

1 ALBUQUERQUE BERNALILLO COUNTY
2 WATER UTILITY AUTHORITY

3
4 TRANSCRIPT OF PROCEEDINGS

5 MEETING
6 WEDNESDAY, JANUARY 16, 2013
7 4:10 P.M.

8 VINCENT E. GRIEGO CHAMBERS
9 ONE CIVIC PLAZA, N.W. CONCOURSE LEVEL II
10 ALBUQUERQUE, NEW MEXICO

11
12 A P P E A R A N C E S

13 COUNCILLOR KEN SANCHEZ, Chair
14 MAYOR RICHARD J. BERRY
15 COMMISSIONER MAGGIE HART STEBBINS, Member
16 COUNCILLOR REY GARDUNO, Member
17 COMMISSIONER ART DE LA CRUZ, Member
18 COUNCILLOR TRUDY E. JONES, Member
19 COMMISSIONER DEBBIE O'MALLEY, Member
20 TRUSTEE PABLO REAL, Ex Officio Member

21
22 ALSO PRESENT:

23 ROBERT PERRY, Alternate Member
24 PATTY JENKINS, Office Coordinator

25
26 REPORTED BY: PAUL BACA, NM CSR No. 112
27 PAUL BACA PROFESSIONAL COURT REPORTERS
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29 Albuquerque, New Mexico 87102

1 CHAIRMAN SANCHEZ: I call this
2 January 16th, 2013, meeting of the Albuquerque
3 Bernalillo County Water Utility to order. Let the
4 record reflect that all members are present. I'd
5 like to also welcome Commissioner Debbie O'Malley.

6 Welcome, Commissioner.

7 Let's go ahead and begin with a silent
8 invocation, followed by the Pledge of Allegiance,
9 which will be led by Commissioner Debbie O'Malley.

10 (Whereupon a silent invocation was
11 followed by a recitation of the Pledge of
12 Allegiance.)

13 CHAIRMAN SANCHEZ: Before I proceed, I
14 would like to thank Steve Artiaga, who's one of the
15 employees of the Water Authority. He went to work
16 this morning. He had no water, and he had kept the
17 water running last evening.

18 But it's been so cold that I'm sure we
19 have fewer people to receive awards because so many
20 people are out there, doing the work of the
21 community. But I want to thank all of the staff,
22 especially in these difficult times, and especially
23 at times when the temperatures are dropping below 10
24 and 9 degrees. So thank you, Steve, and thank you
25 to all the staff.

1 Let's go ahead and proceed with the
2 election of officers. And I will open up the floor
3 for the Chairmanship. Do we have any nominations?

4 COMMISSIONER HART STEBBINS: Mr. Chairman,
5 I nominate County Commissioner Art De La Cruz.

6 CHAIRMAN SANCHEZ: We have a motion for
7 the nomination of Art De La Cruz.

8 COUNCILLOR GARDUNO: Second.

9 CHAIRMAN SANCHEZ: Are there any other
10 nominations?

11 Having a motion and a second on the floor,
12 all those in favor signify by saying yes, opposed
13 no.

14 It carries unanimously. Congratulations,
15 Mr. Chairman. And let's go ahead and proceed.

16 We are now on nominations for Vice Chair
17 of this committee. And at this time I would like to
18 nominate as Vice Chairman Councillor Rey Garduno.

19 COMMISSIONER DE LA CRUZ: Second.

20 CHAIRMAN SANCHEZ: We have a motion and a
21 second. Are there any other nominations?

22 Seeing none, nominations are closed. All
23 those in favor, signify by saying yes, opposed no.

24 That carries unanimously.

25 Congratulations, Mr. Vice Chairman.

1 Okay. It's all yours, Commissioner
2 De La Cruz, Chairman De La Cruz.

3 MR. PERRY: And Mr. Incoming Chairman, I'd
4 like to express our appreciation to Councillor
5 Sanchez for his last year of spearheading his
6 efforts as Chairman. He did an excellent job.

7 CHAIRMAN DE LA CRUZ: I do want to echo
8 the words of Mr. Perry. I think Councillor Sanchez
9 did a fantastic job. And we really appreciate your
10 work this past year, Councillor.

11 COUNCILLOR SANCHEZ: Thank you,
12 Mr. Chairman. I truly enjoyed the work as the
13 Chairman, and I'm really pleased to see the
14 consistency on this board in the membership. We've
15 had the same members on this board for a longer
16 period of time, and I think that's really important
17 to this board and the future of our Water Utility
18 Authority.

19 CHAIRMAN DE LA CRUZ: Absolutely. At this
20 time, we have some awards to give out. It's always
21 important that we recognize the work that we just
22 talked about. And so we have a plaque for you,
23 Councillor.

24 COUNCILLOR SANCHEZ: Thank you. And also,
25 thank you to the staff for your work. We have an

1 incredible staff that works for the Water Authority.

2 You know, we sit here, setting policy, but
3 it's the people behind the scenes that do the job
4 every day. And I think you do an incredible job,
5 Director Sanchez, and the entire staff.

6 Thank you for your work and commitment to
7 the Water Authority and to the ratepayers and the
8 residents of this county and city.

9 CHAIRMAN DE LA CRUZ: We also have a
10 plaque for outgoing Vice Chair Wayne Johnson, who's
11 not here, but we'll make sure that he gets it.

12 And by the way, staff, you did a good job.

13 At this time I'd like to make a motion to
14 approve the November 28th, 2012, minutes.

15 Is there a second?

16 COUNCILLOR SANCHEZ: Second.

17 CHAIRMAN DE LA CRUZ: We have a motion and
18 a second. All in favor say "aye." Opposed?

19 The motion carries unanimously.

20 Moving on to Item No. 4, Proclamations and
21 Awards, first we have quarterly employee awards. If
22 any of the recipients are not available, as the
23 Councillor stated earlier, because of the inclement
24 weather and because of difficulties out in the
25 community, and at the same time, I do hope we have

1 some of them here, we'll start with Lisa Carreon.

2 Lisa will be awarded \$200.

3 And let me say one other thing. Lisa
4 coordinated the Giving Tree with Joy Junction.
5 Among other things, Lisa coordinated the Giving Tree
6 with Joy Junction that provided gifts for 94
7 children of Water Authority employees.
8 Congratulations.

9 Next, why don't I go ahead and go through
10 all of them? And then we'll have everybody come up,
11 and you can applaud everybody.

12 Next we have Arthur Hernandez. He also
13 gets a \$200 certificate. Arthur is recognized for
14 his voluntary service on a critical training
15 advisory committee for treatment plant operators.

16 Next we have --

17 COUNCILLOR SANCHEZ: Excuse me,
18 Mr. Chairman. Was that a certificate, or was that a
19 \$200 check?

20 CHAIRMAN DE LA CRUZ: I believe it's a
21 \$200 check. Is that correct?

22 MS. JENKINS: Yes, a \$200 check.

23 CHAIRMAN DE LA CRUZ: Next we have a group
24 of folks, all of whom will get \$200. It is Robert
25 Moraga, Antonio Anaya, Ian Amos, Eddie Gallegos,

1 Patrick Bayardo, and Joey Sanchez.

2 These gentlemen are recognized for being
3 commended to Mayor Berry by a citizen for the
4 excellent work they did on a repair at Rio Grande
5 and Cherokee, Northwest, late last year.

6 Next, moving on, who will also get a \$200
7 check is Daniel Garcia, Kamyar Kia, Juan Aldaba,
8 David Carruthers, Jimmy Vigil, Gregory Baca, Ronald
9 Strauch, and Ruben Martinez.

10 They helped coordinate our participation
11 in PNM's Peak Saver Program, which resulted in
12 almost \$300,000 in energy savings for the Water
13 Authority. Wow, that's very good.

14 Next, with a \$250 check, we have Anita
15 Lowrie. Anita was the top customer service call
16 taker for the quarter, answering more than 4,400
17 inbound calls, with less than an 8 percent
18 abandonment rate.

19 Receiving \$200 is Edward Chavez. Edward,
20 among other achievements, invented an air belt
21 device for draining oil reservoirs that will shave
22 hours off the process. Thank you. Congratulations.

23 Ms. Jenkins, how many do we have signed up
24 for public comment?

25 MS. JENKINS: Five.

1 CHAIRMAN DE LA CRUZ: Thank you.

2 Each person will have two minutes to
3 speak, with a warning at one and a half minutes.

4 Ms. Jenkins, please call the first
5 speaker.

6 MS. JENKINS: Michael Jensen, followed by
7 Dave McCoy.

8 MR. JENSEN: Bear with me. For the first
9 time, I brought show and tell, and it's not working.

10 CHAIRMAN DE LA CRUZ: We will start your
11 time when you're ready.

12 MR. JENSEN: Hopefully, you can see this.
13 My name is Michael Jensen. I'm the Middle Rio
14 Grande projects director for Amigos Bravos.

15 John Fleck wrote an article in the Journal
16 a couple of days ago, talking about the success and
17 failure of the San Juan-Chama Drinking Water
18 Project.

19 Culled from his article, I have put
20 together in this table, which you probably can't
21 read, the various goals that have been set for the
22 project from 2008 to 2012: 70 percent of future
23 water, 50 percent of total consumption, 90 percent
24 of total consumption, 50 percent of water supply to
25 the service area, 60 percent of water supply to the

1 service area, and so on.

2 So you have had goals ranging from
3 50 percent to 100 percent, something that could be
4 indoor water or just outdoor water or total
5 production. It's impossible for you all or me or
6 anybody on staff to actually assess whether this
7 project is doing what it's supposed to do.

8 Another way to look at that is in this
9 table here, the green is total production for the
10 last three years; the red is actual total
11 groundwater pumping for the last three years; the
12 blue is what groundwater pumping would have been if
13 one of those goals commonly mentioned of 25 percent
14 groundwater pumping was actually met.

15 And you can see that there is about an
16 11 billion-gallon gap every year for the last three
17 years. So cumulatively, the groundwater is now
18 missing an entire year's total production because
19 one of the common goals for groundwater pumping
20 hasn't been met.

21 And I expect that 2013 is going to look
22 just like this. And the drought that people predict
23 is going to go on and is going to make this look
24 like this for the foreseeable future.

25 So the question is: How can you, as a

1 board; we, as citizens; evaluate this project?

2 And I'm sorry I have to rush through
3 everything. But if there are any questions, I'll be
4 happy to answer them.

5 COUNCILLOR GARDUNO: Mr. Chairman.

6 CHAIRMAN DE LA CRUZ: Councillor Garduno.

7 COUNCILLOR GARDUNO: Mr. Jensen, I think I
8 understand what you've presented. What I worry
9 about is, is that quantifiable? In other words, can
10 you move that forward and just say ad infinitum that
11 this will happen?

12 MR. JENSEN: Well, the reasons that have
13 been given for this gap are not for all the
14 different goals that have been put forward. That
15 you'll have to take up with staff, why the goals
16 keep shifting.

17 In fact, at the last TAC meeting on
18 January 3rd, the words "manipulate the goals" came
19 up in discussion. And that came up in John Fleck's
20 article the other day, too.

21 So that's a discussion that maybe you all,
22 as a board, need to have with staff, as far as goal
23 setting in a way that you can replicate year after
24 year and make comparisons.

25 But John Stomp has said that the reason

1 why there have been problems is that they didn't
2 staff correctly, they haven't been able to get the
3 process correct, and there hasn't been sufficient
4 flows in the river.

5 I don't honestly understand the first two,
6 because they had a pilot treatment plant for almost
7 two years before they went on line with the full
8 one. And one would have thought they had worked out
9 the bugs by then.

10 But you know, the staffing and the process
11 stuff can be dealt with by staff, unless there's
12 some design flaw in the plant that, you know, makes
13 it impossible for it to function efficiently.

14 The low flow in the river, you know,
15 projections are that this drought that we've been in
16 for the last three years is going to continue and
17 we're going to continue to have low flows. I mean
18 in 2011 and 2012 you all sold 10,000 acre-feet of
19 water, stored San Juan-Chama water, to the Bureau of
20 Reclamation to keep the river whole so that the
21 irrigators downstream could irrigate.

22 You know, without that, the river would
23 have become disconnected, as it does farther
24 downstream every year now. So the low flow issue,
25 you know, my recommendation is you all are going to

1 hear later tonight about the drought management
2 strategy and the possible implementation of a
3 Stage 1 drought alert.

4 That's only projected to save about two
5 and a half billion gallons, which on this chart
6 would, you know, still leave a gap of 8 or 9 billion
7 gallons in groundwater pumping beyond where, you
8 know, it would be nice to be. So maybe you need to
9 take that drought management strategy and push it
10 more aggressively.

11 And then later this year, you're going to
12 be presented with options for a conservation plan.
13 And you know, my recommendation there would be to be
14 much more aggressive in the goal that you set for
15 2024 and try to really push that green bar down as
16 far as you can get it.

17 Sorry for the long answer, but it's a
18 complicated problem.

19 COUNCILLOR GARDUNO: And Mr. Chair, I also
20 want to appreciate Mr. Fleck's article. I think it
21 was very instructive, and I did glean from it some
22 of the problems.

23 But I think I also gleaned from it some of
24 the attempts that the staff and I agree with you,
25 Mr. Jensen, that some things should be done. But I

1 don't see that there's any actions taken to do them.

2 MR. JENSEN: I'm just saying that the word
3 "manipulate" came up in the article. It also came
4 up in the TAC meeting from, you know, one of the TAC
5 members who was also -- I mean he hasn't seen the
6 article yet, obviously.

7 But just reflecting on what they have been
8 hearing, you know, over, you know, their meetings,
9 they are confused about what the actual goals of
10 this project are and how to assess it. I mean
11 that's their job, is to provide advice.

12 But they don't know how to do it because
13 they can't reflect on, you know, what the actual
14 goal is supposed to be and make a competent informed
15 decision.

16 COUNCILLOR GARDUNO: Thank you.

17 Thank you, Mr. Chairman.

18 COUNCILLOR SANCHEZ: Mr. Chairman, if I
19 may just respond very quickly, Mr. Jensen provided a
20 lot of different numbers. But I think it's
21 important that they all be placed in context.

22 One, the San Juan-Chama project was a
23 revision several decades ago, in terms of what we
24 have today. And there was a water resources
25 management strategy that the City actually adopted

1 and this board adopted again in 2007 that set out
2 the broader service of surface water here, the
3 larger number, the 70 percent, the 90 percent that
4 Mr. Jensen alluded to.

5 The 25, 50, 75 numbers were in the annual
6 objectives, and that was at the beginning of the
7 startup of the project. And the idea was we're
8 going to incrementally ramp up this
9 half-a-billion-dollar facility because we weren't
10 sure what was going to happen, so we wanted to do it
11 slowly. So those are two different sets of numbers.

12 And with regard to the Fleck article, with
13 all due respect to John, he's an excellent
14 researcher and writer, but there's much more to it
15 than that.

16 And what I would suggest is at the next
17 board meeting in February, we can provide a very
18 detailed presentation, give you some of the
19 historical context, some of what's really going on
20 with the water supply, with the groundwater/surface
21 water interaction, how they relate to each other,
22 where we are, where we think we're going to be in
23 the future, and why.

24 And I think those are all very valid
25 pieces of information that need to be out, and it's

1 very timely, and we'd be happy to do that. It would
2 probably take a good 30 minutes of presentation to
3 do that.

4 CHAIRMAN DE LA CRUZ: Please prepare that.
5 I think it's important as a public concern.

6 Councillor Garduno.

7 COUNCILLOR GARDUNO: Thank you, Mr. Chair
8 and Councillor Sanchez. I absolutely agree with you
9 that I think we need to have as much information as
10 we can.

11 I know the TAC, which is an advisory
12 council, was mentioned. And one of the concerns
13 I've had is that they've failed on many occasions to
14 have even a quorum to continue a discussion or have
15 a full discussion where action items could be looked
16 at.

17 And I don't know what we can do, as a
18 board. But I'd like to find out something about
19 whatever it is we have, the power over that body,
20 that we ask or demand that they at least have a
21 quorum.

22 COUNCILLOR SANCHEZ: Mr. Chairman and
23 Councillor Garduno, to my knowledge, that's not been
24 a recent problem. I only know a year or so ago,
25 there were some issues with quorum. One of the

1 members was ill, I believe.

2 COUNCILLOR GARDUNO: I believe there
3 wasn't a quorum at the last meeting.

4 COUNCILLOR SANCHEZ: Frank Roth will speak
5 to that. He is the staff person.

6 MR. ROTH: Mr. Chair, Councillor Garduno,
7 you are correct. There was no quorum at the last
8 meeting. We were just one member short. This was
9 only the third time this has happened since 2007.

10 COUNCILLOR GARDUNO: And Mr. Chair,
11 Commissioner Sanchez, I'm not casting aspersions and
12 thinking that they're bad people because they didn't
13 make it. But it seems to me that if we have that
14 repeat itself, like it has in the past, that we're
15 not serving the citizens well by not having a full
16 discussion in a proper way to have a full
17 commission.

18 COUNCILLOR SANCHEZ: Mr. Chairman and
19 Councillor Garduno, the last time this subject came
20 up, Chairman Sanchez actually sent a letter to all
21 the members of the Citizens Advisory Council,
22 indicating that what they did was very important.
23 It was important to what we do, as a utility, the
24 policy decisions you make, and it reinforced the
25 need for them to come to meetings.

1 So we'll continue to reinforce that. But
2 as Frank indicated, there have been some situations,
3 but it's not pretty routine.

4 COUNCILLOR GARDUNO: Thank you,
5 Commissioner Sanchez. Thank you, Mr. Chair.

6 CHAIRMAN DE LA CRUZ: Thank you,
7 Commissioner Sanchez. If you would prepare that, we
8 appreciate it.

9 Ms. Jenkins, who do we have next?

10 MS. JENKINS: Dave McCoy, followed by Jim
11 McCabe.

12 MR. McCOY: Good evening. Congratulations
13 on your new Chair.

14 CHAIRMAN DE LA CRUZ: Thank you. Please
15 state your name.

16 MR. McCOY: Dave McCoy, Citizen Action New
17 Mexico.

18 I'm going to say what it is that I want
19 right up front. And that is, I want a letter to go
20 from this board to the New Mexico Environment
21 Department, either individually or collectively,
22 either/or, asking for a public hearing, an
23 evidentiary public hearing, on the Mixed Waste
24 Landfill Long-Term Monitoring and Maintenance Plan.

25 For the last seven years, I've been

1 digging out documents that have been kept secret
2 from us by the Environment Department and by the
3 Environmental Protection Agency about the inadequacy
4 of the groundwater monitoring network at that
5 facility.

6 Now, I know you had a presentation from
7 Sandia National Labs. And I would be happy to come
8 down and give you a full presentation from a
9 hydrogeologist on this subject.

10 Here's one of the more informative
11 documents I've recently gotten from the Toya lawsuit
12 to the Environmental Protection Agency. Here's just
13 some of the documents that I opened up today to look
14 at. And they talk about corroded well screens, well
15 screens that were put in the wrong place, well
16 screens that were mixing the lower aquifer with the
17 upper aquifer.

18 You know, you need you need to support the
19 public in our efforts to bring this evidence to
20 light and be able to cross-examine some of these
21 people at the Environment Department and Sandia
22 National Labs. This is a problem that could be
23 solved now, without the type of situation that
24 you're now involved with out at Kirtland Air Force
25 Base.

1 You know, you've got plutonium buried
2 there that needs to be dug up. There's no inability
3 on the part of Sandia Labs to effectively get rid of
4 the waste that's in that dump. And it could be done
5 now, with a simple phone call from the CEO, Paul
6 Hommert.

7 COUNCILLOR GARDUNO: Mr. Chair.

8 CHAIRMAN DE LA CRUZ: Councillor Garduno.

9 COUNCILLOR GARDUNO: Mr. McCoy, am I
10 hearing you request that the board send a letter of
11 support for what?

12 MR. McCOY: For a public hearing, a full
13 evidentiary public hearing on the Mixed Waste
14 Landfill Long-Term Monitoring and Maintenance Plan,
15 which is out for comment right now. They will close
16 the comments on February 11th.

17 The problem is that in the past, all the
18 kinds of comment that we've tried to raise about
19 this, the problems out there, they have just waved
20 them aside. They said, "It's not pertinent to the
21 issue."

22 So unless we can have an evidentiary
23 hearing, a public hearing on this, we're not going
24 to be able to really get down to the factual
25 evidence about what's going on out at that mixed

1 waste landfill.

2 COUNCILLOR GARDUNO: Mr. Chair, Mr. McCoy,
3 that affects this board how?

4 MR. McCOY: Well, the board has got to
5 supply good groundwater. And Sandia Labs and
6 Kirtland Air Force Base, they're over the most
7 productive portion of the groundwater.

8 You don't know what kind of contamination
9 at present is getting into the groundwater from the
10 mixed waste landfill. They have solvents out there,
11 over 40 different types of radionuclides. It's
12 mixed waste.

13 When you have that kind of thing going on,
14 you get a synergetic type of effect in terms of
15 contaminants moving to the groundwater. There's
16 PCEs, PCTs, TCPs, you know, that they talked last
17 time about, you know, how they're cleaning up these
18 dumps out at Sandia.

19 Well, this is the most toxic dump out
20 there. Why haven't they cleaned that up? You know,
21 that's the first question that needs to be asked of
22 Sandia National Laboratories. Why aren't you
23 cleaning up this dump? You know, you could prevent
24 serious problems down in the groundwater.

25 There's off-gas in tritium, radon. And

1 the groundwater monitoring, that work has been
2 defective since they put it in. And the new wells
3 that they put in are also defective for numerous
4 reasons.

5 And we'd like to get some expert testimony
6 in the record on that problem at a public hearing, a
7 full public hearing.

8 COUNCILLOR GARDUNO: Mr. Chair, I don't
9 pretend to represent the board. But I would like to
10 pursue this either individually, or if the board
11 would like me to work with Mr. McCoy, I'd be glad
12 to, to generate -- to put together some kind of
13 public forum. And I'd be glad to host it or have
14 the board host it.

15 So I can make myself available. Like I
16 said, I would like to have the support of the board,
17 but I would do it individually, also.

18 CHAIRMAN DE LA CRUZ: I think that's
19 appropriate. Any councillor or commissioner can do
20 that, Councillor. And so I'm sure staff would
21 support you.

22 Mr. Perry.

23 MR. PERRY: Mr. Chairman, I have no
24 objection to Councillor Garduno working to resolve
25 that issue. But as far as taking any official board

1 action, I think that would be premature.

2 CHAIRMAN DE LA CRUZ: That's correct. I
3 just think he wants to have a presentation or a
4 meeting, and I think that's appropriate.

5 MR. McCOY: I'd like a presentation or a
6 meeting. But I'd also like a letter from the board,
7 individually or collectively, to the New Mexico
8 Environment Department, asking for a full-blown
9 public hearing on this matter.

10 CHAIRMAN DE LA CRUZ: Councilors or
11 commissioners have the right to do that
12 individually. However, they cannot represent the
13 board as a whole.

14 MR. McCOY: Okay.

15 COUNCILLOR SANCHEZ: Mr. Chairman, one
16 suggestion. With regard to Kirtland Air Force Base,
17 we've had both parties come before this body to make
18 a presentation with regard to the mixed waste
19 landfill. We had Sandia National Laboratories come
20 before you, if you recall, to talk about the
21 radiation issues at that landfill.

22 We have not had the State Environment
23 Department come and talk about their role and the
24 actions they have taken. It may be appropriate to
25 invite them to the next meeting and ask them that

1 question: What are you doing? What do you plan to
2 do? And is this public hearing something that's on
3 your radar? And what's the authority that would
4 make that happen?

5 The state legislature also sets policy for
6 the State Environment Department. They would
7 certainly be the entity to make that determination,
8 as well.

9 CHAIRMAN DE LA CRUZ: It would be the
10 pleasure of the board.

11 The other thing that I would suggest is
12 that we gauge how in depth that presentation needs
13 to be. Because it may be more appropriate to give
14 it the time that's necessary and that we do what we
15 did a couple of years ago, and actually have
16 something at the City library and invite the public
17 and give it the time that's necessary.

18 So I think we need to find out. Because I
19 don't want to shortchange it and try and put it into
20 this type of meeting, when we're trying to cover a
21 variety of business. And we really need to do a
22 different kind of venue.

23 So again, it's the pleasure of the board,
24 just as a suggestion.

25 COUNCILLOR SANCHEZ: And I just want to

1 clarify. I think what Mr. McCoy is suggesting is
2 that the State conduct a full evidentiary hearing,
3 which is different than a presentation or a briefing
4 of some sort.

5 CHAIRMAN DE LA CRUZ: I think we
6 understand the difference, Councillor Garduno.

7 COUNCILLOR GARDUNO: Thank you, Mr. Chair.

8 And if I understood Mr. McCoy, also it is
9 time sensitive, since the deadline for this is
10 February 11th. Is that correct?

11 And we won't be meeting again until after
12 that. So I don't know how the mechanism would work
13 to accommodate not only the public forum, if that's
14 the case, or a full-blown evidentiary hearing or how
15 it would happen either under the auspices of this
16 board or an individual board member or how we could
17 do that, since the deadline for comment, I guess,
18 is, you know, before our next meeting.

19 CHAIRMAN DE LA CRUZ: Well, that does
20 change the game a little bit. I mean we may not
21 have time. We'd have to have it as an agenda item
22 and notice, you know, whatever time is required.

23 I don't know that that can happen. But if
24 there's individual interest, I don't think there's
25 anything that would stop us.

1 COUNCILLOR GARDUNO: Mr. Chairman, I would
2 suggest that I will not speak for the board, I will
3 speak for myself. But I would also hope that anyone
4 that's interested on this body, that their
5 attendance would be appreciated.

6 CHAIRMAN DE LA CRUZ: Thank you.

7 Ms. Jenkins.

8 MS. JENKINS: Jim McCabe, followed by
9 Joseph Wechsler.

10 MR. McCABE: Hi. Happy New Year
11 everybody.

12 Just a couple things. I'd like to
13 acknowledge and thank Mr. Stomp and Rick Shean and
14 also Mr. Sanchez for seeking out USGS's consultation
15 beyond what was available from what the Air Force
16 provided for those monitoring wells that are going
17 to be going in at Ridgecrest.

18 The authority, Mr. Davis, was up here
19 before you at the last meeting, saying he didn't
20 think it was necessary. He thought it unlikely that
21 he would arrive there.

22 The Air Force has been saying for 15 years
23 that it wouldn't, before they even knew the aquifer
24 was affected, which I point out was not true when I
25 said that. And we have very good reason to think

1 that there may be some people ingesting small
2 amounts of EDB out of the wells.

3 They're monitoring wells at only 50 feet
4 deep. Ridgecrest 5 pulls from 800 feet. The radius
5 of influence in many other locations is pulling
6 pollutants underneath -- well underneath the level
7 at which they're monitoring.

8 The only true statement anybody could say
9 now is they don't know. They can't say it won't be
10 there. They can't say it is there. They can say
11 they don't know, which should lead to more rigorous
12 investigation.

13 And so thank you, Mr. Sanchez and the two
14 people I've mentioned. They really stood up in a
15 crowd and did what needed to be done.

16 There's not enough time to say what needs
17 to be said here. But real quickly, the most
18 immediate thing that Dave was speaking to is there's
19 over 100 barrels of plutonium buried in that
20 wasteland. That stuff has a half-life of over
21 24,000 years.

22 The reason they're asking for a hearing is
23 this has been tilled. They've built up a layer of
24 dirt. They're growing foliage on top of it, hoping
25 its effectiveness in what's done on top of the

1 ground, that stuff is going to be down there, eating
2 through those barrels in 30 to 70 years, going out
3 and affecting people in the future.

4 And the profound possibility for this is
5 what Mr. McCoy is talking about bringing to your
6 attention, because what NMED is planning in the
7 future is a five- to seven-year period of time,
8 while ignoring the plutonium and not mentioning it
9 or what it knows it will do in the future, writing
10 this off and saying, "A mixed waste landfill is
11 fine. We don't need to pay any attention."

12 And then it's going to really come back
13 and hurt some people, as it has at so many other
14 sites, at some time in the future.

15 So when he talks about evidentiary, it's
16 to get these real issues before the public so we
17 don't wait 50 years, like we had for the Kirtland.

18 CHAIRMAN DE LA CRUZ: Thank you.

19 Ms. Jenkins.

20 MS. JENKINS: Joseph Wechsler, followed by
21 Paul Robinson.

22 MR. WECHSLER: Happy New Year. The stuff
23 that's going on today is really serious. I mean
24 this cannot be handled at a Council meeting. This
25 is engineering, biological, chemical information.

1 Too many talks on achievement questions are not
2 adequate. Some kind of major issue has to be done.

3 My topic is a little bit in left field.
4 It's the evaporation at Abiquiu Dam, which everybody
5 has ignored. It's 13,000 acre-feet a year of
6 San Juan-Chama water that kicks the guts right out
7 of that annual amount. Out of a total of 28,000
8 acre-feet, 13,000 goes up in the air. That can be
9 changed.

10 Well, it's New Mexico. No, no, no. That
11 could be left in the San Juan Basin or be used by
12 the people on the Navajo Reservation. It can be
13 brought down more rapidly, put more water in the
14 river and get it into the communal use and let the
15 aquifer restore itself. And I could write a paper
16 on this, because this sounds strange or new or
17 different.

18 There are all ways of looking at that.
19 It's not being handled in an engineering manner.
20 Nobody is writing various approaches with savings,
21 losses, et cetera, et cetera. It's being done with
22 a lot of hot air, if I may say so.

23 This has to be done in an engineering
24 procedure, what to do with that 13,000 acre-feet a
25 year. By the way, that amounts to 3 billion gallons

1 a year just gone.

2 Now, it stopped in California. They put
3 black nonreactive balls floating on the surface to
4 reduce that evaporation considerably. Things can be
5 done. It's not a hopeless situation.

6 Now, you can see there's a lot to this
7 13,000 acre-feet. Especially with a drought coming
8 that will burn it up into the heavens, it's a
9 completely inadequate approach to the problem.

10 If you do need it, if your people can't
11 handle it, I can help you out on this and give you a
12 series of potential solutions or reductions in loss.

13 Any questions?

14 MS. JENKINS: Paul Robinson.

15 MR. ROBINSON: Good afternoon. Thank you
16 for the opportunity to present before you for a few
17 minutes.

18 I want to talk about two items. One is a
19 letter that the Water Protection Advisory Board sent
20 to Sandia and the Department of Energy, requesting
21 that they increase their funding for remediation of
22 Sandia Lab groundwater contamination.

23 And that letter was sent in response to
24 some citizen initiatives. There's been no
25 acknowledgment of that letter by DOE and no

1 response. And I encourage you to seek that
2 response, see what happened during the defense
3 authorization funding, and also what could be done
4 this year.

5 One thing that happened last time Sandia
6 was here, talking with the previous authority,
7 somebody asked, "Where is the Eubank wells?" And
8 the Sandia person couldn't find the Eubank wells on
9 the maps they provided you.

10 But the plume in this area of Tijeras
11 Arroyo is within the area of influence of that
12 Eubank cluster of wells. And there's groundwater
13 contamination there, as well as soil column
14 contamination there and at Tech Area 5.

15 Now, the other point that I want to try
16 and make is that there are data that show rising
17 trends in soil column organics at these sites. So
18 these globs here, they get bigger. This is going
19 down in depth.

20 And so we see increased levels of organics
21 in soil below 50 feet. If you stop measuring it at
22 50 feet, you don't see the big increase as the
23 material floats down through the soil column. So
24 that's where there's significant contaminants.

25 The responses that David Miller was

1 talking about two months ago, when he was here, were
2 responses to Notices of Deficiency issued by the
3 Environment Department in Tech Area 5 and in the
4 Tijeras Arroyo groundwater. So these are some
5 detailed points.

6 I've sent copies of this material to Rick
7 Shean, so that your technical staff would have this
8 material as well. And I look forward to talking to
9 him or anyone in the authority about this.

10 Again, thank you for your time.

11 CHAIRMAN DE LA CRUZ: Thank you.

12 Okay, we're done with public comment.

13 Before we move on to the regular agenda, let me
14 announce that the next regular meeting of the board
15 will be held on February 27th, 2013, at 5:00 p.m.
16 here in these chambers.

17 Moving on to Item 7, Introduction of
18 Legislation -- and we have a motion on Number 8 for
19 approval of the consent agenda.

20 COUNCILLOR SANCHEZ: Second.

21 CHAIRMAN DE LA CRUZ: We have a motion and
22 a second. All in favor say, "aye."

23 The motion carries unanimously.

24 Moving on to Item 9, Approvals, we have
25 Item R-12-14, Protecting Albuquerque's Water Supply.

1 Councillor Rey Garduno.

2 COUNCILLOR GARDUNO: Thank you, Mr. Chair.

3 We've had two resolutions, one that was
4 passed at the last meeting, I believe, that had a
5 lot of the verbiage that is in 14.

6 However, I would urge your support for 14
7 simply because it talks about asking Kirtland Air
8 Force Base to be more aggressive and to put in
9 sentinel wells or monitoring wells at Ridgecrest.

10 And also, it asks that Kirtland Air Force
11 Base commit itself to paying for any of the costs
12 they incur from that.

13 For those reasons, I'd like to ask this
14 body to pass 14. Also, I think it shores up a lot
15 of what 13 does, and I think 14 just adds another
16 layer. So with that, I urge your support.

17 CHAIRMAN DE LA CRUZ: Is that a motion? I
18 think it requires a motion, doesn't it?

19 We have a motion. Do we have a second?

20 COMMISSIONER HART STEBBINS: Second.

21 CHAIRMAN DE LA CRUZ: We have a motion and
22 we have a second. All in favor say "aye." Opposed?

23 No.

24 COUNCILLOR O'MALLEY: No.

25 MR. PERRY: No.

1 CHAIRMAN DE LA CRUZ: The motion carries
2 on a four to three; is that correct?

3 Moving on to Item 9, R-13-3, authorizing
4 the Water Authority to submit an application for
5 Water Smart Grant Financial Assistance for the solar
6 electric facility project. Mr. Roth.

7 MR. ROTH: Mr. Chairman, members of the
8 board, this resolution authorizes the Water
9 Authority to submit application for a Water Smart
10 Grant through the Bureau of Reclamation.

11 This is to design a solar facility at the
12 drinking water plant. It is a funding request for
13 design only, about \$600,000, to make this project
14 ready to construct in the following years and to
15 apply for additional funding in the latter years.

16 It requires a 50 percent match. And this
17 facility will provide clean, renewable energy for
18 about 20 percent of the demand at the drinking water
19 plant.

20 CHAIRMAN DE LA CRUZ: Thank you.

21 Any questions?

22 MR. PERRY: I move final approval of
23 R-13-3.

24 CHAIRMAN DE LA CRUZ: We have a motion.
25 Do we have a second?

1 We have a second.

2 All in favor say "aye." Opposed?

3 The motion carries unanimously. Thank
4 you.

5 Moving on to Item C-12-25, Amending the
6 Water Authority Rules of Practice and Procedure.

7 Mr. Sanchez, Councillor Sanchez.

8 COUNCILLOR SANCHEZ: Thank you,
9 Mr. Chairman.

10 I'd like to move approval of C-12-25. And
11 that is Amending the Water Authority Rules of
12 Practice and Procedure.

13 COUNCILLOR O'MALLEY: Second.

14 CHAIRMAN DE LA CRUZ: We have a motion and
15 a second.

16 All in favor say "aye." Opposed?

17 The motion carries unanimously.

18 Thank you, Councillor.

19 Moving on to Item D, which is C-13-2,
20 Service Connection Agreement for Water and Sewer
21 Service with Rio Rancho Eagle, LLC, at 5751 McMahon,
22 Northwest. Mr. Porter.

23 MR. PORTER: The applicant has constructed
24 a dialysis clinic at the corner of Unser and
25 McMahon, on the northeast corner. It is in the

1 Albuquerque city limits. It is in the former New
2 Mexico utility service area. The plat was approved
3 and amended in 2009.

4 The connection does qualify for water
5 supply charge fees, in addition to our normal UECs
6 and service fees.

7 In general, the way we're taking care of
8 these is making service agreements for these type of
9 applications that are outside the historic service
10 area that was established in 2007.

11 CHAIRMAN DE LA CRUZ: Thank you.

12 Councillors and Commissioners, these
13 facilities are incredibly important. They are
14 dialysis centers, and the public really, really does
15 need them in their communities.

16 Up to now, they've been more centralized.
17 But they're trying to get closer to where people
18 live, which I think is a good thing.

19 I move approval.

20 COUNCILLOR O'MALLEY: Second.

21 CHAIRMAN DE LA CRUZ: We have a motion and
22 a second. All in favor say "aye."

23 COUNCILLOR GARDUNO: Mr. Chair --

24 CHAIRMAN DE LA CRUZ: Councillor Garduno.

25 COUNCILLOR GARDUNO: -- under discussion,

1 I guess you would know how they're getting the water
2 right now?

3 MR. PORTER: There's nothing at the
4 facility. It's an empty lot right now.

5 COUNCILLOR GARDUNO: So they're going to
6 build a facility?

7 MR. PORTER: Yeah. They're mostly built
8 right now. They've applied for a tapping permit.
9 And before we can put the meter in there, we need to
10 get the service agreement in place.

11 COUNCILLOR GARDUNO: Okay. So they were
12 building a building without knowing whether they
13 were going to get water or not?

14 MR. PORTER: Well, generally, the
15 availability was issued earlier this year. It's in
16 the service area. There's water available. We
17 service the community totally around them. There's
18 really no doubt, I think in our minds and in the
19 general review, that they were going to get water.

20 COUNCILLOR GARDUNO: And what does that do
21 to the service? Does that extend it further than,
22 as you say, the historic area that --

23 MR. PORTER: Well, it's outside the 2007
24 defined service area. But all of New Mexico
25 utilities is outside of that defined area, so it's

1 infill within the New Mexico utilities area.

2 COUNCILLOR GARDUNO: But it does not
3 extend the service in a leapfrog sense?

4 MR. PORTER: No, it does not. It
5 absolutely does not.

6 COUNCILLOR GARDUNO: There's no empty
7 space between that facility where it's built or that
8 it's getting built and where the service ends, if
9 you will?

10 MR. PORTER: There is none. There is
11 none. It's totally surrounding by service.

12 COUNCILLOR GARDUNO: My concern has always
13 been that folks come to us and say, "We just need it
14 for this one facility."

15 However, there's a mile between that
16 facility and the next area of service. And then
17 that sort of compels us to give the same service to
18 anyone who would build in that gap.

19 MR. PORTER: There are services all the
20 way around there. And again, it is really fully
21 serviced. There's almost a fully developed housing
22 development just to the north of them. Just to the
23 east of them is a Valero gas station that's had
24 service for four or five years now, and it is well
25 built up.

1 COUNCILLOR GARDUNO: So would it be fair
2 to say that they're surrounded with service issues?

3 MR. PORTER: Correct, correct.

4 COUNCILLOR GARDUNO: Okay, thank you.
5 And thank you, Mr. Chair.

6 CHAIRMAN DE LA CRUZ: We have a motion and
7 a second. All in favor say "aye." Opposed?

8 The motion carries unanimously. Thank
9 you.

10 Moving on to other business -- well, we
11 did other business. Councillor Sanchez, did I miss
12 something?

13 COUNCILLOR SANCHEZ: Go ahead and proceed.

14 MR. SHEAN: Good evening, Mr. Chairman and
15 members of the board.

16 My name is Rick Shean. I'm a water
17 quality hydrologist with the Water Authority. And
18 thank you for the opportunity to just give you a
19 brief update on the activities that have occurred
20 related to the current Kirtland Air Force Base fuel
21 spill and the actions we've taken since we passed
22 Resolution R-12-13.

23 I want to start just with a map of the
24 plume as we know it. This is a similar figure to
25 what Dr. Jim Davis, from the Environment Department,

1 presented when he was here at the last meeting to
2 give us an update on the new results from three
3 monitoring well locations and nine wells. I have
4 arrows identifying those wells.

5 And just to summarize, he updated the
6 board that there were no detections of the ethylene
7 dibromide or the tetrachloride ethylene that had
8 been coming up that had been detected earlier in
9 these locations.

10 He did qualify the results, that there
11 were some air bubbles. However, out of the 18,
12 there were actually nine wells that were sampled.
13 They were split sampled, so that was a total of 18.
14 There were no detections.

15 So they were rather confident that with
16 another sampling event, this would maintain, that
17 there would still be no detections at this level.

18 So looking at where the plume map is, we
19 do know that it's different than this configuration,
20 the geometry of the plume. However, it's just a
21 good proximity of where it is now.

22 With the contingency plan, since with the
23 R-12-13 resolution, we signed the MOA with Kirtland
24 Air Force Base on the work and the steps that we'll
25 been taking towards that, that includes the

1 procurement of contractor-developed contingency plan
2 options.

3 And the Air Force Center for -- it's the
4 new AFCEC. And I apologize. It's the Air Force
5 Civil Engineering Center. They have submitted their
6 scope of work that we looked at with them to their
7 procurement group, and that was on January 9th. So
8 we expect to hear soon whether or not this goes out
9 for bid.

10 We've been working with the US Geological
11 Service. We're now drafting a new scope of work for
12 a joint funding agreement. And this will include
13 activities related to both the drilling and the
14 locating of monitoring wells that will be
15 representative of our production zone that we use,
16 the aquifer.

17 And we're also developing a third-party
18 technical review RFP so we can continue the work of
19 an independent review of the work plans that
20 Kirtland is presenting. And also, what the
21 contractor will be doing is other activities
22 supporting the USGS work and the contingency plan
23 work.

24 We sent a letter out in December, on
25 December 5th, I believe, the formal notification to

1 the Air Force Base that R-12-13 was passed, with a
2 request that a quickened pace for the implementation
3 of their remediation plan start being pursued.

4 And Kirtland, since the last meeting, they
5 submitted a final design for a new soil vapor
6 extraction system that was tested last week and will
7 be going on line this Friday, on the 18th, which
8 I'll be present for them turning on the switch.

9 They have submitted a new 2012 Quarter 3
10 report, which you got a sneak preview of, and
11 Dr. Davis presented the results. And of course, as
12 I said, this is the startup of a new system.

13 I'll be happy to take any questions.

14 CHAIRMAN DE LA CRUZ: Commissioner
15 Hart Stebbins.

16 COMMISSIONER HART STEBBINS: Thank you,
17 Mr. Chairman.

18 Rick, so at our last meeting, Jim Davis
19 was here from NMED. I understand that he has now
20 retired.

21 MR. SHEAN: Mr. Chairman and Commissioner
22 Hart Stebbins, that's correct.

23 COMMISSIONER HART STEBBINS: Do you know
24 who has taken his place?

25 MR. SHEAN: I am not aware of his

1 replacement at this time.

2 COMMISSIONER HART STEBBINS: So I think at
3 our last meeting, also there was some question about
4 whether the results showing those new monitoring
5 wells were coming up clean.

6 So you're saying there's now a pretty high
7 degree of confidence that those results will?

8 MR. SHEAN: You know, at the time, the
9 Environment Department said yes, they were pretty
10 certain these would be replicated. And they've
11 already collected the fourth quarter sampling
12 results. I don't think they have gone through
13 quality assurance yet, but they should be released
14 within the next couple of months.

15 COMMISSIONER HART STEBBINS: That's great.
16 That's really great news.

17 And then just one quick question: So at
18 our last meeting, the Water Utility Authority
19 approved funding for the USGS well to move forward.

20 But did you say that you're now entering
21 into a joint -- some kind of an agreement where that
22 cost might be shared?

23 MR. SHEAN: Well, there is a current joint
24 funding agreement with the USGS for other aquifer
25 studies. All the time new data comes out on an

1 annual basis, the new water levels. That's one of
2 the programs.

3 These activities related to the Kirtland,
4 you know, investigation we would be covering fully,
5 although there will be adding of these activities
6 within this funding agreement. That was something
7 they told us we would have to take on.

8 COMMISSIONER HART STEBBINS: All right.
9 Thank you, Rick. Thank you, Mr. Chairman.

10 CHAIRMAN DE LA CRUZ: Mr. Perry.

11 MR. PERRY: Mr. Chairman, just briefly,
12 Mike Jenkins said that that new soil vapor
13 extraction system is the latest technology. It's
14 kind of a very high-tech version of vapor extraction
15 that's relatively effective.

16 Can you comment on that, as far as is it
17 very efficient as it relates to vapor extraction
18 technologies?

19 MR. SHEAN: It's a new system, Mr. Chair
20 and Mr. Perry. They have installed it on top of two
21 new wells that were much larger and were actually
22 designed to extract soil vapor.

23 The previous system they've had and we've
24 been reporting on the remediation progress, those
25 were actually monitoring wells. So they were

1 monitoring wells turned into soil vapor extraction
2 wells, and they weren't the best points.

3 So I think we could say these are sort of
4 the first two, at least, soil vapor extraction wells
5 that were designed to do just that job, and so they
6 will be more efficient.

7 MR. PERRY: So this is the beginning of a
8 remediation effort of some sort?

9 MR. SHEAN: This is a pilot to see how
10 successful this technology that we're employing will
11 be, you know, in perhaps working towards a final
12 remedy.

13 MR. PERRY: When Mr. Davis came down from
14 the Environmental Department, the State ED, he
15 explained the whole regulatory layout of what
16 ultimately will be approved for remediation. It has
17 to be ultimately approved by the State ED; is that
18 right?

19 MR. SHEAN: That's correct.

20 MR. PERRY: So this is the first step in
21 perhaps testing the soil vapor extraction technology
22 and seeing what the response to the plume is. And
23 ultimately, probably years down the line, after the
24 regulatory process runs its course, public notice,
25 further scientific testing and the like, final

1 approval of the remediation effort by the State ED
2 will be made; is that right?

3 MR. SHEAN: Mr. Chairman and Mr. Perry,
4 that's correct.

5 MR. PERRY: Thank you, Mr. Chairman.

6 CHAIRMAN DE LA CRUZ: Councillor Garduno.

7 COUNCILLOR GARDUNO: Thank you, Mr. Chair.

8 And following Mr. Perry's line of
9 thinking, I'm sure that Kirtland Air Force Base and
10 anyone else is not necessarily given to the fact
11 that soil vapor extraction is the ultimate
12 technology to be used.

13 I mean a lot of other things could,
14 should, will happen. According to Kirtland Air
15 Force Base, they're looking at other technologies,
16 and I assume that that is still happening.

17 They're not getting into the fact that
18 it's a wider amount than the wells. So therefore,
19 we're going to pull out more vapor. So therefore,
20 we're finished?

21 I would hope that that's not the end of it
22 and that other technology would be looked at.

23 Is that true?

24 MR. SHEAN: Mr. Chairman and Councillor
25 Garduno, that is correct. This is one technology

1 addressing the contamination of soil. But you know,
2 we've been told it's a phased approach, and they'll
3 have to employ other technologies to get at
4 contamination in the other media.

5 COUNCILLOR GARDUNO: I guess this board's
6 hope is that those technologies would not be staved
7 off or waited for, but rather, be simultaneous with
8 what's happening with vapors, you know, soil vapor
9 extraction.

10 MR. SHEAN: Mr. Chair and Councillor
11 Garduno, I haven't seen their exact plan on how
12 they're going to start pumping and be doing pumping
13 at these same wells, but we've been told that that
14 is their plan. I want to see how soil vapor works
15 first, before they turn it on.

16 COUNCILLOR GARDUNO: Thank you.

17 And if I could ask the staff to
18 communicate with Kirtland Air Force Base that
19 R-12-14 has been passed and that that also be
20 treated in the same way as R-12-13.

21 MR. SHEAN: Absolutely, Councillor.

22 CHAIRMAN DE LA CRUZ: Commissioner
23 Hart Stebbins.

24 COMMISSIONER HART STEBBINS: Thank you,
25 Mr. Chairman.

1 Since we're going down that discussion, so
2 this is the first step in containment of the
3 contamination, SVE?

4 MR. SHEAN: Councillor, I apologize.
5 Mr. Chairman and Commissioner Hart Stebbins, not
6 containment, no.

7 This is the first sort of step of
8 remediating the contamination in the soil, not
9 containing the elemental plume or the dissolved
10 phase plume.

11 COMMISSIONER HART STEBBINS: Okay. So in
12 the contract that Kirtland Air Force Base signed
13 with Shaw, what were the deadlines?

14 So it seems that there were deadlines for
15 containment of the LNAPL phase, remediation of the
16 LNAPL phase, containment of the dissolved phase,
17 remediation of the dissolved phase. Where are we in
18 that? Are those deadlines being met; are they not
19 being met?

20 So we have step one, SVE. Is that meeting
21 the requirements of that performance-based contract?

22 MR. SHEAN: Mr. Chairman and Commissioner
23 Hart Stebbins, I believe the short-term goal for
24 containment, which was, I believe, 12 months after
25 the signing of the actual contract in 2010, late

1 2010, I believe, I don't know if containment has
2 been met at that point.

3 I know that Kirtland Air Force Base and
4 Shaw have submitted proposals, work plans. The
5 Environment Department has approved, you know,
6 different aspects of those plans, but they are not
7 getting final approve to go.

8 They did drill a well to contain the
9 elemental plume, but they have not approved the
10 development of that well, you know. Because as they
11 presented in the summertime, they were concerned
12 that, you know, the turning on of this well may
13 actually do more harm than good, based on where it's
14 placed, nor do they know what they're going to do
15 with the water that would be produced with all of
16 that.

17 Have they met all of the standards? The
18 New Mexico Environment Department isn't calling them
19 out on their performance measures, no. And I
20 couldn't speak for the Water Authority, whether they
21 have done that or not.

22 COMMISSIONER HART STEBBINS: Thank you,
23 Rick. Thank you, Mr. Chairman.

24 CHAIRMAN DE LA CRUZ: Thank you,
25 Mr. Shean.

1 Councillor Sanchez.

2 COUNCILLOR SANCHEZ: For the record, I
3 didn't give you a bum agenda, but I think it
4 deserves a bum rap.

5 CHAIRMAN DE LA CRUZ: I will have to admit
6 that he did not do that.

7 Moving on to Item 10C, Drought and Water
8 Use Update. Ms. Yuhas.

9 MS. YUHAS: Good evening, Mr. Chair and
10 members of the board.

11 This is the drought and water use update
12 that I've been doing every month for more than two
13 years now, I think. As the drought continues, you
14 will continue to hear from me this year, sadly.

15 Just to orient those of you who are new to
16 the board, this is a map of New Mexico, showing the
17 severity of drought throughout the state. The
18 darker red the color, the worse the drought is. Our
19 area has been in severe drought for many, many
20 months now.

21 This is a projection for the next three
22 months, and this is a temperature projection. I
23 don't usually show you the temperature. But this
24 one is interesting because it's showing us that --
25 it's projecting that we're going to have a warm

1 spring, and that has a big impact on our water
2 usage. If we go into March and it's warm, people
3 start watering, and it's hard to recover from that.

4 And this is the precipitation outlook for
5 the next three months. As you can see, the bad news
6 is concentrated right over New Mexico.

7 And this is the drought outlook. Again,
8 this goes through the end of March. And much of the
9 west is expected to persist in drought.

10 This next slide is a series of model runs
11 predicting Pacific Ocean temperatures, the
12 equatorial Pacific Ocean temperatures. There's a
13 good correlation between temperatures in the
14 equatorial Pacific and the amount of precipitation
15 that we receive here in this area.

16 Neutral conditions are right along the
17 center of this chart, that black line. When we go
18 above that black line, that tends to bring us more
19 rain; if we go below, it tends to bring us less.

20 What the model run is showing us is that
21 all the way through October they are predicting kind
22 of neutral conditions, most of those models. So
23 that's good for us.

24 It shows we're not moving really severely
25 into La Nina conditions, but it's also not

1 predicting that we're going to come out of the
2 drought.

3 With that in mind, the fact that we have
4 been in a drought for two years and that we are
5 continuing, at the next meeting, if conditions do
6 not change, we will be asking to enact Stage 1
7 drought restrictions beginning March 1st.

8 One of the good things about moving into
9 those Stage 1 restrictions is that by putting that
10 in place, we may be able to avoid some of the more
11 severe stages throughout the summer if we can get
12 those savings early on with our customers and get
13 people ready for the fact that we're in a drought
14 and that they need to change their behavior a
15 little.

16 Stage 1 drought restrictions mean that we
17 will double the fines for wasting water. Wasting
18 water is putting water out into the street or
19 watering at the wrong time of day.

20 The time of day restrictions are no
21 watering from 11:00 a.m. to 7:00 p.m. from April 1st
22 through October 31st. So those are not, you know,
23 just using too much water. That's not wasted water.

24 And then as a positive measure, we will
25 offer the Drought Smart class to our customers. And

1 that will give our customers a \$20 credit for coming
2 to a one-hour class to learn techniques for making
3 it through the drought.

4 And I always like to end on a positive
5 note, and that is to show you our water use for the
6 past three years. And what you'll see is that 2012
7 was actually a little lower than 2011. It's hard to
8 see on this graph, but it's actually 200 million
9 gallons lower than 2011, and it's a little lower
10 than 2010. So we're continuing to do a good job.

11 And I don't have a slide for this because
12 I just finished the calculations, but our GPCD for
13 2012 was 148 gallons per person per day. That's
14 down 2 gallons per person per day from the 150 that
15 we were at at the end of 2011. So our customers did
16 a great job, despite the drought. Thank you.

17 COUNCILLOR GARDUNO: Thank you, Ms. Yuhas.
18 As always, a good presentation. Unfortunately, it's
19 not good news. But I guess the question from all
20 that is -- and I don't know if the other folks have
21 questions.

22 CHAIRMAN DE LA CRUZ: Commissioner
23 O'Malley.

24 COMMISSIONER O'MALLEY: You just showed us
25 a graph or chart earlier of what you expect in terms

1 of precipitation. And pretty much I'm pleased that
2 you want to end on a happy note. But in fact, it
3 looks pretty depressing.

4 So given the precipitation model and the
5 fact that we're, you know, in a situation where we
6 might have warmer weather, how does it tie into the
7 potential for water harvesting?

8 Because people are going to start to look
9 at those things as we start to get closer. And I'm
10 not so sure -- I know that you have, in the past,
11 either offered rain barrels or had some programs to
12 promote water harvesting. But what's going on with
13 that, and how does this tie into that situation?

14 MS. YUHAS: Mr. Chair and Councillor
15 O'Malley, right now we have a program in place where
16 customers can get a rebate for purchasing rain
17 barrels or installing cisterns. And you know,
18 that's always encouraged, whether we're in a drought
19 or not.

20 And right now we are working on a new
21 water conservation plan for the next ten years. And
22 one of the items in that plan that has been getting
23 some very positive feedback from the public has been
24 the idea of increasing the rebates for rainwater
25 harvesting and cisterns really in order to develop a

1 better market for them, so that the price might come
2 down.

3 COMMISSIONER O'MALLEY: But they are
4 pretty pricey. They're big plastic tubs. And I
5 think they're over like \$100 if you go out in the
6 market, and that's a pretty big hit.

7 Because I just have a 50-gallon one, and
8 it fills up almost immediately. And so we were
9 looking at them, and they're very expensive.

10 CHAIRMAN DE LA CRUZ: Commissioner
11 Hart Stebbins.

12 COMMISSIONER HART STEBBINS: Thank you,
13 Mr. Chairman.

14 So the water utility has a drought
15 management strategy and a conservation plan. Can
16 you explain what those two documents are and how
17 they're different?

18 MS. YUHAS: Yes. The water conservation
19 plan is a long-term plan to gradually reduce water
20 usage in our community and to transition to making
21 more efficient choices and building in a way that is
22 sustainable, those sorts of long-term measures.

23 The drought management strategy is
24 designed for short-term immediate reduction in water
25 usage during a period when we're not getting as much

1 precipitation as we anticipate. So they work
2 together.

3 COMMISSIONER HART STEBBINS: So was the
4 drought management study that you showed us that
5 graph where like 140 percent of groundwater goal
6 restrictions go into place?

7 MS. YUHAS: That's correct. This is from
8 the drought management strategy.

9 COMMISSIONER HART STEBBINS: When does
10 that strategy come up for renewal by this board? Is
11 that approved every year? When is the next
12 opportunity to take a look at that?

13 MS. YUHAS: This strategy was just
14 approved last year, and it calls for a five-year
15 renewal. But of course we can look at it any time
16 and see if it's working for us.

17 COMMISSIONER HART STEBBINS: Okay, thank
18 you. Because I think I've raised this question
19 before, and I think John Fleck's article raised it
20 today, that with the various threats to the surface
21 water supply through, you know, challenges by other
22 states' droughts, that perhaps waiting until we get
23 to the 140 percent of our groundwater goal might be
24 waiting too long.

25 And so I may just talk to staff about

1 perhaps looking at making some changes that would
2 implement some of these restrictions a little bit
3 sooner, rather than waiting another five years. So
4 let me raise that with staff.

5 Thank you very much.

6 CHAIRMAN DE LA CRUZ: Councillor Garduno.

7 COUNCILLOR GARDUNO: Thank you, Mr. Chair.

8 Ms. Yuhas, Stage 1, as it's known, saves
9 how much, 800?

10 MS. YUHAS: Oh, I apologize to you. I do
11 not have that number in front of me as to how much
12 we'll save in Stage 1. I can look it up, and I'll
13 bring it to you.

14 COUNCILLOR GARDUNO: Well, the number I
15 have is 8,000 acre-feet, and I don't know whether
16 that's right or not. Let's say it is. That's much
17 less than is already being used, right?

18 MS. YUHAS: I'm sorry. Much less than is
19 already being used annually? I'm sorry, I don't
20 know.

21 COUNCILLOR GARDUNO: But the savings is
22 not going to get us out of the problem we're in. So
23 should we go to Stage 2?

24 MS. YUHAS: Now I understand your
25 question.

1 Well, the reason for the stages is that
2 it's also tied to customer behavior, if you look at
3 the left side of this chart. And so what we're
4 seeing is that our customers are doing a good job,
5 despite the drought.

6 I mean we reduced our water usage by
7 2 gallons per person per day last year without any
8 drought restrictions in place. We were just doing
9 additional advertising around the drought.

10 And so one of the goals of the drought
11 management strategy was to give our customers the
12 opportunity to change their behavior before we
13 enacted really what are some pretty stiff penalties.

14 COUNCILLOR GARDUNO: And I was intrigued
15 by your -- Mr. Chair, if I may -- intrigued by your
16 idea of the incentive of \$20 for taking a short
17 course, I guess you'd say, of about an hour.

18 How is that going to be made public? How
19 are people going to know to do that?

20 MS. YUHAS: We will advertise the Drought
21 Smart class in the water bills, just as we have with
22 our irrigation classes that we've offered in the
23 past. It will be on our Web site, and we'll be
24 offering it at a very large venue.

25 So there won't be any issues of people

1 having to sign up. They can just, you know, show up
2 on the day of the class and attend.

3 COUNCILLOR GARDUNO: Great. I think
4 that's really important.

5 And I hope we never go to Stage 3. But
6 some of the maps you showed aren't encouraging, as
7 Commissioner O'Malley mentioned. So let's hope and
8 pray for rain. Thank you.

9 CHAIRMAN DE LA CRUZ: Thank you,
10 Councillor.

11 Seeing no other questions, thank you,
12 Ms. Yuhas.

13 Seeing no further business, this meeting
14 is adjourned.

15 (Time noted, 5:17 p.m.)

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1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO

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