, SSCAFCA calls for 36 acre feet for

water quality features. Cabazon has this in several ponds. It is staff's intent that as long as they have the total volume somewhere in there, that will meet the intent of the plan. He stated that AMAFCA is integral to this plan because they own the Black Dam. He would like to ask that this issue be taken to AMAFCA to get their approval before it comes back to this Board. He stated that AMAFCA has two meetings a month, so they may be able to work it in before SSCAFCA's next Board meeting, but it may possibly delay this bulk platting an additional month. Mr. McDonough stated that this requirement will make it more difficult for Curb, Inc. and he would hope to have it approved with concurrent approval of AMAFCA. He stated that AMAFCA's only board meeting in September will fall just after SSCAFCA's meeting. He stated that he had no problem with AMAFCA being part of the process, just the timing of the meetings of the entities. Mr. Conkling stated that he believed that AMAFCA should wait until after SSCAFCA approves it. Mr. Stoliker stated that would be fine as long as the Board understands that AMAFCA may have issues with the plan. Mr. McDonough stated that they are just looking for approval of Phase I, not the overall project. They have submitted the Drainage Management Plan to AMAFCA and intend to keep them in the loop and have ongoing discussions with them.

Mr. Stoliker stated that Phase I is asking to put in ponding somewhere between the dam site and the upper reach, but it will not be completed all the way down to the dam. They may be releasing developed flows with higher velocities, which might affect how AMAFCA considers it. There could be an issue that AMAFCA wants SSCAFCA to address which could mean coming back to the Board. He stated that his understanding is that the Board wants staff to proceed with this to try to meet their timetable, and that this issue will be brought back next month.

5. Action/Acceptance of the Village of Corrales Proposal to Bridge the Harvey Jones Channel.

Mr. Stoliker stated that Claudia Smith, the Planning and Zoning Administrator from the Village of Corrales is here and the material is in the Board's packets. With the new Northwest Sector Development, the Village has asked to bridge the Harvey Jones Channel and the Board has copies of correspondence. He stated that the NRCS, who has oversight of that particular structure, is okay with it as long as the structure is not touched and the load along the channel walls is not increased. From a technical standpoint, staff is okay with it. In the Executive Committee meeting yesterday, Mr. Chaney had some reservations about it and wanted to talk to the Village about this issue and Angel Road at the same time. Mr. Chaney recommended that a meeting be set up with the Village next Monday to discuss both of these issues.

Mr. Stoliker stated that you can sometimes transfer loads through soil or another surface or structure that is in the area, which would increase the load on the walls. In this particular case, it would be through soil. To bridge the Harvey Jones, they will most likely drill piers and place all the load on the piers so that the load would be placed below the

bottom of the channel. These are the same stipulations that were made on the Dulcelina Curtis Channel.

Mr. Yarbrough stated that he has some reservations about the location of the bridge because it seems like it is very close to the Dulcelina Curtis Bridge. Claudia Smith stated that the interior of the channel will have an internal loop road which will connect the Dulcelina Curtis Bridge with the Harvey Jones Bridge. Their hope is that by building the bridge, it will direct more flow onto Loma Larga than Corrales Road. Mr. Yarbrough stated that it looks like the roadway for the crossing of the Harvey Jones will intersect the road coming off the Dulcelina Curtis Channel. Ms. Smith stated that there is not an intersection there. She stated that the thinking is that the traffic will either choose one bridge to access Corrales Road or the other bridge to access Loma Larga.

Mr. Stoliker stated that Mr. Chaney specifically requested that the Board table this matter and allow an Executive Committee meeting with the Village of Corrales so that they can discuss both these issues directly with the Village. He stated that there is a meeting tentatively scheduled for Monday at 10:00 a.m. with the Village. Mr. Metzgar stated that, on this kind of an issue, a full Board should make the decision. Ms. Smith stated that it is not critical that the Village have a decision on this issue today.

A motion was made by Dub Yarbrough to table this matter until the next Board meeting. It was seconded by Donald Rudy and passed unanimously.

6. Action/Acceptance of the Final Report for the Venada Demonstration Project Design Analysis Report and 3-D Model.

Mr. Clint Dodge, of ASCG, stated that the blue lines on the model in front of the Board are the lateral erosion limit lines. Inside of there, they have trails and trail heads with educational information. The drainage control is the LEE lines. There are several facilities within the corridor with parking structures. The modified LEE is four areas where for various reasons the developer of Enchanted Hills South requested modifying the LEE by looking at constructive arroyo improvements. Those will be funded by private developments. The areas within the blue line would be dedicated and set aside and reserved but could revert back to the developer. The corridor was kept more open. ASCG is requesting acceptance of the facility plan and model.

Mr. Dodge stated that there is a large pond for the water to flow into. The primary component is that it's a dry pond with a small component of wetlands. This is the final deliverable on this report. The next step would be to go before the Town of Bernalillo next Monday and tomorrow night before the City of Rio Rancho to inform them of this report. As things come up, especially if the bond is approved, this project will start to be implemented. He would like PNM to pay for the entire drop structure that will be needed to protect its property. There is no projected completion date because the project is contingent upon the

bond election passing. When AMREP comes in with the next subdivision, Enchanted Hills South, staff hopes to get the land rights and then work with the development community.

Mr. Dodge stated that they did have a sheet in the report for AMREP concurrence and the report does talk about the implementation of the right to dedicate within the blue lines. The report also talks about the drop structures and drainage facilities. Mr. Stoliker stated that the plan goes well beyond what money will be available if the bond passes.

In response to a statement by Mr. Cliff Spirock, Mr. Stoliker stated that he has no problem with changing dedication to reservation of properties for future dedication. Staff will make the appropriate changes. Mr. Rudy asked if SSCAFCA will be reviewing the various aspects such as the modification of the LEE lines, etc. as construction begins. Mr. Stoliker stated that this is a master document and not a final detailed engineering document. He stated that staff is trying to call watersheds the master drainage plan and this a facility plan. If facility plans change they will be brought back before the Board.

A motion was made by Mark Conkling to accept the report and model as presented. It was seconded by Richard Deubel and passed unanimously.

7. Action/Acceptance of the Easement and Maintenance Agreement for Northern Meadows.

Mr. Stoliker stated that this is the same type of easement and maintenance agreement between SSCAFCA and Rio Rancho as was presented in Enchanted Hills two months ago. Mr. Metzgar stated that he reviewed this Agreement some time ago and had no problems with it at that time.

A motion was made by Mark Conkling to accept the Agreement as presented. It was seconded by Donald Rudy and passed unanimously.

8. Presentation by John Wise of Stantec, on NPDES Outreach and Training Programs.

Mr. Stoliker stated that there are two presentations on this issue, one for construction activities and the other for public outreach. Mr. Stoliker stated that the project team will meet tomorrow morning from 8:00 a.m. to 12:00 p.m. to go over the actual presentation, which will include the City of Albuquerque, AMAFCA, Bernalillo County, Sandoval County, the City of Rio Rancho, et al. He stated that SSCAFCA has a vision of what it's trying to get out of this. They will come back in October for final approval on this from the Board and at the same time have a training program with the construction people and the public outreach.

Mr. John Wise, of Stantec, stated that Mr. Stoliker quickly went through the PowerPoint presentation, however, each presentation will take anywhere from two to four

hours, depending upon the audience and community. The presentation ranges anywhere from 120 to 150 slides each. They have put together a sampling of some of the slides of the presentation, so if the Board wants to review the entire presentation, they just need to let him know. He is going to start off with is a brief overview of what a watershed is so they can understand what happens with storm water. He will talk to them about water quality standards, how the EPA NPDES Phase II program impacts the community, the public and construction sites. One of the goals is to introduce pictures and examples of what is happening in the community. He will talk about the Phase II rule and why SSCAFCA and the associated communities have to be involved with it and why they have to comply with the EPA's rules. He will talk about SSCAFCA and why SSCAFCA has this regulatory authority and the overall role of SSCAFCA and how it relates directly to the NPDES Phase II program. He will talk about why SSCAFCA and these communities are involved with the Phase II program and the various jurisdictions involved. Some of the slides will specifically relate to each community and what the problems are in those communities. He will talk about best management practices and how they are applied so that storm water quality programs can be achieved.

He stated that he will talk also about storm water pollutants that result from storms and washes into streets and the different pollutants, i.e., animal waste, yard waste, sediment, pesticides, etc. He will also talk about mulching, trash pickup, bagging properly and disposing of pet waste. It will deal with what to do with pesticides, herbicides, chemical waste and hazardous waste. Another idea is how to harvest rainwater. The slides will show where the water ends up and what kind of problems the trash can cause. Mr. Stoliker stated that the violation as far as the TMDLs are concerned is the fecal coliform for the entire state. He stated that grazing land is different from having animals fenced in and is harder to control. He stated that the presentation will also focus on construction activities and how to control water quality, sediment and pollutants getting into the arroyos and streams and what is required by EPA. There are actual construction activities that must be put on site, and the presentation goes over these. Sediment is one of New Mexico's major problems. What they want to do with this training program is let owners, developers, public and private facilities and contractors know what is required. One of the most important things is the specific site best management practices.

Mr. Stoliker stated that right now, it is up to the local jurisdictions to notify those owners when a project is ready to go to construction what they have to do under the Phase II program. What EPA has not specifically done, is turn over the power and enforcement to the communities. When SSCAFCA is constructing a drainage facility, it's their facility, but, as part of the Phase II program, SSCAFCA must assist in getting the word out to the owners, contractors and developers, that they have to follow the rules and regulations. The communities will actually have to require that a particular project have a storm water pollution prevention plan, that they've turned in their permit, and that they are complying with best management practices to satisfy the EPA.

Mr. Stoliker stated that the jurisdictions are leaving it up to the individual contractors and owners to file the permit. They are very aware of it because they have been informed by the EPA and are being fined right now. Mr. Ken Curtis, of the City of Rio Rancho, stated that several local contractors have been tagged by the EPA for not being in compliance. Mr. Stoliker stated that all companies which do development file a notice of intent and the EPA will pull from those notices of intent and will randomly pick a project to check on. Mr. Wise stated that there is a variety of temporary and permanent erosion and sediment control structures that have been designed and are available.

Mr. Yarbrough asked how rubber from asphalt can be controlled. Mr. Wise stated that this community has the opportunity to control it before it gets to the Rio Grande because SSCAFCA has all the detention basins and some of the regional dams. Those function as pollutant traps so all the storm water ends up in those areas and provides a very good location to control those pollutants. However, those are not the major type of pollutants that the EPA is trying to control. They are trying to control major sediment and oils getting into the Rio Grande. If there was no detention/retention program going on, then there would be a problem because all of that material would end up in those streams. Mr. Wise stated that the intent of this program is to not contribute additional pollutants and additional problems into the Rio Grande.

9. Update on the Bond Election.

Mr. Stoliker stated that Laura is keeping track of staff going out to the public to inform them of the upcoming bond election. He stated that he has received a request from the Rio Rancho Chamber of Commerce to appear on Wednesday, August 27, 2003 at 11:30 a.m. at "Your Place or Mine Catering" on Southern Boulevard to do a presentation on SSCAFCA's bond election. He stated that because his vacation starts a week from tomorrow, he will be unable to do the presentation and is hoping that a Board member would be willing to do it. Mr. Rudy stated that he will make the presentation for SSCAFCA.

Mr. Stoliker stated that the mail-outs will go out on October 9, 2003. The ballots must be in the County Clerk's hands by no later than 7:00 p.m. on October 23, 2003. Mr. Stoliker stated that there is information in the members' boxes from Mr. Jaramillo. Mr. Yarbrough stated that he had recently been speaking with Mr. Radford, who invited SSCAFCA to publish a rebuttal in the Corrales Comment. Mr. Metzgar stated that if it is strictly a factual rebuttal, SSCAFCA could take advantage of this offer; however, he suggested running it by Bob Strumor just to be sure. Mr. Stoliker stated that SSCAFCA's public relations firm is writing commentary for the Chairman to put in The Observer, which will be passed through Mr. Metzgar and Mr. Strumor. He stated that there has been a request from a bond committee that wants to support SSCAFCA to see if they can utilize a lot of its brochures. Mr. Metzgar stated that his understanding is that one of the things they want to do is make the brochure an insert into the newspaper. There was general

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consensus to allow this use. Mr. Stoliker suggested having Donald Rudy and Mark Conkling serve as a bond committee of the Board to deal with these kinds of issues as they come up.

FOR BOARD INFORMATION:

- A. June 5, 2003 Letter to Corrales PZA Claudia Smith Regarding the NW Sector Planning Session Discussing the Proposed Harvey Jones Channel Bridge Crossing and July 29, 2003 Letter from David M. Been Regarding the Dulcelina Curtis Channel Crossing.

Mr. Stoliker stated that these are contained in the Board ' s packets.

- B. June 23, 2003 Letter to Scott Sensenbaugher of Rio Rancho, Utilities Engineering Division, Regarding the Village of Corrales Proposal to Bridge the Harvey Jones Channel.

Mr. Stoliker stated that this is contained in the Board ' s packets.

- C. June 24, 2003 Letter to Mayor Kanin Regarding Emergency Egress During Flooding Events.

Mr. Stoliker stated that this is contained in the Board ' s packets.

- D. July 2, 2003 Letter to Robert Schulz Regarding the Barranca Arroyo Drainage Facility Plan.

Mr. Stoliker stated that this is contained in the Board ' s packets.

- E. July 16, 2003 COE Meeting Discussion Issues.

Mr. Stoliker stated that this is contained in the Board ' s packets.

- F. July 17, 2003 Draft RFP for Impact Fee Study by the City of Rio Rancho.

Mr. Stoliker stated that this is contained in the Board ' s packets.

- G. July 23, 2003 DeBonis Storage Lease Agreement.

Mr. Stoliker stated that this is contained in the Board ' s packets.

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- H. Copy of House Bill 220 Relating to Recent Legislative Changes in the Per Diem and Mileage Rates for Non-Salaried Public Officers.

Mr. Stoliker stated that this is contained in the Board ' s packets.

- I. Task Order # MO-03-S-S-01 B from Surveying Control, Inc. for Lomitas Negras Summary Plat.

Mr. Stoliker stated that this is contained in the Board ' s packets.

- J. Task Order #MO-03-E-B-14-B from Bohannon/Huston for GIS Services in the Amount of \$5,300.00.

Mr. Stoliker stated that this is contained in the Board ' s packets.

- K. Task Order #MO-03-E-B-13-B from Bohannon/Huston to Develop an Alternate Option of Raising the Corrales Bridge Over the HJC in the Amount of \$6,000.00.

Mr. Stoliker stated that this is contained in the Board ' s packets.

- L. Task Order #VE-04-E-A-02-B from ASCG for the Venada Demonstration Project, in the Amount of \$5,000.00.

Mr. Stoliker stated that this is contained in the Board ' s packets.

- M. Task Order #MI-04-E-A-01-B from ASCG for NPDES Technical Support, in the Amount of \$5,300.00.

Mr. Stoliker stated that this is contained in the Board ' s packets.

- N. Task Order #VE-04-E-A-03-B from ASCG to Provide Technical Support Regarding Mariposa Development Impacts to the Upper Venada Arroyo, in the Amount of \$5,000.00.

Mr. Stoliker stated that this is contained in the Board ' s packets.

- O. August 4, 2003 Executive Committee Meeting Minutes.

Mr. Stoliker stated that this is contained in the Board ' s packets.

- P. August 15, 2003 Summons Regarding SSCAFCA Owned Property in Corrales.

BOARD OF DIRECTORS REGULAR MEETING

AUGUST 19, 2003

Mr. Stoliker stated that this is contained in the Board's packets. He stated that the Summons was received on Friday and he would like Mr. Metzgar to go over it very briefly to explain what it means. Mr. Metzgar stated that he has not yet read the whole complaint; however, there was an article in the paper this morning that Curb, Inc. has brought an action to re-locate an easement/road so they've named every person or entity that owns property that would be affected by that change. He stated that their main concern is that they are attempting to see that Corrales does not close Angel Road. The newspaper article also seemed to say that it looked like they were getting some cooperation from Corrales and that they might have some solutions on how Angel Road would be used in the future. They would keep the present road open for emergency vehicles to make sure that that's available and that they are trying to see how they can loop a couple of roads into Angel Road so that Corrales wouldn't get the heavy traffic that Corrales residents are complaining about.

Mr. Metzgar stated that the requirements for SSCAFCA is that it answer the complaint within thirty (30) days but he is not exactly sure what they are asking from SSCAFCA. He stated that this is interesting with regard to a possible conflict with him representing the City of Rio Rancho on the Unit 16 condemnation and with Curb, Inc. paying the bills on Unit 16. There is not a direct conflict, but he will notify the City of Rio Rancho to make sure that they don't have a problem with it, and then notify Curb, Inc. and make sure that they have no problem with it.

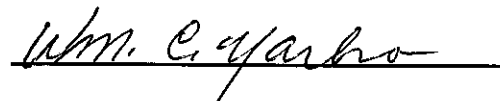
Q. August 18, 2003, Ms. Erica Baca was hired for the Temporary Position of Receptionist/File Clerk. She will begin on August 25, 2003.

OTHER BUSINESS.

Mr. Stoliker stated that it appears that there is an issue with the Lower Venada. Mr. Longley, who owns property south of the Venada, has surveyed his property and he says that AMREP constructed the Venada approximately 20 feet off of center, so it could be 20 feet into his property. Mr. Longley will provide SSCAFCA with the information; however, he wanted to alert the Board about a potential action.

ADJOURNMENT.

A motion was made by Mark Conkling and seconded by Richard Deubel to adjourn the meeting. It was carried unanimously. Meeting adjourned at 5:55 p.m.


WM. C. YARBROUGH
Chairman

BOARD OF DIRECTORS REGULAR MEETING

AUGUST 19, 2003

Richard Deubel
RICHARD DEUBEL
Secretary

9/16/03
DATE APPROVED:

C:\Documents and Settings\Administrator\My Documents\Board Minutes\Minutes.8.19.03.doc