

BART FARIS, CHAIR  
STEVE GLASS, VICE CHAIR  
JOSÉ CERRATO

DARRELL KUNDARGI  
CAMILLA FEIBELMAN  
CAROLINE SCRUGGS  
JONATHAN GONZALES  
ELAINE HOWE  
CHRIS WELCH

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**June 14<sup>th</sup>, 2024**

Location: Via Teams video conference

Time: 9:00 a.m. to 11:00 a.m.

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**Board Members Present:** Bart Faris (Chair), Steve Glass (Vice-Chair), José Cerrato, Camilla Feibelman, Chris Welch, Darrell Kundargi, Jonathan Gonzales

**Board Members Absent (excused):** Caroline Scruggs, Elaine Howe

**PIC Members Present:** Ken Ziegler (*City of Albuquerque*), Shellie Eaton (*City of Albuquerque*), Kelsey Bicknell (*Water Authority*), Rowan Hannan (*Water Authority*), Diane Agnew (*Water Authority*), Patrick Chavez (*Albuquerque Metropolitan Arroyo Flood Control Authority [AMAFCA]*), Danielle Shurn (Water Authority), Corbin Carsrud (*Bernalillo County*), Charles Barber (*City of Albuquerque*)

**Guests Present:** Robert Mullin (*Bernalillo County*), Mark Kelly (*Water Authority*), Justin Ball (*New Mexico Environment Department [NMED]*), Dr. Terrance Smith (*City of Albuquerque*), Jaren Peplinski (*Urban Waters Partnership*), Roger Valdez (*City of Albuquerque*)

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## Call to Order

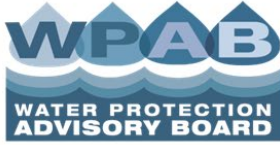
Chair Faris called the meeting to order at 9:03 AM when quorum was established.

## I. Approval of Agenda (09:00 – 09:10)

### A. June 14<sup>th</sup>, 2024, Agenda

Mr. Kundargi moved to approve the agenda; Mr. Cerrato seconded the motion.

Board Member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass	Yes
Darrell Kundargi	Yes
Camilla Feibelman	Yes
José Cerrato	Yes
Caroline Scruggs	Absent (excused)
Jonathan Gonzalez	Yes
Elaine Howe	Absent (excused)
Chris Welch	Yes



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## II. Review and Approval Meeting Minutes

### A. February 9<sup>th</sup>, 2024, Meeting Minutes

Vice-Chair Glass moved to approve the February meeting minutes; Mr. Kundargi seconded the motion.

Board Member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass	Yes
Darrell Kundargi	Yes
Camilla Feibelman	Yes
José Cerrato	Yes
Caroline Scruggs	Absent (excused)
Jonathan Gonzalez	Yes
Elaine Howe	Absent (excused)
Chris Welch	Abstained

### B. March 8<sup>th</sup>, 2024, Meeting Minutes

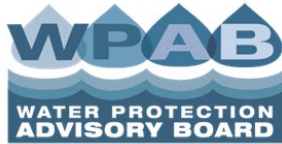
Mr. Kundargi moved to approve the March meeting minutes; Vice-Chair Glass seconded the motion.

Board Member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass	Abstained
Darrell Kundargi	Yes
Camilla Feibelman	Yes
José Cerrato	Yes
Caroline Scruggs	Absent (excused)
Jonathan Gonzalez	Yes
Elaine Howe	Absent (excused)
Chris Welch	Abstained

## III. Board Business (09:10-09:25)

### A. Welcome new City/County appointee to the board, Mr. Chris Welch

The board welcomed its new member, Mr. Chris Welch. With a background in public policy and government service, Mr. Welch has spent over 20 years with the U.S. Air Force. His extensive experience includes community outreach, environmental and airspace rights issues. He also has a personal interest in local and regenerative agriculture. Mr. Welch is eager to contribute to the board's ongoing efforts.



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B. 2023 WPAB Annual Report and Transmittal Letter

Ms. Feibelman moved to approve the 2023 WPAB Annual Report; Vice-Chair Glass seconded the motion.

Board Member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass	Yes
Darrell Kundargi	Yes
Camilla Feibelman	Yes
José Cerrato	Yes
Caroline Scruggs	Absent (excused)
Jonathan Gonzalez	Yes
Elaine Howe	Absent (excused)
Chris Welch	Abstained

C. Board Discussion: Carlisle Village Cleaners Follow-up

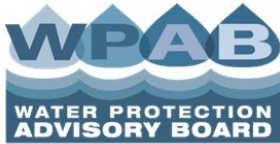
Ms. Feibelman asked for an update on the Carlisle Village Cleaners Site (Site), which was first brought to WPAB's attention in March of 2024.

Mr. Justin Ball, Chief of the New Mexico Environment Department's (NMED) Groundwater Quality Bureau, informed the board about a letter from the U.S. Environmental Protection Agency (EPA) to NMED regarding EPA's recommendation to add the Site to the National Priorities List (NPL), a process that will require cooperation and matching funds from the State of New Mexico.

Chair Faris asked about the next steps should the Site be included on the NPL. He also asked if emergency response measures during the interim would include soil removal or soil vapor extraction.

Mr. Ball responded that if the State agrees to list the Site, EPA will submit it for NPL listing in September 2024. He noted that ongoing mitigation efforts in the affected community include the EPA Removal Program and an outreach program to inform impacted property owners of ways to address vapor intrusion.

Ms. Feibelman asked if the State had the necessary funds to meet the NPL financial requirement. Mr. Ball said that funding match requests would need to be approved by the Legislature in an upcoming session.



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#### IV. PIC Updates (09:25 – 9:45)

##### *Albuquerque Bernalillo County Water Utility Authority (Water Authority) – Update from Ms. Kelsey Bicknell, Environmental Manager*

- **Kirtland Air Force Base Jet Fuel Leak Updates:** Ms. Bicknell discussed her recent report to the Water Authority Governing Board, where she outlined the Water Authority's discussions with Congresswoman Stansbury's office on their efforts to draft legislation addressing key concerns at the Site. These concerns include resuming soil vapor extraction as an interim measure to address fuel in the Site's source area, and for the Air Force to include the Water Authority in technical discussions and site decision-making meetings.
- **HP/Digital Site:** The HP/Digital Site is a former electronics manufacturing location with 1,4-dioxane as the main contaminant of concern. The Water Authority received Capital Outlay funding to install monitoring wells at this Site to address data gaps in the nature and extent of groundwater contamination. The Water Authority is using data from existing groundwater monitoring wells to select the locations for the Water Authority data gap wells. The Water Authority plans to present the data gap well approach at the August WPAB meeting. Additionally, a groundwater treatment plan from the responsible party is expected to arrive in July.

##### Questions and Comments:

Vice-Chair Glass asked about the location of the HP/Digital Site, which Ms. Bicknell confirmed is situated near Mimi's Café in the Shops@25 Business Center.

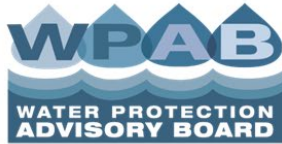
##### *Bernalillo County – Update from Mr. Corbin Carsrud, County Hydrogeologist*

Mr. Carsrud reported that the Bernalillo County Commission has approved [the Bernalillo County Comprehensive Plan](#), which includes sections that address water management and water quality.

##### *Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) – Update from Mr. Patrick Chavez, Stormwater Quality Engineer*

Mr. Chavez announced that AMAFCA's [FY25 project schedule](#) is now available. This schedule details around \$100 million worth of projects, about 90% of which are funded by AMAFCA, with additional contributions from other partners on certain projects.

Mr. Chavez highlighted the Zuni-Penn Pond project, a joint effort between AMAFCA, the City of Albuquerque, and the Water Authority. The project involves creating a detention basin to reduce floodplain and provide storage during larger storms. AMAFCA and the City will split the construction costs. After construction, the City will take over the facility, and the Water Authority will handle maintenance. To minimize percolation, the pond will be lined at the bottom.



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*City of Albuquerque, Environmental Health – Update from Mr. Kenneth Ziegler, Senior Environmental Health Scientist*

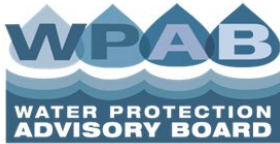
- **Los Angeles Landfill:** Mr. Ziegler reported that the most recent water quality samples at this site in February detected only naturally occurring manganese and high iron. All other contaminants fell below detectable levels. The landfill gas flare system, serving as an abatement system, has effectively mitigated gas and chlorinated solvents, leading to significant improvements in the site's conditions.
- **Rail Yards:** Sampling at the Rail Yards took place over two days in mid-June, with results anticipated in about one and a half months. Construction for the new CNM New Mexico Film schools at the Rail Yards is currently ongoing.
- **Environmental Health Department Updates:** Mr. Ziegler introduced Dr. Terrance Smith, Associate Director of the Environmental Health Department in Albuquerque. Mr. Ziegler also reported that The City's Environmental Health Department moved from the downtown Civic Plaza to the West side, near the Fire Academy and opposite West Side Shelter. The department has grown to five members with the hiring of a new fieldwork assistant. However, Mr. Ziegler announced his departure from the City of Albuquerque after 17 years, including 10 years attending WPAB meetings. Charles Barber will assume Mr. Ziegler's responsibilities as a City of Albuquerque PIC member.

**V. Diversity, Equity, and Inclusion Subcommittee Report (09:45 – 10:10)**

- A. City of Albuquerque Justice 40 Oversight Coordinating Committee Overview – *Roger Valdez, Justice 40/Living Cities Strategic Advisor, [rogervaldez@cabq.gov](mailto:rogervaldez@cabq.gov)*

Mr. Valdez introduced the concept of environmental justice and the federal initiative, Justice40. He explained that environmental justice addresses the unequal distribution of environmentally harmful practices in areas populated by people of color and lower economic status. Justice40, a Biden administration initiative, requires that 40% of federal grants for community investments (e.g. climate, clean energy, housing, clean water) go to disadvantaged communities. The Oversight Coordinating Committee, established by Mayor Keller, is responsible for implementing Justice40 principles at the City. They do this by involving the community in identifying problem areas and applying for federal funds to resolve these issues.

Mr. Valdez introduced two tools: [The Climate and Economic Justice Screening Tool](#), which was developed by the EPA, identifies disparities and disproportionate impacts, and a more localized Justice40/City of Albuquerque [asset map](#). The asset map displays City facilities (such as law enforcement facilities, parks, and community centers) in relation to areas identified by the Climate and Economic Justice Screening Tool. These tools aim to pinpoint areas in need of resource allocation to counteract the effects of environmental damage. Mr. Valdez proposed a potential



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partnership, or heightened awareness, between the Coordinating Committee and the WPAB. This would aim to effectively apply resources to address source water environmental impacts.

#### Questions & Discussion:

Ms. Feibelman asked whether the second map tool presented by Mr. Valdez was developed through the EPA or by the Oversight Coordinating Committee for a more in-depth look at Justice40 implications for the state.

Mr. Valdez responded that the Climate and Economic Justice Screening tool was the first map he showed, and is a tool issued by the federal government and the EPA to guide entities seeking federal grants. The tool helps identify Low Income/Disadvantaged Communities or LIDACs. He emphasized that the tool provides a roadmap for areas the federal government suggests should be the focus. He clarified that the second map was the Justice40 Albuquerque Asset map and was developed by the Committee to be a more localized map with additional overlays including City and community facilities.

Mr. Kundargi asked about the need to ground-truth the data used in the Climate & Economic Justice Screening Tool and asset map; he expressed concerns about the potential discrepancy between census-level data and the on-the-ground reality, and asked whether there is a practice of local data validation.

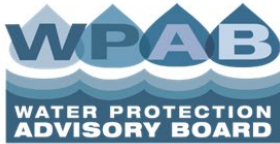
Mr. Valdez agreed with Mr. Kundargi's concerns about federal data limitations and mentioned the use of the Social Vulnerability Index as a partial data validation tool. Mr. Valdez noted that some federal funding requires cross-referencing with other data sets and collecting new data at the community level. He confirmed that no global tool has been created for this purpose beyond the Asset Map.

#### **B. WPAB Procedures**

Ms. Feibelman, nearing the end of her second term, indicated that her final meeting would be in August and identified a need for a new chair for the DEI subcommittee. The subcommittee is comprised of Ms. Feibelman, Mr. Kundargi, Mr. Cerrato, and Vice-chair Glass, and typically meets two weeks prior to each WPAB meeting to discuss agenda items.

In their last meeting in April, the subcommittee discussed its concern about meeting frequency and recommended continuing with presentations even if quorum cannot be met. They reiterated the request to record and post meetings for educational purposes and asked for clarity on the obstacles preventing this. The subcommittee also expressed the importance of providing





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approved DEI questions to WPAB presenters, ensuring that DEI considerations are incorporated into the presentation topics.

The subcommittee also discussed member recruitment and asked for an update on the nomination and appointment process from the PIC entities. Subcommittee members provided several suggestions for improving recruitment, such as noting when a board member's term is ending and inviting potential candidates to observe a meeting before applying. They underscored the importance of assisting new board members, particularly those early in their career, to understand the board's operations.

Ms. Feibelman highlighted the DEI committee's focus on neglected contamination sites, emphasizing the importance of cleanup in underserved communities. She called for the board to go beyond learning and discussion, and to actively support initiatives like legislative financing for agencies like NMED.

#### Questions & Discussion:

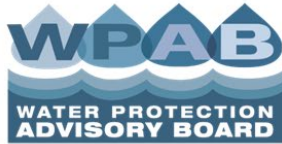
Vice-Chair Glass noted that he reached out to Ms. Bicknell to better understand the restrictions on the size of files that can be uploaded to Legistar, the City's legislative file storage system.

Ms. Bicknell said the WPAB minutes are more detailed than required, or compared to similar boards in the region, which is one way to provide public access to information presented in WPAB meetings given the technical limitations. Ms. Bicknell committed to discuss with the City and County the resources needed to record, manage, and post video files, including related costs and provide this information to the WPAB at the next meeting.

Ms. Bicknell updated the committee on the DEI's recommendations pertaining to the clarity of appointment terms and their end dates. An updated page reflecting these recommendations has been incorporated into the [WPAB guidance document](#), which is accessible [via the Water Authority's WPAB webpage](#). This document, updated semi-annually (spring and late fall/winter), is provided to all new members and is readily available for existing members' reference.

#### Board Action:

Ms. Feibelman moved to request that the PIC agencies provide detail on how recording and posting of WPAB meetings on their websites, including managing recordings and related costs, could be accomplished and what resources would be required. The motion was seconded by Vice-Chair Glass. The motion passed as follows.



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Board Member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass	Yes
Darrell Kundargi	Yes
Camilla Feibelman	Yes
José Cerrato	Yes
Caroline Scruggs	Absent (excused)
Jonathan Gonzalez	Yes
Elaine Howe	Absent (excused)
Chris Welch	Yes

## VI. Neglected Contamination Sites in New Mexico (10:25 – 10:50)

*Justin Ball, Groundwater Quality Bureau – Chief, New Mexico Environment Department,  
[Justin.Ball@env.nm.gov](mailto:Justin.Ball@env.nm.gov)*

Mr. Ball discussed New Mexico's "Neglected Contamination Sites", a term used to describe contamination sites that have gone unaddressed due to the absence of a responsible party or an appropriate regulatory program. He outlined NMED's approach to these sites and highlighted some of their past and planned efforts so far. These include the Superfund Program, their 2021 Orphan Site Report, and the gap analysis and implementation plan for a program to address neglected sites.

Mr. Ball's presentation can be viewed [here](#).

### Questions & Discussion:

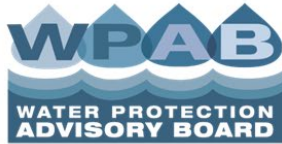
Ms. Feibelman inquired if there is a dedicated fund for neglected contamination site cleanups. If not, she wanted to know the source of the match for the Carlisle Site.

Mr. Ball confirmed that the Groundwater Quality Bureau currently does not have such a fund and lacks the resources for site investigation or cleanup of these neglected contamination sites. He mentioned that the match for the Carlisle Site would come from legislative appropriations.

Ms. Feibelman also asked about the need for a permanent, recurring fund from the Legislature and whether the New Mexico Environment Department (NMED) has approached the Legislative Finance Committee to include the fund in its budget.

Mr. Ball affirmed the need for such a fund. It would allow for staff expansion and provide the resources and authority for site investigation contracting. He stated that the proposal has been escalated within the Groundwater Quality Bureau and that the legislative process is ongoing.





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Mr. Welch requested clarity on the prioritization process for approximately 300 contamination sites considering potential funding constraints. He queried the types of remediation goals aimed at diverse sites, especially those that risk further groundwater contamination or have potential for commercial or residential development.

Mr. Ball said the prioritization was outlined in the [Neglected Contamination Sites Implementation Plan](#). The initial steps, following increased staffing, would be to use a risk assessment to identify sites requiring immediate attention. A decision tree could be used to prioritize sites based on various factors, including potential risks to vulnerable populations and environmental impact. He cited the Carlisle Village Cleaners Site as an example, which was flagged for referral to Superfund due to its proximity to high-density housing and daycare centers.

Ms. Feibelman suggested writing a letter to the Legislative Finance Committee that specifically outlines the WPAB's and WPAB's DEI committee's recommendation for the creation of a program and fund to address New Mexico's neglected contamination sites. She recommended that the program should be built into HB2, the state budget bill where all appropriation of funding takes place.

Chair Faris proposed that a letter be written to the Water Authority, City, and County to gain their support for recurring funding.

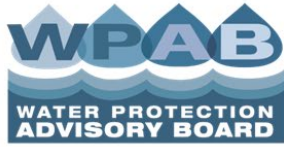
Ms. Agnew added that the board has previously written letters directly to the legislators and copied the appointing agencies to outline precedent for Ms. Feibelman's suggestion.

Vice-Chair Glass pointed out that the board has a ten-step process for developing such a letter, which Ms. Bicknell confirmed is outlined in the WPAB guidance document. Ms. Bicknell committed to sending the board members a copy of the document.

Board Action:

Ms. Feibelman moved to establish a subcommittee to author a draft letter detailing WPAB's support for the establishment of a Neglected Contamination Sites program and fund. Vice-Chair Glass seconded the motion. The motion passed as follows.

Board Member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass	Yes
Darrell Kundargi	Yes
Camilla Feibelman	Yes
José Cerrato	Yes
Caroline Scruggs	Absent (excused)



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Jonathan Gonzalez	Yes
Elaine Howe	Absent (excused)
Chris Welch	Yes

## VII. Other Board Business (10:55 – 11:00)

- A. Next WPAB Meeting: July 12<sup>th</sup>, 2024, 9:00 AM
  - i. Presentation topic: Middle Rio Grande Municipal Separate Storm Sewer System (MS4) Update

## VIII. Public Comment Period (10:55 – 11:00)

There were no comments from the public.

## IX. Adjourned at 11:00 AM