



Steve Glass, Chair
Roberto Roibal, Vice Chair
Camilla Feibelman

Darrell Kundargi
Alejandra Lyons
Julia Maccini

Joel Wooldridge
John Pietz
Caroline Scruggs

March 12, 2021

Location: Video conference¹

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

¹ Meeting was held via video conference in response to Governor Michelle Lujan Grisham's declaration of a public health emergency and ban on gatherings of more than five people.

Board Members Present: Chair Steve Glass, Vice-Chair Roberto Roibal, Camilla Feibelman, Darrell Kundargi, Alejandra Lyons, Julia Maccini, John Pietz, Caroline Scruggs, and Joel Wooldridge

Board Members Absent (excused): None

PIC Members Present: Diane Agnew, Kali Bronson, Dan McGregor, Cassia Sanchez, and Ken Ziegler

Guests: Commissioner Charlene Pyskoty (Bernalillo County Commissioner, District 5), Dana Bahar (New Mexico Environment Department), Glenn DeGuzman (Bernalillo County), Jim West (citizen), Joe Godwin (New Mexico Environment Department), Joe Noriega (Bernalillo County), Lisa Davis (East Mountain District 5 Coalition Neighborhood Association), Liz Anderson (Albuquerque Bernalillo County Water Utility Authority), Lorena Goerger (New Mexico Environment Department), Lucas Tafoya (Bernalillo County), Mark Kelly (Albuquerque Bernalillo County Water Utility Authority), Michelle Melendez (City of Albuquerque), Patrick Jerome Chavez (Albuquerque Metropolitan Arroyo Flood Control Authority), Sarah Hendrickson (Albuquerque Bernalillo County Water Utility Authority), Sarah Holcomb (New Mexico Environment Department), Sarah Osterman (Bernalillo County), Michelle Hunter (New Mexico Environment Department), Jason Herman (New Mexico Environment Department)

I. Call to Order

Chair Steve Glass called the meeting to order at 9:02 a.m.

II. Approval of Agenda

Chair Glass asked if the board had any modifications to the agenda and if not, asked for a motion of approval of the agenda. Ms. Feibelman requested to move approval of agenda and Mr. John Pietz seconded.

Vote to approve meeting agenda:

Ms. Julia Maccini: Y

Ms. Camilla Feibelman: Y

Mr. John Pietz: Y

Mr. Darrell Kundargi: Y

Vice-Chair Roberto Roibal: On mute

Dr. Caroline Scruggs: Y

Ms. Alejandría Lyons: Y

Chair Steve Glass: Y

III. Review and Approval of February 12, 2021 and February 23, 2021 Meeting Minutes

Chair Glass offered some minor edits to the February 12, 2021 meeting minutes. He suggested removal of “out” from the phrase “motion carried out unanimously”, and repeated a request to include live links to Legistar for any presentations mentioned in meeting minutes. PIC member Ms. Diane Agnew said she would make sure links are added before uploading meeting minutes in the future. Chair Glass asked if there were any more edits from the board and for a motion to approve February 12, 2021 meeting minutes. Dr. Scruggs motioned to approve February 12, 2021 meeting minutes as amended and Mr. Darrell Kundargi seconded approval.

Vote to approve February 12, 2021 meeting minutes:

Ms. Julia Maccini: Y

Ms. Camilla Feibelman: Y

Mr. John Pietz: Y

Mr. Darrell Kundargi: Y

Vice-Chair Roberto Roibal: Y

Dr. Carolina Scruggs: Y

Ms. Alejandría Lyons: Y

Chair Steve Glass: Y

Chair Glass saw no need for modifications in the February 23, 2021 minutes. He asked the board if they had any modifications and asked for a motion to approve February 23, 2021

meeting minutes. Ms. Maccini moved to approve meeting minutes and Mr. Joel Wooldridge seconded.

Vote to approve February 23, 2021 meeting minutes:

Ms. Julia Maccini: Y

Ms. Camilla Feibelman: Y

Mr. John Pietz: Y

Mr. Darrel Kundargi: Y

Vice-Chair Roberto Roibal: Y

Dr. Caroline Scruggs: Abstained

Ms. Alejandría Lyons: Y

Chair Steve Glass: Y

IV. Board Business

a. 2021 Legislative Session Update

Ms. Agnew said she received numerous replies to the letter drafted and sent from the board to the New Mexico Legislative Finance Committee in support of funding the New Mexico Environment Department (NMED), the Office of Natural Resources Trustee (ONRT), the Energy, Minerals, and Natural Resources Department (ENMRD), the Interstate Stream Commission (ISC), and the Office of the State Engineer (OSE) (collectively “State Entities”). Ms. Feibelman said more information about the status of the appropriations bill (House Bill 2) and funding for the state agencies will be available on Saturday, March 13 when the Senate votes on its version of the bill. Neither Bernalillo County nor the City of Albuquerque (COA) had any legislative updates for the board.

V. Discussion of WPAB Diversity, Equity, and Inclusion Statement and Actions

Chair Glass asked if COA’s Ms. Michelle Melendez would provide feedback on the board’s draft statement on diversity, equity, and inclusion.

After congratulating the board for addressing systemic racism and board diversity in its draft statement and board diversity, Ms. Melendez provided some background on the COA’s Office of Equity and Inclusion, of which she is the Director, which was established about three years ago. She said it offers “tool kits” for COA departments to use to foster inclusive thinking.

Regarding the board’s draft statement, Ms. Melendez said she thought it was taking a very comprehensive view, focused on impacts and informed by data and evidence. Emphasizing that equity is not about intentions, but rather the impacts and outcomes, she offered examples of other community boards and the challenges to diversity that they face. She said accessibility and being “culturally appropriate” were important factors in encouraging diverse participation.

She concluded by thanking the board for taking concrete steps towards diversity, equity, and inclusion and said she would answer any questions.

Chair Glass asked if the tool kit Ms. Melendez mentioned was available on the COA's website or if it could be shared. Ms. Melendez said she would make it available to the board. Chair Glass asked if the board had any questions for Ms. Melendez. Mr. Joel Wooldridge asked if there has been any thought to Ms. Melendez's office taking a central role in creating a pool of diverse potential members as a resource for various boards, saying that if this function is left up to each board then confusion and duplications will ensue. Ms. Melendez said her office does not have the internal capacity to do this.

Chair Glass said he would like to participate in the training Ms. Melendez is developing once it is ready. Ms. Melendez said she will add him to the mailing list. Ms. Feibelman asked how to bridge the gap between the statement and the action for the board's diversity, equity and inclusion statement. Ms. Melendez said these principles are in the tool kit, which can be used as a continuous process. She explained that communities always need to be involved, not just through members of the board, but via participation in meetings and forums.

Mr. Kundargi agreed with Ms. Melendez that more forums would be helpful, said he supports the board's efforts, and offered his help. He said a serious challenge is the lack of a common framework for definitions of terms, and suggested that facilitators would be useful additions to conversations about diversity. He asked if that kind of help exists for the board; Chair Glass clarified that Ms. Melendez is offering a general training that the board could participate in. Mr. Kundargi asked if those resources are on the website. Ms. Melendez confirmed there are resources on the website with more to be added. Ms. Agnew informed the board that she will obtain the tool kit and will share links to all the trainings and resources referenced by Ms. Melendez. Mr. Wooldridge asked if there were trainings available to prepare people to serve on boards, especially more technical boards. Ms. Melendez said the Southwest Organizing Project (SWOP) has been doing this for many years and that there are other sources available for leadership development, including trainings by the COA that may resume after the pandemic abates.

Chair Glass asked if there were any questions and comments from PIC members.

With respect to the community impacted by the Kirtland Air Force Base (KAFB) jet fuel spill, Ms. Agnew wanted to clarify that providing accurate communication is critical when dealing with citizen groups and cited confusion over whether the fuel spill, which has contaminated groundwater on and near the base, has caused pollution of drinking water being supplied to Water Authority customers (it has not). She said the board could help underserved communities understand technical issues like this so long as it was relying on accurate data and using accurate language. Vice-Chair Roberto Roibal and Ms. Michelle Melendez had to leave the meeting at this juncture; Chair Glass reiterated that there is a built-in equity for those receiving water service from the Water Authority and there are still those that are not connected to the Water Authority and many times those without connection are at the greatest risk for water quality issues and among the least able to address those risks. He talked about how the County and Water Authority offer the PIPE program to subsidize connecting to the Water Authority's system, but it is still an issue that the board should keep in mind when learning about addressing and advising on water quality.

Mr. Kundargi expressed how in order for the board to better represent those underserved in the community, conversations about equity must be at the top of the agenda for every meeting henceforth. He added that justice and equity issues are inseparable from the issue of groundwater protection. Chair Glass said the tool kit Ms. Melendez helped develop is a good start to make sure these issues continue to be addressed on an ongoing basis. Ms. Agnew said that Ms. Melendez had indicated that the tool kit can also be tailored to address water quality protection. Chair Glass reiterated that full incorporation of diversity principles into the board's functions will occur over a period of time.

Prompted by remarks from Dr. Caroline Scruggs, a discussion ensued regarding the need for technical expertise among board members and support staff and whether this might be affected by diversity requirements. Ms. Lyons said she believes board membership should be balanced among members with technical backgrounds, community organizing backgrounds, and community planning backgrounds; and people who are able to speak up, look at the data, and listen to the community. Ms. Agnew said the COA's tool kit can help the board resolve questions about qualifications, and further stated that she thinks the subcommittee can work on tailoring the tool kit to incorporate water protection. Mr. Kundargi reiterated Ms. Melendez's statement that it is not intent but impact that matters, and then expressed disappointment that potential loss of expertise was being discussed in the context of increasing diversity. Dr. Scruggs apologized to Mr. Kundargi and said she only raised the issue because the waiving of technical requirements had been mentioned in a document sent out to the board. Chair Glass thanked the board for its input and directed the discussion to the next agenda item.

VI. Discussion of proposed APS Bus Depot

Commissioner Pyskoty provided a briefing on the proposed Albuquerque Public Schools (APS) Bus Depot in the East Mountain area. She explained that the depot as planned would have parking spaces for 50 buses, a bus wash, a mechanic station, a fueling station, a training center, and parking for 80 employees. Furthermore, it was originally planned to be built above an aquifer and in close proximity to the local water co-op's pumping station. After lamenting the initial lack of opportunity for public input, Commissioner Pyskoty explained how the neighborhood succeeded in having the bus depot site moved to a different location.

Neighborhood resident Mr. Jim West said that based on his communications with APS, he believed that their staff would benefit from education by the board on the unique groundwater situation in the East Mountains. Chair Glass explained that the board's role is advisory only and that the proposed depot would need to be brought before the Environmental Planning Commission of the County. Mr. West said that in any event he believed the school district acceded to neighborhood demands for legal rather than environmental reasons.

New Mexico Environment Department (NMED) Pollution Protection Section of the Groundwater Quality Bureau (GWQB) staff, Mr. Jason Herman, explained the APS bus depot plans were inadequate with respect to disposal of wastewater and said that the school district would have to go through a permitting process—including public notice—for its disposal system if the depot is not connected to a water service. Mr. Herman pointed out that NMED regulates K-12 and support facilities around the state.

The Chief of the GWQB, Ms. Michelle Hunter, said there is a very robust public process associated with these kinds of permits so stakeholders can have adequate input. Chair Glass

said that the board would like to have input as well. Commissioner Pyskoty voiced her concern that, NMED's processes notwithstanding, APS was planning on breaking ground in a few months and wasn't communicating with stakeholders. Ms. Hunter said if APS had started building, it would not have been able to use the facility until it was issued a discharge permit. Ms. Feibelman asked if it was worth escalating the consequences for APS. Mr. West said he believed that APS had not even consulted its lawyer during the planning process, based comments he had heard. Ms. Hunter explained that NMED administers discharge permits for other APS facilities and therefore found it surprising that the school district would plan the bus depot without taking NMED requirements into account.

Ms. Sarah Holcomb, the program manager of the Point Source and Regulation Section in the Surface Water Quality Bureau at NMED, said APS would need to attain National Pollutant Discharge Elimination System (NPDES) permits from EPA if it planned to discharge stormwater directly to surface water, a process which takes a minimum of 6 months. She added that NMED has faced compliance issues with APS in the past. Commissioner Pyskoty mentioned that APS had been invited to this meeting and declined. Chair Glass expressed his hopes for greater understanding of the process by APS and also for the board's opportunity for input once APS selects a site for the bus depot. Ms. Dana Bahar from NMED's Petroleum and Storage Tank Bureau said the bureau has rigorous oversight of installations and performs routine inspections and tests of tanks.

Chair Glass thanked everyone for their input on the bus depot and said the board will weigh in when the time is right. Ms. Feibelman thanked NMED for all their work.

VII. Other Board Business

Ms. Agnew introduced Sarah Hendrickson, the Water Authority's new Senior Water Resource Scientist, who will be the staff support for the board in the future.

VIII. Public Comment Period

Jim West, Lisa Davis, and Dan Dun signed up for public comment. Ms. Lisa Davis thanked the board. No further public comments.

IX. Adjourn

Chair Glass adjourned meeting at 11:09 a.m.