

ALBUQUERQUE BERNALILLO COUNTY
WATER UTILITY AUTHORITY MEETING
WEDNESDAY, OCTOBER 21, 2020, 5:04 P.M.

VINCENT E. GRIEGO CHAMBERS
ALBUQUERQUE-BERNALILLO COUNTY GOVERNMENT CENTER
ALBUQUERQUE, NEW MEXICO 87102

A P P E A R A N C E S

COUNCILOR KLARISSA J. PENA, Vice Chair (remote)

COMMISSIONER DEBBIE O'MALLEY, Chair (remote)

COUNCILOR TRUDY E. JONES, Member (remote)

COMMISSIONER STEVEN MICHAEL QUEZADA, Member (remote)

COUNCILOR PAT DAVIS, Member (remote)

COMMISSIONER CHARLENE PYSKOTY, Member (remote)

MAYOR TIMOTHY M. KELLER, Member (remote)

PABLO RAEL, Trustee (excused)

SARITA NAIR, Alternate (remote)

BEFORE: KIM KAY SHOLLENBARGER, RPR
Paul Baca Professional Court Reporters
500 4th Street, Northwest, Suite 105
Albuquerque, New Mexico 87102

1 CHAIR PENA: This meeting is being held video
2 conference. The Water Authority accepted general public
3 comment and comment on the meeting specific agenda items in
4 written form via email through 4 p.m. today and these
5 comments were distributed to all board members.

6 So we will now move on to Item 3:00, Approval of
7 Minutes. I make a motion to approve the September 23rd, 2020
8 minutes. Is there a second.

9 VICE CHAIR O'MALLEY: (raise hand)

10 CHAIR PENA: Commissioner O'Malley second the
11 motion. Ms. Carreon, roll call.

12 MS. CARREON: Councilor Davis.

13 COUNCILOR DAVIS: Yes.

14 MS. CARREON: Councilor Jones.

15 COUNCILOR JONES: Yes.

16 MS. CARREON: Mayor Keller.

17 MAYOR KELLER: Yes.

18 MS. CARREON: Vice Chair O'Malley.

19 VICE CHAIR O'MALLEY: Yes.

20 MS. CARREON: Chair Pena.

21 VICE CHAIR O'MALLEY: Yes.

22 MS. CARREON: Commissioner Pyskoty.

23 COMMISSIONER PYSKOTY: Yes.

24 MS. CARREON: Commissioner Quezada.

25 COMMISSIONER QUEZADA: Yes.

1 MS. CARREON: That passes unanimously.

2 CHAIR PENA: Now we'll move to Proclamations and
3 Awards. We have Mr. David Morris, Imagine A Day Without
4 Water Proclamation.

5 MS. CARREON: I guess we're having some technical
6 difficulties. David, go ahead and...

7 MR. MORRIS: All right. Madam Chair, Members of the
8 Board, I'm David Morris, Public Affairs Manager for the Water
9 Authority. Every year the US Water Alliance asks Americans
10 to take one day to imagine a day without water and this is
11 that day. Last year, you may recall, we celebrated with
12 cupcakes and presentations by school children. This year the
13 reading of the Proclamation will have to suffice, that job
14 has fallen to me. If I knew it would fall to me I would have
15 written a shorter Proclamation. So please bear with me.
16 Proclamation.

17 Whereas, the pipes, wells, diversion works treatment
18 facilities and other infrastructure necessary to supply some
19 650,000 residents with safe drinking water, reuse water, and
20 wastewater services is vital to the very existence of
21 Albuquerque and Bernalillo County and,

22 Whereas, a well-maintained water and sewer system is
23 a key element in protecting public health during the
24 Coronavirus pandemic, and

25 Whereas, it is incumbent upon us to remind political

1 leaders at all levels that investment in water
2 infrastructure is necessary to ensure public health and
3 economic growth, and

4 Whereas, even one day without access to clean
5 drinking water would have devastating effects on businesses,
6 families and public safety in our community, and

7 Whereas, October 21st has been designated by the US
8 Water Alliance as Imagine A Day Without Water, a national day
9 of advocacy highlighting the critical importance of
10 infrastructure investment to ensure public access to clean,
11 reliable drinking water.

12 Be it resolved by the Water Authority that the
13 Utility hereby recognizes the importance of educating the
14 public and policymakers about the important role of water and
15 sewer infrastructure and the value of water through our
16 participation in the National Imagine A Day Without Water
17 campaign.

18 Thank you. I would stand for any questions.

19 CHAIR PENA: Thank you, David. Is there any
20 questions? Seeing none, we're going to move on to Mr. Mark
21 Sanchez with the National Association of Clean Water Agencies
22 Platinum Excellence Award.

23 EXECUTIVE DIRECTOR SANCHEZ: Madam Chair, Members of
24 the Board, we were honored by the National Association of
25 Clean Water Agencies. This award which cited excellence in

1 the area of governance, improvement process, customer
2 engagement, conservation success, long-term planning,
3 sustainable business model, environmental stewardship, Triple
4 A rating, and excellence in our utility operations in
5 providing clean water, wastewater treatment, reuse and
6 storage and recovery.

7 This award will be presented by a virtual ceremony
8 October 28th. I would also point out, we're one of the few
9 utilities in the country that's received a double platinum
10 award to water associations. It's a tribute to our
11 employees, the Board and our community.

12 I thank you for your support.

13 CHAIR PENA: Thank you, Mr. Sanchez. If you can
14 close the presentation, Luz. Thank you. I just want to say,
15 I think we end up saying this every year, because you're
16 always receiving several awards, and we can't say it enough.
17 We just appreciate your leadership and all your team and all
18 the work that they do to give the citizens of Albuquerque and
19 Bernalillo County just good drinking water. And we really
20 appreciate how you always think outside the box in terms of
21 the use, reinjection, what you've done with the Rio Chama
22 waters. Just really appreciate all the work that you and all
23 your staff have done over the years. So thank you.

24 EXECUTIVE DIRECTOR: We thank you very much.

25 CHAIR PENA: Thank you, Mark. Now we'll move on to

1 Utility of the Future Today Recognition. Ms. Elizabeth
2 Anderson.

3 MS. ANDERSON: Madam Chair, Members of the
4 Board, this is a recognition for utilities of the future
5 today in the area of watershed management. This is an award
6 that the Water Authority has received previously in other
7 areas. The award, it focuses on innovation and
8 sustainability and watershed stewardship and watershed
9 management is one of the foundations of our Water 2120 Plan,
10 so it's an important cornerstone. And among other things,
11 the Water Authority invested about one million dollars over a
12 five-year period in watershed management through the Rio
13 Grande Water Fund to reduce risks of upstream fires.

14 Again, this is an award that's recognizing just
15 excellent stewardship of our watersheds. And I stand for any
16 questions.

17 CHAIR PENA: Thank you, Ms. Anderson. Appreciate it
18 again. Again, thank you guys for all the work that you
19 do. It doesn't go unrecognized by all of us and the
20 community. So thanks again.

21 Next we have Public Comment. And I don't think
22 we're taking public comment like...I guess everyone received
23 their packet of all the comments, so then we will move on to
24 Announcements and Communication. Our next scheduled meeting
25 would be November 25, 2020, but seeing as it is the day

1 before Thanksgiving, that meeting will be canceled and our
2 next meeting will be December 9th at 5:00 p.m. via video
3 conference.

4 Technical Customer Advisory Committee vacancy.
5 There is a Resource Economic vacancy on the Technical
6 Customer Advisory Committee. If the Board members have
7 any nominations, please direct them to the online application
8 at the Water Authority's website at www.abcwua.org.

9 And finally we have Customer Conversations. The
10 Water Authority is pleased to announce that it is taking its
11 nationally recognized Customer Conversations program online
12 this fall. Virtual Zoom workshops are planned for the
13 November 10th, 12th and 14th. The topic will be, beyond the
14 numbers, watering recommendations for desert-friendly
15 landscapes. At this point just a few openings remain.
16 Customers can visit abcwua.org for more information.

17 Next, we are on Item 7, Introduction of Legislation.
18 We have A, 20-24, Authorizing an Agreement for the Water and
19 Sewer Service for Paradise North. Ms. Elizabeth Anderson
20 once again.

21 MS. ANDERSON: Thank you, Madam Chair, Members of
22 the Board. This is a Development Agreement Introduction.
23 The final action is scheduled for December 9th. This is a
24 development that's mixed use consisting of multifamily
25 residential and commercial. It's located on the southeast

1 corner of McMahon Boulevard and Unser Boulevard in the City
2 of Albuquerque, but outside the Water Authority's adopted
3 service area.

4 The property lies in pressure zone 3W in the
5 Corrales trunk. They're seeking water and wastewater service
6 contingent upon developer extending public waterlines and
7 sanitary sewer from existing infrastructure.
8 All services provided within the development will be subject
9 to the current utility expansion charges and water research
10 charges. And I stand for any questions.

11 CHAIR PENA: Thank you. Are there any initial
12 questions? No. we'll move on to Consent Agenda, there is
13 none. Now we are on Item A, Approvals, R-20-22, Authorizing
14 the Water Utility Authority to submit an application for
15 funding to the Water Trust Board for To'Hajiilee water supply
16 pipeline, and that is Mr. Mark Sanchez.

17 EXECUTIVE DIRECTOR SANCHEZ: Madam Chair, Members of
18 the Board, this Resolution would authorize us to submit an
19 application in the amount of 4.9 million to the State Water
20 Trust Board to pay for the construction of a conveyance
21 line to the Navajo Chapter of To'Hajiilee. The background
22 for this project is, To'Hajiilee has suffered the loss of
23 five drinking water wells in the last few years. We've been
24 taking water to them to provide for their basic needs. The
25 Navajo Nation has reached out and indicated, if we can

1 provide a conveyance line to fill the reservoir for their
2 basic needs, they would provide the water. So our role would
3 simply be conveying the Navajo Nation water to their Chapter
4 and they would provide for the funding, the ongoing
5 treatment, and maintenance of that conveyance line. This
6 would not extend service to anyone. It would simply fill the
7 reservoir at To'Hajiilee for their basic needs. This would
8 be at no expense to the Water Authority or the ratepayers.

9 I stand for any questions.

10 CHAIR PENA: Is there any questions?

11 COMMISSIONER QUEZADA: Madam Chair.

12 CHAIR PENA: Commissioner Quezada.

13 COMMISSIONER QUEZADA: I just was interested in the
14 water...do they have the water agreement already in place
15 with the Navajo Nation?

16 EXECUTIVE DIRECTOR SANCHEZ: Madam Chair,
17 Commissioner Quezada, there is a draft that is being
18 developed. In no way would the Water Authority commit to
19 this project without a commitment for water. So without that
20 commitment, there would be no water in that conveyance line.

21 COMMISSIONER QUEZADA: So you think that should be
22 coming rather soon then?

23 EXECUTIVE DIRECTOR SANCHEZ: I believe so.

24 COMMISSIONER QUEZADA: Thank you, Mr. Sanchez, I
25 appreciate your work.

1 CHAIR PENA: Is there any other questions? It looks
2 like Commissioner O'Malley, and then Mayor Keller, and
3 Councilor Davis.

4 VICE CHAIR O'MALLEY: Thank you, Madam Chair. I
5 just want to thank Mark Sanchez. I know that the State is
6 interested, in particular the governor, I know she is very
7 interested in helping the tribes in getting this much-needed
8 resource. The Water Trust Board is set up for just this sort
9 of thing, to help communities that are in need. I really
10 appreciate the application moving forward. And, of course,
11 I'm whole-heartedly in support of it. Thank you, Madam
12 Chair.

13 CHAIR PENA: Thank you, Commissioner O'Malley.
14 Mayor Keller, welcome. It's nice to have the Mayor. I don't
15 know when the last time the Mayor came to the Water
16 Authority meeting, but I appreciate you being here.

17 MAYOR KELLER: It means a lot and it's very good to
18 see everyone's faces, by the way. I know some of us haven't
19 seen each other in a long time. From my end, I just wanted
20 to say that this issue has come up, I know a little bit about
21 it. It's a very old issue. It goes back to 2000 and we then
22 had this framework in '06. Back when I was a state auditor
23 we used to always criticize the Water Trust Board for not
24 spending money fast enough. One of the things that they
25 always told me was, people aren't asking for it. They're not

1 going through the appropriate steps that are qualified and
2 meeting all the criteria to do it. I think this is a great
3 example, just looking at it on that end where this is the
4 kind of project that the Water Trust Board is designed to
5 fund. And with Mark and his team and their diligence they
6 can actually push forward that application, and so forth, in
7 a way that meets the engineering criteria, and so forth. I
8 want to thank the Water Authority team for working on
9 that application. As a City, I realize that for the City of
10 Albuquerque it's a little bit beyond our boundaries, but we
11 do have a Native-American Advisory Committee that we
12 kind of reconstituted a couple of years ago. The President
13 of To'Hajiilee actually sits on that by ordinance. And so I
14 want to thank council for re-establishing that ordinance too.
15 But this has been an issue that I have just heard loud and
16 clear, especially even recently on Indigenous People's Day
17 that we've just got to do all we can to get water out there.
18 And being this sort of large entity neighbor, I think it is a
19 great opportunity for us to help bring folks together to make
20 it happen. So the City of Albuquerque is very much in
21 support of this and we are sending just a little letter to
22 make that of note. So appreciate that, Director Sanchez will
23 have that. I really appreciate the County's effort for
24 working on this for many years, but just the renewed effort
25 to get all the easement rights, to get the surface rights, to

1 use condemnation if it's needed, et cetera. Just want to
2 appreciate the County for continuing to move forward. I
3 would also just mention that this is something that...again,
4 I know one of the individuals mentioned the governor and
5 stance there, this is what we're supposed to do. This is a
6 great way for the Water Authority to help out. So I'm just
7 really honored that we can support this.

8 CHAIR PENA: Thank you, Mayor.

9 Councilor Davis.

10 COUNCILOR DAVIS: Thank you, Madam Chair. Let me
11 just echo the sentiments from the Commissioner and the Mayor.
12 I just want to acknowledge and say thanks so much to Mark and
13 your team and all the work. You've really worked hard over
14 the last year or so to ensure that the Chapter continues to
15 have access to water with trucks and to work on this
16 solution. As the Chair said earlier, a lot of that work does
17 go...but we have seen it, including in the pictures and the
18 events that I saw with Commissioner O'Malley...supplies last
19 week to help the community. They're still trying to get
20 through the hurdles to have access to long-term clean, safe
21 water. So thank you for that and I want to acknowledge
22 Commissioner O'Malley and others that have really done a lot
23 of work to keep this issue front and center and to stand up
24 for the people who do need clean, safe water. It's amazing
25 to me that here in the middle of the 21st century in

1 Bernalillo County we still have communities in the
2 southwest mesa, the west part of our county and even in the
3 east mountains who don't have access to reliable, clean
4 water. I really do appreciate the folks working
5 for this. Thank you, Commissioner, for your leadership.

6 CHAIR PENA: Thank you, Councilor Davis.

7 Commissioner Pyskoty, did you have your hand raised?

8 COMMISSIONER PYSKOTY: I just wanted to add a few
9 things. Especially now, it's urgent as a public health
10 crisis, as a quality of life issue, this should have been
11 handled many years ago. We might as well just get it
12 done now. I really thank everybody who has been supporting
13 this effort to get water out to To'Hajiilee as soon as
14 possible before the end of this year, hopefully. Thank you.

15 CHAIR PENA: Thank you, Commissioner.

16 Commissioner O'Malley.

17 VICE CHAIR O'MALLEY: Thank you. And I was remiss
18 thanking the other Commissioners as well. Obviously this is
19 my district, so I brought attention to this issue. We needed
20 the support of the full Commission to move forward, so I
21 appreciate that. I was remiss also in thanking Councilor
22 Davis, thank you for your words also and reminding me that I
23 was remiss in saying strong support from Representative
24 Garcia and others that wrote letters of support. And another
25 person who has been really helping us on the legislative

1 level is Senator Martin Heinrich. We have had a lot of
2 support and we continue to have a lot of support. And I
3 think it's very important for the village to know that they
4 aren't forgotten and that we do remember and we're doing all
5 we can to help them. Thank you, Madam Chair.

6 CHAIR PENA: Thank you. Are there any additional
7 questions? So I'll wrap it up before we take vote by just
8 saying, appreciate you Commissioner O'Malley and the rest of
9 the Commission, Quezada, Pyskoty, for supporting this effort.
10 I just think it's important. I know there was some
11 contention around it surrounding some other issues, but I
12 think it was always everyone's intention to make sure the
13 water was delivered and got there to To'Hajiilee. So I
14 really congratulate everyone for trying to make that happen.
15 As we move forward, as Councilor Davis mentioned about the
16 east mountains and about the southwest mesa, I really think
17 that the next conversation that we should have and when we're
18 talking about quality of life and the residents of our
19 City and County, that we do begin to look at these area.
20 Because, as you know, Pajarito Mesa, although there is water
21 there and I know there's issues in terms of getting the water
22 to each house because there's no roads or anything like that,
23 but I think we can improve in our efforts of making sure that
24 we look at the long-term fix for that community and in the
25 east mountains as we move forward when we're talking about

1 water and quality of life. So I look forward to seeing this
2 completed. And with that, seeing that there's no more
3 questions I think I made a motion. I don't know if there was
4 a second.

5 VICE CHAIR O'MALLEY: Second.

6 CHAIR PENA: I'll take that from Commissioner
7 O'Malley. Ms. Carreon, you're up, roll call.

8 MS. CARREON: Councilor Davis.

9 COUNCILOR DAVIS: Yes.

10 MS. CARREON: Councilor Jones.

11 COUNCILOR JONES: Yes.

12 MS. CARREON: Mayor Keller.

13 MAYOR KELLER: Yes.

14 MS. CARREON: Commissioner O'Malley.

15 VICE CHAIR O'MALLEY: Yes.

16 MS. CARREON: Councilor Peña.

17 CHAIR PENA: Yes.

18 MS. CARREON: Commissioner Pyskoty.

19 COMMISSIONER PYSKOTY: Yes, absolutely.

20 MS. CARREON: Commissioner Quezada.

21 COMMISSIONER QUEZADA: Yes.

22 MS. CARREON: That passes.

23 CHAIR PENA: Congratulations, everyone. We're now
24 on R-20-23, Authorizing the removal of certain uncollectible
25 accounts from the Albuquerque Bernalillo County Water Utility

1 Authority accounts receivable records FY2017 and prior.

2 Mr. Stan Allred.

3 MR. ALLRED: Madam chair, Members of the Board, this
4 is not as exciting as the last item, but it's \$64,000 of
5 write-off. We're actually going to write-off everything
6 that's over four years old. We have 15 accounts primarily
7 that are wastewater-only accounts that make up about 58,000
8 of the 64 and those accounts are probably between 10 to 12
9 years past due. There's a couple wastewater accounts in
10 there as well, but those are homes that have been condemned
11 by the City and nobody lives there anymore, so we're allowed
12 to do this. They're all past four years old by State
13 Statute. Staff recommends approval and I stand for any
14 questions.

15 CHAIR PENA: Are there any questions? Seeing
16 none...oh, there's a second by Commissioner O'Malley.
17 Ms. Carreon.

18 MS. CARREON: Councilor Davis.

19 COUNCILOR DAVIS: (gesturing)

20 MS. CARREON: Councilor Jones.

21 COUNCILOR JONES: Yes.

22 MS. CARREON: Mayor Keller.

23 MAYOR KELLER: Yes.

24 MS. CARREON: Commissioner O'Malley.

25 VICE CHAIR O'MALLEY: Yes.

1 MS. CARREON: Councilor Peña.

2 CHAIR PENA: Yes.

3 MS. CARREON: Commissioner Pyskoty.

4 COMMISSIONER PYSKOTY: Yes.

5 MS. CARREON: Commissioner Quezada.

6 COMMISSIONER QUEZADA: Yes.

7 MS. CARREON: That passes.

8 CHAIR PENA: Thank you. And we're on Other
9 Business, OB-20-12 Water Authority Update on the Kirtland Air
10 Force Base Bulk Fuels Facility Project. Ms. Diane Agnew.

11 MS. CARREON: We're having technical difficulties
12 with Diane. Hang on one second, I'm sorry.

13 CHAIR PENA: Let me know if I need to move on to the
14 next one.

15 MS. CARREON: Can we go ahead and move on to
16 Carlos's presentation.

17 CHAIR PENA: Sure. OB-20-14, Customer Demand and
18 Drought Report. Mr. Carlos Bustos.

19 MS. CARREON: Carlos, you're on. Carlos, can you
20 hear us? Carlos?

21 MR. BUSTOS: Give me one second. Good evening,
22 Madam Chair, Members of the Board, Mayor Tim Keller. Can you
23 hear me?

24 MS. CARREON: Yes.

25 MR. BUSTOS: Good evening, Madam Chair, Members of

1 the Board, Mayor Tim Keller, thank you for joining us. This
2 is the Customer Demand and Drought Report. I'm Carlos
3 Bustos, the Water Conservation Program Manager. Before
4 moving into the Drought Report and Action Plan I'll bring the
5 water demand. Please, next slide. You're seeing water
6 demand through September. We're looking at three years. In
7 the lower right part you're looking at total for the same
8 period between January and end of September. As you can
9 tell, there's a lot to talk about here. The 2020 rainfall to
10 date is about 40 inches below normal for the Albuquerque area
11 that starts telling the story of this increased demand. The
12 last time I counted, Albuquerque had 18 record heat days this
13 irrigation season and 2020 is the warmest and driest year in
14 the last ten years. Water demand is higher in the last two
15 years, particularly residential usage is up by 11 percent.
16 Commercial usage is down by 8 percent. Overall outdoor
17 usage. Some of my observations. The first one is that
18 residential use is higher mainly, because we're spending a
19 lot more time in our homes due to the pandemic. Our yards
20 have become more valuable. Our landscapes have become more
21 valuable to us. They have become our outings. We are
22 investing more in our landscapes and this looking at the
23 landscape industry and how much they're this year in regards
24 to increase sales and services. Given the type of weather
25 we've had, we're watering more. My second observation,

1 having to juggling more demand while having to spread
2 resources to best respond to the pandemic. The City, APS,
3 the County are all included within this. As I mentioned,
4 2020 temperature has been 6 to 12 percent above average for
5 most of the year. Nevertheless, Water 2120 Plan for increase
6 demand. As we start to wind down the season, we're starting
7 to see the demand is to winter levels. Set to meet our goals
8 to end the year. However, this year is a bit different for
9 us, because as we begin and enter the colder months and
10 winter season. Please next slide, the northern part is the
11 state is facing a change-up. Bernalillo County has entered
12 severe drought conditions, which means we're moving to a
13 customer alert system, better known as the drought advisory.
14 Drought advisory is declared whenever the majority of
15 Bernalillo County reaches stage three as by the National
16 Water Service. The drought advisory alert system does not
17 require any mandatory conservation restrictions. Instead, it
18 focuses on current water use and campaign are aimed at usage
19 are likely to occur during irrigation season. Even as we
20 move away from the irrigation season, as part of the drought
21 advisory, we're offering and continue to offer our
22 conservation message and services. The drought advisory also
23 looks at our goals and our operation plans. Even with we're
24 experiencing, we're set to meet the goals and because
25 anticipated using more ground water this year, we're also set

1 to meet those goals, as well. Next slide, please. Outlook
2 is not looking good. And it's looking like facing a really
3 dry winter and because of that, regardless if the customers
4 are already ramping down usage, and we may not have great
5 opportunities to make huge reductions, we're still
6 implementing strategies. And we want to make sure that we
7 monitor this change in drought conditions because we take to
8 heart our responsibility to serve our customers and we know
9 are times and we want to make sure customers can trust us
10 even in times of dry winter. Next slide, please. Normally,
11 we would start to wind down our conservation presence in the
12 winter season. Instead we're going to continue the message
13 responsibility of making sure that the investments that
14 residential have done are taken care of. Particularly if
15 they have planted any trees. We'll continue to offer outside
16 monthly newsletter. And those topics will be on how to
17 take care of your landscape in times of drought. One for
18 November that is already in the works and coming out soon.
19 To advise customers to winterize their systems and continue
20 to ramp down that watering. Coming in December with the
21 message to winterize your system and discontinue watering
22 as soon as we get that first freeze. The other thing we are
23 going to continue our water use compliance activities. We'll
24 continue overflow. Continue offering irrigation
25 consultations. Smart technology rebates to improve

1 efficiency as part of this long-term conservation goals also
2 having customer conversations this November and right now
3 they're booked. We have almost 200 customers signed up.
4 Those are going to be on generating the next watering
5 recommendations. Those are the water recommendations that
6 are going to help us. The process not only in times of
7 drought, but throughout the next hundred years. I'm sure
8 somebody will update them before. The next thing doing and
9 most important preparing just in case we move into other
10 drought conditions and we start out the early spring with
11 severe or extreme drought conditions we're going to have a
12 drought action plan ready in place to ensure we manage our
13 goals for next year. And more importantly, help our
14 customers maintain their landscape while watering
15 efficiently. All these strategies are part of the long-term
16 approach to improving efficiency and make our landscapes.
17 That's my presentation. I stand for questions.

18 CHAIR PENA: Thank you. Does anyone have any
19 questions? Any questions? No. Thank you. Yeah, it's an
20 interesting time to water. You never know. Things can
21 change. Thank you, Mr. Bustos. Next we have OB-20-12 Water
22 Authority Update on Kirtland Air Force Base Bulk Fuels
23 Facility Project. Diane Agnew.

24 MS. AGNEW: Good evening, Madam Chair, Members of
25 the Board. I appreciate the opportunity to present tonight.

1 I work for the Water Authority as the Environmental Manager.
2 One of the main tasks I've been assigned is protection and
3 under that umbrella really is tracking of the Kirtland jet
4 fuel leak. My history in this project is, I've been working
5 on it for various years for the past ten years and so I'm
6 familiar with the ins and outs and ups and downs and looking
7 forward to giving you an update.

8 A quick status of the site. I think most of the
9 board members have been on the board or engaged in this
10 project over the past several years. On September 25th the
11 report with modifications. This is a milestone letter from
12 the State on a milestone document. One of the main steps in
13 the process. Moving toward final remedy. This letter is a
14 step in that direction. So I would say it does not indicate
15 that we are any closer. I also want to make note that
16 this letter of approval was sent to the Air Force, but none
17 of the stakeholders received it, nor were we notified about
18 it.

19 There are ongoing remediation actions at the site.
20 The pump and treatment measure continues to operate and the
21 Air Force is doing a bioventing pilot test. This is a
22 treatment on Base in the service area near the leak
23 originally occurred. The Air Force continues to do site
24 monitoring, vapor and groundwater monitoring. They approved
25 the groundwater portion of the assessment. This year they

1 disapproved the soil vapor and really that's something we've
2 seen in the last two years, in 2019 and 2020, as the project
3 has returned to the Hazardous Waste Bureau, the State has
4 been disapproving several reports and documents. It's not
5 really clear, the Water Authority does agree that they need
6 to be disapproved, and how we continue to make aggressive
7 progress for cleaning it up. It's not clear how the
8 stakeholders will be engaged.

9 This map shows a set of groundwater monitoring
10 wells. At the site there are over a hundred monitoring wells
11 that are used to look at the groundwater conditions at the
12 site. Of those hundred-plus wells, 83 of them are assigned
13 to the water table. This designation is made by the Air
14 Force. Of those 83 wells, at the end of 2019, 28 were
15 submerged. They were measuring some depth below the water
16 table. We project based on the trends we've seen with the
17 rising water table that in two years 21 will be at the water
18 table. 25 percent of the network will actually be
19 representative of the water table. This leaves a big data
20 gap.

21 This shows the wells merged in the two years. In
22 the northern part of the portion of the plume, this is
23 Louisiana Boulevard, this is the police substation, there's
24 an elementary school right here. There will be numerous
25 wells that will be submerged. In addition to that, there

1 exists a deeper unknown of where the is. In 2015 the Water
2 Authority identified the need to measure depth as part of the
3 plume, that need has continued to persist and it's really a
4 critical piece of the data in order to have confidence that
5 the plume is not underneath the monitoring well network and
6 being missed. That way the Air Force can have remedy to
7 treats the entire groundwater contamination and it allows the
8 Water Authority to have confidence on where the plume is not.
9 It's going to be critical that we know that. I will also
10 take note on the graphics to highlight some of the things the
11 Water Authority has done in the history of the project.

12 For example, up here to the north of the plume and
13 when the Water Authority noticed that was approximately the
14 plume to our water supply wells, we actually work the
15 contract directly and paid for the wells to be installed over
16 here near the elementary school so we have an early
17 indication of any migration of plumes toward the supply wells
18 that way we can make a decision well before the plume got
19 close to our well fields.

20 We work with the Air Force to get reimbursed with
21 that. We also monitor on a monthly basis on our own dime to
22 make sure we have confidence in the safety of our water that
23 we give to the customers. The other thing that has done is
24 we started to realize this is a fairly large amount of
25 datasets. This is the network assigned to the water table.

1 You can imagine that when you add the hundred-plus wells that
2 represent the entire groundwater network plus the monitoring
3 network, database becomes sizable.

4 The Water Authority has developed own database. It
5 goes all the way back to the first sample in 2000. We use
6 that database to do analysis of the data that comes in so we
7 see what the concentrations and that's one of the ways we've
8 been able to identify that this data gap persists at the
9 water table and also at depth.

10 This map, I think most of you have seen before.
11 This is overview of the pump and treat system. On this map
12 is the plume. You see northern extraction wells up here and
13 this target capture zone delineation is an arbitrary
14 delineation that the Air Force came up with. This is not a
15 regulatory area. This is what they use to pump and treat.

16 This first well is the first groundwater extraction
17 well that went into pump and treat system that was placed
18 using Water Authority contractors. We brought that to the
19 Technical Working Group Meeting in 2014 and that was used to
20 construct it. First of all, they put additional extraction
21 zones. That water is conveyed to the treatment system and
22 it's routed to Kirtland where it's put the aquifer or to the
23 golf courses to irrigate the greens. They've built a new
24 injection well that will be online by the end of the year.

25 The Air Force also has discharge at the arroyo. The

1 Air Force is required by the NMED to follow the EPA guidance
2 for the performance of the pump and treat system. We had
3 many discussions with the State and Air Force and their model
4 they're using. I just wanted to highlight one of the main
5 concerns and critical errors in the model.

6 The model assumes that all four wells operate at.
7 The model says the well is running at 24/7, 365 at the
8 maximum pumping rate. That's the blue bar. What we're
9 seeing in the graphic is that the well is pumping. That
10 groundwater extraction well is running the model is operating
11 at the red bar. The difference between the red and green
12 bar, the green bar is reported by the Air Force and the red
13 bar is what the Water Authority calculates. We have not been
14 able to calculate the Air Force numbers, despite asking
15 questions on the procedure. We show both numbers.

16 This chart on the lower right-hand corner is another
17 way of looking at it graphically. The blue line is the
18 pumping. The red line is the reports of what the Air Force
19 is pumping at. To recap where the site is at, data gaps have
20 up here northern part of the plume. We have a data gap that
21 the water continues to rise and the monitoring wells are
22 submerged another critical data gap is in the source area.

23 They did a fairly extensive effort, they did nine
24 different well locations to really understand the sense of
25 the field. Unfortunately there's numerous quality issues.

1 They had many variances in the work plan. As a result the
2 Water Authority found the results were inconclusive. We
3 wrote a technical memo. There's missed zones of fuel. As
4 long as that source is undefined that is a source of
5 groundwater contamination. There remains to be a data gap in
6 the site. That's in the Bullhead Park. And there's also a
7 gap in those parameters.

8 The Air Force progressively over the last three
9 years has changed their sampling technique and stopped using
10 field parameters. Those are crucial to understand
11 degradation rate and how the contaminants will persist over
12 time. We have multiple lines of evidence that we have
13 updates, gaps in the monitoring wells, and the complete
14 definition of remaining source is critical. There's two
15 opportunities to address the data gap. I think that's part
16 of the discussion.

17 There are data gaps critical to answer during the
18 characterization phase. They're inputs into solving the
19 problem and taking the remedy. There are some of the data
20 gaps we can push to the corrective measures evaluation so we
21 can collect the data while the Air Force is looking at remedy
22 options. It's possible that they are collected during
23 implementation. It doesn't have to slow the process down.
24 We can work within the process, but there's critical data
25 gaps in the end, it's truly going to treat all the

1 contamination and be protective of the drinking water supply.

2 As far as engagement goes, we have monthly
3 stakeholder meetings. These are set by the Air Force. They
4 set the agenda. They do ask for agenda items. We have had
5 challenges getting our agenda items added to the meeting,
6 that's something that Stephanie and I are working together to
7 solve.

8 The Technical Working Group process is something you
9 may all be familiar with. We received a set of steps that
10 they wanted us to follow in order to request a technical
11 working group. Earlier this year the City and the County and
12 Water Authority followed the process to request a technical
13 working group. The request was not granted. Were able to
14 meet for a technical meeting, the Air Force was not in
15 attendance and it was a deep technical dive into the topics
16 requested. The Water Authority continues to submit technical
17 memos to discuss the comments and concerns.

18 This last one, they're no longer copying
19 stakeholders on correspondence. In the past several years
20 the City and County have received a courtesy copy of a letter
21 or work plan or report that allowed us to be able to keep up
22 with the project in realtime, that no longer happens, so now
23 we have to check the online admin records. The daily task of
24 mine is to see what has been posted. Both admin have not
25 been updated since the middle of September. It doesn't

1 appear that all of the documents are being posted. Some
2 documents I've heard be mentioned are discussed are not
3 being posted.

4 Other outstanding questions on the project, the
5 budget breakdown. Prior years on this project the budget has
6 been 22 to \$35 million. Over time we've seen that budget go
7 down. In 2017 it was \$12.3 million. In 2019 it was \$1.3
8 million. We don't know what 2020 will be. That's a good
9 question to ask. Maybe more importantly, not just the
10 budget, but how is that budget being broken down?

11 When I was regulator on the site I was seeing the
12 drilling activities to make sure the Air Force and
13 contractors were complying. I think that's something that's
14 critical, because it's too easy for field crews to not follow
15 the work plans, and maybe they don't hold the intent of the
16 regulator and the site process.

17 The last one on here has to do with timelines and
18 deliverables. When the presented to the Board in 2019 they
19 indicated going to begin the directive measures evaluation in
20 2021. Again, looking at all the possible remedies and
21 picking the final remedy, that is very unlikely to be met.
22 We don't see a path forward to that. The only way to meet it
23 again is with the complete approval of the and the letter in
24 September directed the Air Force directed -- that has an
25 unknown timeline. The question of when we meet

1 again and when we begin final remedy remains to be a very
2 large question.

3 With that, I'll stand for questions.

4 CHAIR PENA: Thank you. If you can close the
5 presentation. I think I see Commissioner Pyskoty's hand up.

6 COMMISSIONER PYSKOTY: First, Diane, I just want to
7 thank you. That was an excellent presentation. Very
8 complete. I always truly admire your diligence and hard work
9 on the Kirtland BFF Project. I just want to remind you that
10 last year we took that epic tour of Kirtland Air Force Base,
11 the Tijeras Arroyo, because I know I as a new Commissioner, I
12 wanted to get first-hand experience of what was going on
13 there and what might go on in the future. So I found that to
14 be very valuable. And we attended the EPA meetings, and my
15 office sent a letter to the EPA asking for certain things
16 regarding data and modeling. I believe also Commissioner
17 Quezada sent a similar letter. I just want to say there's a
18 lot of gapes in data that I saw in your presentation. If
19 there's anything you need, please do not hesitate to reach
20 out to my office. This is a critically important issue. I
21 am happy to support you in any way, writing letters or doing
22 whatever I can to make sure that everything is going the way
23 it should for a beneficial outcome.

24 So, thank you. Do feel free to reach out at any
25 time for any kind of support.

1 MS. AGNEW: Thank you.

2 CHAIR PENA: Thank you. Does anyone else have
3 questions or comments? Mayor Keller.

4 MAYOR KELLER: Thank you, Madam Chair. There's a
5 lot of issues. I remember when many of us just discovered
6 this back when I was the state senator for the area. I just
7 appreciate giving the update. And two, just a very
8 interesting ebb and flow of disclosure and cooperation. It's
9 actually been now through three different governors, in terms
10 of the State's angle on this. And, of course, I don't know,
11 half a dozen Base commanders.

12 I have a thousand questions, but maybe I'll ask one
13 or two. One is, who is the lead contractor now? I know
14 early on that was an issue when they swapped out. Who is the
15 lead and how long have they been the lead?

16 MS. AGNEW: Madam Chair, Mayor Keller, the
17 contractor, I believe, is currently primarily EA Engineering.
18 That's actually another interesting change in the project. I
19 believe that, as far as my memory goes, and I think you and I
20 share the same time frame with the project, the contractor
21 was always in the room. They were in the room, they were
22 able to answer questions and provide technical expertise.
23 They are not allowed to attend meetings at all anymore. My
24 answer is based purely on the documents I can get. As of
25 2019, I believe Sundance was working on this project.

1 MAYOR KELLER: Who is our point of contact at the
2 Air Force Base? Just a little bit of history and evolution
3 there. Has that changed in the last few years?

4 MS. AGNEW: Madam Chair, Mayor Keller, it has
5 changed quite a bit. Currently all questions, requests need
6 to be routed through the highly qualified expert that the Air
7 Force has hired for this project, so she is the single point
8 of contact. They were the point of contact. They're not
9 attending meetings either. That's a shift in the last two to
10 three years. Before that it was mostly local installation
11 people.

12 MAYOR KELLER: Thank you for sharing that. Why
13 aren't we sort of getting the info automatically that we used
14 to? Is that deliberate? We're just not including you.
15 I was really surprised to hear that.

16 MS. AGNEW: Madam Chair, Mayor Keller, the Air Force
17 was including stakeholders. I believe they stopped when the
18 NMED stopped. I know the Hazardous Waste Bureau has
19 expressed that copying stakeholders is not something that
20 they typically do, that it would be too cumbersome to do it.
21 I guess there's a position that this critical, the Water
22 authority is a critical stakeholder. So keeping us informed
23 would allow us to support the project more easily. This is a
24 point of reference, the Water Quality Bureau sends me letters
25 all the time. Today I got a letter of a site on Coors from

1 the Groundwater Quality Bureau. It's something they do on a
2 regular basis. I think it's a reasonable request. It builds
3 confidence and knowledge.

4 MAYOR KELLER: Thank you for sharing that. I'll just
5 speak for myself, what can I do to help? And we can
6 follow-up offline on that too.

7 MS. AGNEW: Madam Chair, Mayor Keller, I think
8 that's a great conversation to have offline. We would
9 appreciate the support.

10 MAYOR KELLER: Sounds good.

11 CHAIR PENA: Thank you. Councilor Davis.

12 COUNCILOR DAVIS: Madam Chair, thanks. I do have a
13 few questions to follow up. I think we have some guests from
14 NMED as well to present their update.

15 CHAIR PENA: Yes, that's fine with me. It's just
16 that we ask for questions after presentation.

17 We have OB-20-13, New Mexico Environmental
18 Department Update on the Kirtland Air Force Base Bulk Fuel
19 Facility Project. Ms. Stephanie Stringer with the New Mexico
20 Environmental Department.

21 MS. STRINGER: Good evening, Madam Chair and
22 Members. Thank you for the opportunity to allow me to
23 provide an update from NMED's perspective. Before I get into
24 my presentation I think Diane's presentation and my
25 presentation are great compliments. I truly appreciate the

1 relationship that we have with Diane on this project, having
2 someone hold us accountable is an important part of this
3 project. I think I'll address some of the issues that she
4 brought up and certainly we'll take more questions after we
5 get through this quick update and we can delve deeper.

6 This is just a picture of Kirtland to transition
7 into what I'm talking about, giving you an update from NMED's
8 perspective on the Kirtland Air Force Base Bulk Fuel Spill.

9 Before I go too much into the project, it's very
10 dependent on the resources that we have available at NMED.
11 Historically, over the last number of years NMED's overall
12 budget has decreased significantly. A recent ECOS,
13 Environmental Council of States, study determined that
14 NMED's environmental programs have been cut around 30 percent
15 over the last, I think their period was five years. The
16 Environment Department here in New Mexico has really been
17 gutted. We do a lot of great work with very few resources,
18 so we get very creative, but it's a definite issue.

19 I will say that last December we were able to
20 finally propose an increase to our Hazardous Waste Bureau
21 permit fees so that definitely is providing some increases in
22 revenue to fund the Hazardous Waste Bureau activities. We've
23 also had an increase in some of the Department of Energy
24 grants, but of course those go to Department of Energy
25 projects. However, that's also counterbalanced by decreases

1 in our EPA grant, which over the last three years has
2 decreased by 25 percent and is expected to decrease another
3 10 percent over the next ten years. And who knows, we don't
4 get a lot of General Fund in the Hazardous Waste Bureaus, so
5 the State is not investing in those programs. We're relying
6 on our fees and the grants that we get from the Department of
7 Energy and the EPA.

8 That being said, the fee increases are sufficient to
9 fund the positions that we've got devoted to the Kirtland
10 Project. Our problem is now people. So last year our focus
11 on our challenges may have been more money-related, but this
12 year it's really a matter of getting warm bodies into the
13 Hazardous Waste Bureau, getting them trained and up to speed
14 and keeping them. So we have a lot of competition from the
15 national laboratories and private consulting firms that love
16 to bring people in with regulatory experience, and of course
17 they pay much higher than the State does. So it's a
18 challenge to maintain staff that are up to speed on all of
19 the different projects that we're managing.

20 The Hazardous Waste Bureau currently has 35
21 positions. The section that devotes most of the work towards
22 Kirtland is our permit section and we have 13 people devoted
23 to those activities. And they include other huge projects,
24 including some work on LANL, Department of Defense facilities
25 like Cannon Air Force Base, Holloman Air Force Base and the

1 other large facilities in the State. So we've got 13
2 positions that perform those activities, two of which are
3 vacant right now. So having people is definitely a problem.
4 But we're still going to make the best of what we can.

5 This is definitely a high-priority project for this
6 administration. We're really devoting resources to Kirtland,
7 but that does have an adverse effect in other areas of the
8 State. So that means we can't be doing full work in other
9 areas. So it's just a challenge that is a reality and
10 important to bring to the context of this conversation.

11 just a quick overview of what my guiding documents
12 are and what my authority is in implementing the permit at
13 Kirtland and the corrective action that's going on at the
14 Bulk Fuel Facility. So this all falls under the Federal
15 Resource Conservation and Recovery Act, which is adopted in
16 our statutes and regulations under the Hazardous Waste Act
17 and the Hazardous Waste Permit and Corrective Action Fee
18 Regulations. Kirtland is a permitted facility. It's got the
19 number there and a link to the Kirtland permit, just for your
20 reference only, but this is what governs the corrective
21 action process and all of the requirements that we're
22 speaking to.

23 This is going to be the focus of the bulk of my
24 talk, so to speak. This the general overview of the
25 corrective action process. You start off with a facility

1 assessment, which is basically just confirming that there is
2 a release. That was done a long time ago, 1999, yeah, it's
3 been quite some time. After you confirm that there's a
4 release you move into the facility investigation. This is
5 the RFI that Diane referred to in her presentation. And
6 that's determining the nature and extent of the contamination
7 so you know exactly what you're facing when you go to select
8 a remedy to clean it up.

9 After you have completely assessed the nature and
10 extent of the contamination you would then move into the
11 corrective measures evaluation stage. Some of those
12 activities are early on through some of the pilot studies
13 that have been conducted at Kirtland. But it includes
14 evaluating options and identifying ultimately the preferred
15 remedy to clean up the contamination. And then from there
16 you just go on to the final remedy selection.

17 So the permittee, in this case the Air Force,
18 proposes -- they do the corrective measures evaluation study.
19 However, it NMED that would actually select the final remedy,
20 goes through a public hearing process to vet that out and
21 that would be acted and decided upon. So the liability lies
22 with NMED. We've got to make sure we have all of the data
23 and information that we need to select the right remedy.

24 After you've selected the final remedy and it's been
25 approved through the public hearing process you go into the

1 corrective measures implementation, which is just
2 implementing the remedies that have been selecting and
3 monitoring and evaluating progress to make sure they're
4 actually being successful. So that's an overview of the
5 various steps in the process. Like Diane mentioned, it's
6 been in the facility investigation stage for a long time.

7 We did recently approve the RFI Phase 1. There were
8 some issues with the Phase 1 investigation, but we
9 essentially sort of want to carry those into Phase 2 so that
10 we can kind of get a good picture of what the data gaps are,
11 what needs to be done to completely analyze the nature and
12 extent, or determine the nature and extent of the
13 contamination and collect the data that we need to move into
14 the corrective measures evaluation stage.

15 When we came in under this administration we did
16 have some lofty goals and we did put it out there that we
17 were hopeful that the corrective measures evaluation could
18 start in 2021. I think having caught up and gone through all
19 the technical documents and sort of get a handle on what the
20 backlog is, we're reevaluating what that timeframe looks like
21 right now. And Diane is right, it's not going to be 2021
22 when the corrective measures evaluation begins. So I'll
23 speak more to what we're doing to address that here in a
24 second, but I'd like move on to the next slide before I get
25 into that conversation.

1 We definitely recognize that stakeholders are a huge
2 component of the success of this process and so we are
3 working constantly to build this relationships. So we're the
4 regulator at NMED. We're working directly with the
5 permittee. Over the past years we've really worked to
6 improve communication and clarify expectations between the
7 regulator and permittee. And I am shifting some of my
8 efforts, now that that's kind of figured out and we've
9 implemented some new changes that I'll speak about, but we've
10 got to figure out a better way to engage stakeholders. I've
11 heard a lot of feedback that the monthly stakeholder meetings
12 are not serving the purpose that they really are intended to
13 serve and the stakeholders aren't getting the information and
14 getting the topics that they want discussed at these
15 stakeholder meetings. And as a result of historic practices
16 at these stakeholder meetings, a lot of stakeholders have
17 disengaged and they don't trust that process or that
18 particular meeting. So I'm looking for ways to change that
19 and how we can do a better job of engaging the stakeholder.

20 We did establish a process to identify a step toward
21 implementing a technical working group and we're working
22 through that. I would say it's been a little slower than any
23 of us would like. I know Diane is ready to go with a few
24 technical working groups, but I expect to see that to be a
25 big change over the next year now that we've caught up on the

1 backlog and we're working better with the permittee, so we're
2 going to try to improve in that area over the next year, both
3 between the stakeholders and the public.

4 So the ways that we're doing that, we're having
5 planning and coordination meetings with the permittee and
6 ourselves. Technical meetings, those are kind of whenever
7 people want to dive deep into a topic, a technical topic.
8 We're trying to accommodate that and having those
9 conversations so that we can engage in a meaningful manner in
10 that way, while still holding that regulator/permittee
11 relationship within the authorities that we are bound to.

12 Again, we're seeing some opportunities for technical
13 working group meetings coming up in the very near future.
14 And then we will continue to have the public meetings and
15 open houses that Kirtland tends to host and engaging with the
16 public through those mechanisms.

17 This is just an acknowledgement that there has been
18 success. Diane had a great technical presentation and this
19 is just sort of an illustration of some of that work.
20 There's definitely criticisms to share, but also
21 acknowledging some of the successes are an important part of
22 this process. I don't have the most current quarterly map in
23 this presentation. I know there's a new one that we just
24 got recently, but you can see some of the interim measures
25 that had been implemented, primarily the pump and treat, are

1 showing results. We're seeing a reduction in the EDB plume;
2 albeit, acknowledging that there's potential data gaps there,
3 but I do feel it's important to say that we're seeing
4 progress on this on some level, but we have a long way to go.

5 What we're doing to address all of these challenges
6 we've talked about here, the Air Force and NMED are working
7 really hard to develop a master schedule. We want to include
8 the key milestones, so that includes identifying what the
9 data gaps are, working through what needs to be part of the
10 RFI Phase 2. So making sure we have all of the data and
11 we've done all of the work that we need to do to move into
12 the corrective measures evaluation. We want to establish
13 timeframes and due dates for that just to hold all of us
14 accountable and be fully transparent with stakeholders.

15 We're having scoping meetings prior to either
16 disapproving or even planning out some projects so that we
17 can eliminate a lot of the back and forth between the
18 letters, that has been a historic challenge on this where the
19 regulator is primarily communicating via letter. So we want
20 to make sure we're doing that in a fully transparent way.
21 We're looking at improving that process and figuring out how
22 we can engage with the stakeholders and just understanding
23 what is going on during those scoping meetings.

24 I want to be clear, it's not necessarily something
25 we want to open up to all the stakeholders, but we want to

1 share what's going on at those meetings so it's not perceived
2 as a secret meeting between the regulators and the permittee,
3 but there's just some issues that we need to work through in
4 the regulatory realm that it's just not appropriate
5 necessarily or productive to have stakeholders, but certainly
6 we need to then take the outcome of those meetings to the
7 stakeholders. So, again, those are opportunities that we're
8 looking at for how we can do a better job in the upcoming
9 year to engage stakeholders.

10 In addition, to this master schedule we're going to
11 identify points at which the schedule must be reevaluated
12 based on the new data that's coming in so the fact that the
13 timetable will change is not a surprise to people. People
14 will know that we will have to reevaluate that at certain
15 points, and it may get extended if we identify new data gaps.
16 So again, we just want to be fully transparent with that and
17 not have it, well, why is the end date 2022 and now it's
18 2024. So we want to be clear about when those changes and
19 evaluations will be made so that it's, again, just not a
20 surprise.

21 So once we get through this planning process, we'll
22 definitely take it to the stakeholders and the public and
23 talk about it and get some feedback on kind of this master
24 plan, so to speak. In addition to that, we have implemented
25 efficiencies that I've kind of mentioned already. We're

1 improving communication and establishing very clear
2 expectations. Like Diane mentioned, we have disapproved a
3 number of documents that have come through and I think that
4 was part of the transition when under the previous
5 administration this project was moved to the science -- I
6 can't think of his title. The NMED's chief scientist. And
7 he was managing this project, but it wasn't being managed
8 under the Resource Conservation and Recovery Act that speaks
9 to all of the requirements that you really have to go through
10 in accordance with all of the regulations. So there was a
11 disconnect there. And as we moved it back into the Hazardous
12 Waste Bureau where it should be, some of the expectations
13 were just reevaluated. So what the chief scientist had
14 perhaps expected under his management of the project, and it
15 was in the Hazardous Waste Bureau, we had to recalibrate.

16 So I think we have provided better guidance to the
17 Air Force so that we can get better quality documents that
18 are approvable with the first submission and we're not having
19 to disapprove and suggest changes. So I think we're going to
20 see some efficiencies there. Just while I'm on the topic of
21 the disapprovals, Diane and I have talked about copying the
22 stakeholders on the correspondence. I just got through a big
23 slug of letters that went out to the Air Force. I haven't
24 had any come through since she and I had that conversation.
25 So with the next round of letters I'll be making sure that --

1 I would say at least the VA, I don't know the list of all
2 the stakeholders that were previously included on the
3 correspondence, but I'm going to be adding the stakeholders
4 back to that so that we can make sure that they're getting
5 the letters.

6 Regarding the administrative record, one of the
7 positions that is vacant right now is our librarian. So
8 Diane is right, we haven't been able to maintain our website
9 and get the documents uploaded to that in a timely manner, so
10 that's a challenge we're trying to overcome. I believe
11 there's an offer that has been made to the candidate for that
12 position, so I'm hoping to have that position filled soon and
13 we can make sure we're getting all of the documents posted as
14 quickly as possible. Again, I'll be adding the stakeholders
15 to the correspondence that are going out from the Hazardous
16 Waste Bureau.

17 That kind of summarizes at a higher level, not so
18 technical as Diane's, but hopefully a good complement to her
19 presentation. I stand for questions.

20 CHAIR PENA: Thank you. Are there any questions?
21 And if you can close the presentation. Any questions?

22 Councilor Davis.

23 COUNCILOR DAVIS: Thank you, Madam Chair. Thank you
24 so much for doing that. I do appreciate it. Hasn't been
25 properly managed totally in at least a year or so. I

1 appreciate very much Secretary Kenny. He met with us early
2 on and gave that commitment. I appreciate also that
3 administration is saying that they want to be careful about
4 it. They want to avoid complications with the permittee.
5 I just want to say, in my five years on the Water Authority,
6 we've heard these issues time and time again. In fact, for
7 the last two years we've struggled to get what was really
8 submerged and what wasn't. How does NMED specifically plan
9 to re-include the Water Authority back into this process as a
10 real partner at the table that we were at the beginning?

11 MS. STRINGER: Madam Chair, Mr. Davis, that's a
12 great question. I think Diane and I are continuing to have
13 those conversations. We're starting with some technical
14 meetings and then we're going to move into the technical
15 working groups. Those are two means by which we hope to
16 improve the engagement. I would say that there's not as many
17 changes necessarily to the ways or opportunities for
18 engagement, but I want to make it more meaningful.

19 So those stakeholder meetings, we have them monthly,
20 they're a great opportunity, we have people coming to those
21 meetings. The last year, it's 15 minutes of updates on how
22 much gallons have been treated. And it's just not a
23 meaningful meeting. I want to make those meetings much more
24 meaningful. I wasn't aware until Diane brought it to my
25 attention that there were agenda items being proposed that

1 were not making it onto the agenda. That to me is completely
2 unacceptable, because the process that they lay out is that
3 you send your agenda items and we'll talk about them. I want
4 to use the tools that we have and improve them and make them
5 better.

6 I'm definitely open to new ideas if anyone wants to
7 talk to me about how we can do a better job, I'm absolutely
8 open to figuring that out. For now, I'm going to just try to
9 use the process and the mechanisms that we've got in
10 existence to make them better.

11 COUNCILOR DAVIS: Madam Chair, if I can follow up
12 with one more question. Ms. Stringer, thank you for that.
13 Honestly, I've attended a few of those meetings in the past.
14 The last one I attended, it's been more than a year ago now.
15 They had an update without a lot of pressure to take action
16 and use that forum in the right way, so thanks for that, I
17 appreciate it. Let me ask just really quickly, what specific
18 steps can the Water Authority do to support NMED's role as
19 the regulator to accelerate the progress of cleanup? We've
20 been asking now for more than two years from the Air Force,
21 and NMED has supported us in this, for a real plan, which
22 includes fixing the wells that have been submerged. What can
23 the Water Authority do to support NMED in this process to
24 accelerate this, and when can we actually expect final
25 completion, which I know the Air Force has been reluctant to

1 even begin conversations about -- at least publicly?

2 MS. STRINGER: Madam Chair, Mr. Davis, I think the
3 next year will bring to light some more tangible items that
4 we can seek support on. In the interim we're looking at
5 piggybacking off of the database that Diane's developed.
6 We've engaged on how the Hazardous Waste Bureau can use
7 all of that work that has gone into having a comprehensive
8 database.

9 When I found out my staff were slugging through
10 5,000 pages of hard copy data using a search function, that
11 is certainly not efficient. And so that's when I was like,
12 look, we've got to use ABCWUA's database and identify ways
13 that we can ensure we're checking on the quality and
14 addressing any perceptions that might be out there about
15 manipulating data and those types of things that always come
16 up. I think there will be other opportunities like that,
17 filling in data gaps where appropriate is going to come out
18 as well, making sure we're combining our resources. So if
19 it's something that the Authority can provide and it serves
20 the purpose of some of the projects that are going on at
21 Kirtland, those are other opportunities.

22 Once we get moving after, long-last, on technical
23 working groups, you'll play an integral part in those
24 working groups. I think one of the opportunities is looking
25 at updating the conceptual site model and understanding what

1 the flaws and criticisms for the model that Kirtland is using
2 and having the model that you all employ to compare will be
3 another opportunity where we can seek your support and help.

4 CHAIR PENA: Thank you. Any other questions?
5 Mayor Keller.

6 MAYOR KELLER: Yes, thank you so much, Madam Chair.
7 Just a couple of follow-ups. I'm having some funny technical
8 issues, so if you see me appear twice just -- Stephanie,
9 thanks for offering to follow up on that chain of letter flow
10 and reaching out on that. I have a couple of questions.
11 Earlier in one of the presentations, we heard a sequence
12 where the state would reject a plan. Could you interpret
13 that? What does it mean, if they send you something and you
14 reject it?

15 MS. STRINGER: Madam Chair, Mayor Keller, typically
16 it means the deliverable that they provided to us was
17 deficient in some manner. Sometimes it has to do with the
18 methods that are being proposed aren't sufficient. This is
19 definitely a little more technical than what I'm looking at
20 my level. I certainly review the letters, but the comments
21 that I see are some of the well locations or sampling
22 locations we don't agree with and we want to get a different
23 location for sampling. So usually technical deficiencies
24 with the reports that are being provided that we need
25 revisions in order to meet the objectives of what we're

1 trying to accomplish with, whatever document or deliverable
2 that is being rejected.

3 We did recently provide a letter to the Air Force to
4 go through, it's almost a checklist, to make sure that
5 they're going through that before they submit it to us, to
6 minimize the rejections. So I'm hoping we don't have to
7 reject as many in the future.

8 The Air Force has acknowledged that the quality of
9 some of their deliverables has been deficient. So they've
10 implemented a position that oversees that and goes through
11 the quality control checks they've implemented. Part of it
12 is, so many people are reading different pieces of it and you
13 need someone to pull everything together and reconcile it
14 both on their end and our end.

15 Those are primarily the issues that relate to the
16 rejections. Or disapprovals.

17 MAYOR KELLER: Thank you for that. Whatever's
18 appropriate, like Water Authority staff, if there's
19 staff to frame what those are for and what they're not.
20 I think you can help put the public at ease if everyone knows
21 it's some technical issue. Or if it's not, I think there's
22 opportunity for the public to hold the Base accountable for
23 submitting reports you can approve. I wanted to ask a
24 question around the stakeholder meetings. I personally
25 remember these, as some of us do, and whoever mentioned how

1 mind numbing it can be to sit through what they're going
2 through. One of the interesting related issues early on was
3 the contractor presenting. Early on it was actually just
4 the contractor and the advocates and myself, we
5 fought to have someone from the Base be there. This is back
6 in the Shaw days. And now it seems like it's flipped where
7 the contractor is not there. I was curious, if you know of a
8 real reason for that?

9 MS. STRINGER: Madam Chair, Mayor Keller, I don't
10 know the reason for that. I think we just need to figure out
11 who the best and most appropriate people are, at meetings,
12 and bring them to the table. I wasn't aware of that change.
13 I just sort of came into it and assumed that's how it had
14 been, because they're the permittee. So I'll definitely
15 pursue kind of understanding why contractors aren't attending
16 and if there's a reason that we can -- or a way we can change
17 that, I think it's worth having the conversation with the Air
18 Force. That's a little bit of a new issue that I will put
19 some effort towards better understanding and seeing if
20 changes need to be made.

21 MAYOR KELLER: Sure. Thank you for that. And I
22 would just offer, and we can follow up offline, but the
23 commanders, at least in my experience, there's been a
24 correlation between like commander awareness and
25 participation versus not. We've rotated through commanders.

1 I've had a lot of meetings, as I'm sure many of us have, with
2 the current commander and he's always been great. I've never
3 thought to bring any of this up, but I think if there are
4 high level issues we can iron out from the top down. I think
5 it's worth reaching out. And I would follow Mark's guidance
6 and your team in terms of what's helpful for engagement, but
7 if something is helpful, I'm happy to follow your lead.
8 all right.

9 CHAIR PENA: Thank you, Mayor. Did you want to add
10 to that?

11 MS. STRINGER: Madam Chair, Mayor Keller, I agree
12 with you, and I think Secretary Kenny has worked hard to have
13 a good relationship with Colonel Miller. I guess one
14 suggestion I have would be to invite them to provide their
15 perspective as well. We've got a stakeholder's perspective,
16 the regulator's perspective and having the actual permittee
17 come to a meeting like this would be another mechanism that
18 by which we can just build the communication improvements and
19 establish better relationships and have an opportunity to ask
20 some good hard questions to me or to the Air Force.

21 CHAIR PENA: Thank you. Actually, if there's no
22 other questions. I remember a few years back, and I'm
23 wishing Commissioner Stebbins was here right now to refresh
24 my memory on some of these things. But I remember a few
25 years ago we had kind of like a celebratory Water Authority

1 meeting talking about some of the successes that we've had.
2 And it seems as though since that, and it was a very official
3 meeting, we had I don't know who all ranking there, but it
4 was pretty significant. I think people are feeling that
5 things are moving forward, and it felt as though we needed
6 to just ease off a little bit. And I think maybe that's
7 what's created this kind of little bit of disengagement. So
8 I agree, I think what we need to do is invite them back to
9 the Water Authority and just have a conversation about really
10 making sure that this continues to be a priority, because
11 obviously I've always deferred to Commissioner Stebbins and
12 now Councilor Davis and Pyskoty on this issue, but this
13 affects the City as a whole and our water. So I think it's a
14 really important topic.

15 Thank you, ladies, for all of your hard work. Lots
16 of information. And if there are no other questions, again,
17 thank you for being here, Mayor. And this meeting is
18 adjourned.

19 (Meeting adjourned at 6:40 p.m.)
20
21
22
23
24
25

REPORTER'S CERTIFICATE

I, Kim Kay Shollenbarger, Registered Professional
Reporter, do hereby certify that I reported the foregoing
proceedings in stenographic shorthand and that the foregoing
pages are a transcript of those proceedings that were reduced
to printed form by me taken to the best of my ability via
remote platform; audio quality of remote platform was poor.

Kim Kay Shollenbarger, RPR