

**ALBUQUERQUE BERNALILLO COUNTY
WATER UTILITY AUTHORITY**

Wednesday, March 22, 2023, 5:08 p.m.

VINCENT E. GRIEGO CHAMBERS

**ONE CIVIC PLAZA
Albuquerque, New Mexico**

A P P E A R A N C E S

COMMISSIONER ERIC C. OLIVAS, Chair,
COUNCILOR TAMMY FIEBELKORN, Vice Chair
COMMISSIONER BARBARA BACA, Member
COUNCILOR PAT DAVIS, Member
COMMISSIONER ADRIANN BARBOA, Member
COUNCILOR TRUDY E. JONES, Member
TRUSTEE GILBERT BENAVIDES, Ex-Officio Member
MAYOR TIMOTHY M. KELLER, (Excused)
LAWRENCE RAEI, Alternate Member

BEFORE: PAUL BACA PROFESSIONAL COURT REPORTERS
500 4th Street, Northwest
Albuquerque, New Mexico 87102

TRANSCRIPT OF PROCEEDINGS

CHAIR OLIVAS: I call this March 22nd, 2023, meeting of the Albuquerque Bernalillo County Water Utility Board to order. All members are present, other than Councilor Davis, who is running a couple minutes late. We expect him to be here shortly.

Item Number 2, we have a moment of silence, that will be followed by the Pledge of Allegiance, led by Trustee Benavides.

(Whereupon, there was a moment of silence.)

(Whereupon, the Pledge of Allegiance was recited by Trustee Benavides.)

CHAIR OLIVAS: Thank you very much, Trustee Benavides.

Item Number 3 is approval of our minutes. I make a motion to approve the February 8, 2023, minutes. Is there a second.

COUNCILOR JONES: I second that.

CHAIR OLIVAS: A second from Councilor Jones. Any discussion here?

Seeing none, I ask that all in favor, say aye.

ALL MEMBERS: Aye.

CHAIR OLIVAS: The motion unanimously.

1 (6-0 vote. Motion approved.)

2 CHAIR OLIVAS: Item Number 4, proclamations
3 and awards. We have no items on Number 4.

4 Item Number 5, public comment.

5 Ms. Salas, do we have anyone signed up to speak?

6 MS. SALAS: I don't believe we have anybody.

7 Excuse me. I misspoke. We have Elaine
8 Hebard.

9 CHAIR OLIVAS: Just a reminder, Ms. Hebard.
10 You'll have three minutes to speak, with a warning at
11 two and a half minutes. Ms. Hebard, welcome back.
12 You have the floor.

13 MS. HEBARD: Thank you. My name is Elaine
14 Hebard, and I'm a long-time advocate for good water
15 administration, so I make suggestions and ideas to
16 help with that.

17 Happy World Water Day. This year's
18 theme is accelerating change to solve the water and
19 sanitation crisis. And because water affects us all,
20 we all have to join in the effort.

21 My suggestions today and every month are
22 in keeping with that theme. We cannot continue to
23 live in silos so we're okay, but not everybody else.

24 While the snowpack might look good
25 today, who knows what the summer will look like?

1 Because of the past due amounts under
2 the compact, basically, no storage is allowed in the
3 Rio Grande right now. So fish and farmers would once
4 again rely heavily on the run of the river.

5 Due to future warming temperatures, the
6 surface water supply will be steadily decreasing.
7 Surface water supply shortages induced by climate
8 change will drive both agricultural and municipal
9 industrial uses to rely more heavily on groundwater.

10 While the ABCWUA has groundwater
11 resources to rely should the river run dry, such uses
12 have consequences. Perhaps pump now, pay later
13 should be the motto. Pumping now not only reduces
14 river flows at a time when they're already declining,
15 and will continue to do so, it reduces the amount
16 available to recycle because those flows have to be
17 used to offset the depletions.

18 For several years, regional consumption
19 has exceeded the compact's apportionment, causing the
20 current deficit. Even if consumption were to be
21 reduced, this may not be enough any longer. Drier
22 times will bring increased competition and demand for
23 scarce water resources. Folks with senior water
24 rights are certain to demand priority.

25 So I've made some suggestions as far as

1 ways to look at some of the issues in the objectives.
2 I'll mention two right now.

3 To reach 110 gallons per capita per day
4 by 2037, we're going to have cut out about 200
5 million gallons of water per year from our diet.
6 That should be a target in the objectives, not just a
7 listing of programs.

8 Another, non-revenue water is at least
9 10 percent of the produced water. That's a lot of
10 lost revenue. There could be an objective to reduce
11 that every year, with a specific target.

12 The goals have not been changed since
13 2004, so using this opportunity to look at goals and
14 objectives, there could be a working session, either
15 for this year or at least for the next fiscal year.

16 There are two other efforts that I want
17 to briefly mention. One is the basin study that was
18 currently underway. It's a way to get out of the
19 silo and work together.

20 The other one is MRCOG is about to talk
21 about One Water, which would be all water has value
22 and we need to work together toward One Water. So
23 those are two ideas for which additional information
24 could be presented.

25 Thank you.

1 CHAIR OLIVAS: Thank you, Ms. Hebard.
2 Appreciate your comments.

3 That concludes our public comment
4 section of the meeting.

5 That takes us to Item 6, announcements
6 and communications. Our next scheduled meeting will
7 be held on April 19th, 2023, at 5:00 p.m. in the
8 Vincent Griego Council Chambers.

9 And at this time, I wanted to ask the
10 consent of the board here to move up Item Number 10,
11 which is our presentations. We've got several
12 presenters here in the chambers, and I wanted to give
13 them some respect and move up their items so that we
14 can hear from them right away, without objection.

15 So that will take us to Item Number 10,
16 other business. And Item A, OB-2023-5, STEM in the
17 Burque career pathway-focused exhibition for
18 Albuquerque teens and families.

19 We have Amon Haruta, director of project
20 management from Explora here.

21 MR. KELLY: Mr. Chair, I am not Amon Haruta.
22 And he was scheduled to appear to present to you, but
23 he is not here yet. So I would like to request that
24 we maybe push this agenda item a little bit.

25 CHAIR OLIVAS: With no objection, that's

1 fine.

2 That will take us to Item B, OB-23-6,
3 our drought update and water conservation program
4 overview from Mr. Kelly.

5 You have the floor, sir.

6 MR. KELLY: Thank you, Mr. Chair and Members
7 of the Board. I am Mark Kelly, the water resources
8 division manager. And today I'm going to give you
9 our monthly drought update, since we are continuing
10 to be under a drought watch.

11 Despite some additional rounds of rain
12 and snow, there is still some lingering moderate
13 drought throughout Bernalillo County, as well as
14 parts of the county that are just normally dry.

15 We have seen our groundwater pumping as
16 a percentage of our goal is at 116 percent, and our
17 GPCD is at a rolling annual average of 126 right now.

18 In terms of where we've been in the last
19 year, conditions have considerably improved. As you
20 can see from the map, there is currently a lot less
21 excessive drought and extreme drought, which are the
22 dark red and the light red portions. And there are
23 wide areas of Arizona and western New Mexico where
24 there is no drought at all.

25 In terms of our temperatures this

1 winter, so far, we have been pretty normal throughout
2 the range. We've had some spiking a little bit high,
3 but nothing record-setting.

4 In terms of our precipitation to date,
5 this is at the Sunport. We've received 0.7 inches.
6 It's slightly below the normal amount for this time
7 which is shown in green, which is 0.9 inches.

8 Things are looking up in terms of
9 snowpack in our San Juan-Chama watersheds. We are at
10 136 percent of the mean. And those are where we get
11 our surface water from. Here in the middle
12 Rio Grande, snowpack is at 126 in the upper
13 Rio Grande and 110 percent. So things are looking
14 slightly above average in terms of our snowpack.

15 When we look at the seasonal drought
16 outlook for the next few months, large portions of
17 eastern New Mexico and some of the middle Rio Grande
18 area do continue to have drought persisting. But
19 like I said, there are parts of southern New Mexico
20 that don't have any drought persisting.

21 With that, I will answer any questions
22 drought related.

23 CHAIR OLIVAS: Questions from the board?

24 Seeing none, thank you, Mr. Kelly.
25 Appreciate your time.

1 MR. KELLY: So I'd like to talk about our
2 conservation program right now.

3 So our conservation program is an
4 integral part of our water resources management
5 strategy, water 2120. We have a conservation goal
6 set by Water 2120 to get to 110 gallons per capita
7 per day by 2037. And how we're going to get there is
8 by using our conservation program.

9 A little historical background. Our
10 conservation program and really the actions of our
11 ratepayers have come a long way. In the '90s, we had
12 a GPCD use of around 250. And last year we had a
13 GPCD of 127. So we've almost cut that in half,
14 despite, as you can see in the red line, of the
15 number of accounts growing.

16 Looking towards the future, we do have
17 that goal of getting to 110 gallons per capita per
18 day by 2037. And I think we are well on our way
19 there. I'll get into talking about how we plan on
20 getting there.

21 Most of our demand is from single-family
22 residential users. We also have a bit of demand from
23 commercial, multi-family and a little bit of
24 institutional, not much industrial use.

25 Our residents have done a great job of

1 conserving. Our residential gallons per capita per
2 day is around 85. And, you know, if everybody,
3 including all the industries and institutions, acted
4 like our residents, we would be at our goal by now.
5 But we really consider the whole GPCD of the system.

6 We also track consumptive use and
7 non-consumptive use. And consumptive use is water
8 that doesn't get into the wastewater treatment plant
9 and is not returned to the river. It's water that
10 either sometimes goes into the ground or evaporates
11 or is lost.

12 In terms of the best classes for
13 consumptive use, we've got, you know, industrial is
14 only consuming about 13 percent of the water that
15 they use. They're returning about 87 percent.
16 Towards commercial and residential, those things go
17 towards more of a 50/50, 60/40 blend. And our
18 institutional and things like parks and schools, they
19 tend to have the highest consumptive use because of
20 all that watering.

21 We're looking to achieve our 110 GPCD
22 goal using a three-part strategy. We've got
23 education, incentives and enforcement. And education
24 is teaching our customers how to conserve. Our
25 incentives are trying to get customers that wouldn't

1 necessarily conserve to get them a push so that they
2 do conserve, which usually comes in the form of
3 monetary incentives. And then we've also got
4 enforcement to make sure that we're -- our customers
5 aren't wasting the water.

6 In terms of our education, we have a lot
7 of the customer support. We have ways that our
8 customers can call in and ask an expert for
9 irrigation advice, how to set their timers. We talk
10 to customers on the phone also about leaks. And we
11 do audits. We've done audits for really high users,
12 but also for our low income users, where we also
13 offer retrofit kits in partnership with PNM.

14 We have a great website that shows how
15 to -- has irrigation tips as well as xeriscape tips,
16 and it's called 505 Outside. And we've recently just
17 published an irrigation to guide customers about how
18 much to water and when. And we also are reaching out
19 to the professionals in the landscaping sector with
20 our Water Smart Academy, where they can come and get
21 training that counts towards their accreditations,
22 but also that we're pushing our xeriscape and wise
23 use of water for the industry, as well.

24 In terms of the incentives, we have a
25 million dollars set aside to provide rebates every

1 year. And those are divvied up in multiple ways.

2 We have xeriscape conversions, where
3 we'll pay customers \$2 per square foot for the
4 removal of turf grass, and that has worked really
5 well. The trickiest part with that is that folks
6 have to come to us before they move the turf grass so
7 we can verify it.

8 We also provide rebates for rain barrels
9 so folks can harvest rain off of their rooftop and
10 use to water instead of potable water.

11 And we offer high efficient nozzle
12 rebates and smart controllers so that people can
13 really make their irrigation system as efficient as
14 it can be. We believe in the value of trees. We
15 offer tree-bates for folks to buy new trees, but also
16 to take care of the trees that they already have so
17 that can be used for things like mulch or
18 professional tree care.

19 And we also have a Water Smart CPR,
20 which is our customized performance rebate, that
21 works with high users to achieve 20 percent rebate on
22 indoor and outdoor use and provides rebates based on
23 where they were and after they do their improvements,
24 their usage later.

25 The third part of the Venn diagram is

1 enforcement. We used to be very fees-based and
2 hammer-based in terms of our enforcement program.
3 And now whoa do warnings and consultations, free
4 audits for those that get warnings, and then we
5 proceed to violations and fees.

6 These are for things like having water
7 that runs into the street, is where we get most of
8 our warnings about. And so we're trying to get our
9 customers to gently move toward not wasting water.

10 So our conservation program is a bigger
11 part of Water 2120. We have our drought management
12 plan, that is also part of the conservation program.
13 But our conservation program is really how we're
14 going to move towards getting to our 110 gallons per
15 capita per day. We've got the drought plan that
16 sets, like, guardrails on the side that if we get out
17 of alignment with our conservation plan, we can enact
18 the drought plan to bring our customers more in line
19 and hopefully reduce use.

20 So that's a brief talk about our
21 conservation a program. And I'd like to stand for
22 any questions.

23 CHAIR OLIVAS: Any questions? Commissioner
24 Barboa.

25 COMMISSIONER BARBOA: Hi. Thank you for

1 both presentations.

2 In this one, one of those last few
3 slides, you talked about the change from fines to
4 now, a few steps, and then violations. Do you know
5 what this results of that have been?

6 MR. KELLY: We've been doing that for
7 several years. And, you know, our amount of
8 violations has gone down in that time. But in terms
9 of our number of, like, customer contacts, those have
10 really stayed really the same. But we've been able
11 to address issues without going to monetary penalties
12 for a lot of people.

13 COMMISSIONER BARBOA: And what is the
14 violation when you move to the final step? What does
15 a violation mean?

16 MR. KELLY: Well, that's whenever they can
17 get additional charges added onto their bill. And it
18 really depends on the magnitude of their meter size
19 on how much those violations are for.

20 COMMISSIONER BARBOA: Thank you. That was
21 all.

22 CHAIR OLIVAS: Mr. Rael.

23 MR. RAEL: Thank you, Mr. Chairman.

24 Mark, there's an urban myth, if you
25 will, in the valley area that I'd like for you to

1 address, just to make sure that those who are
2 listening, including all of us here, that if you
3 flood irrigate in the valley or you water your trees
4 or what have you, that somehow you're recharging the
5 aquifer and, thus, helping the water situation in the
6 valley.

7 Is that true or false?

8 MR. KELLY: Well, Mr. Rael and Mr. Chair,
9 I'd say that, you know, indirectly that does occur.
10 A lot of that ends up going into, you know, the
11 plants that actually use that water and into the air,
12 either evaporating from the soil or the plants
13 bringing it up and evaporating from the plants
14 themselves.

15 But, you know, we like to do our aquifer
16 recharge through our aquifer storage and recovery
17 projects. And, you know, I don't have a
18 quantification of how great or the magnitude of flood
19 irrigation going into the aquifer.

20 But, you know, I think that we would
21 like to see, you know, that all of our aquifer
22 recharge being done, you know, by the water authority
23 and not customers taking it upon themselves to try to
24 bring up the levels.

25 MR. RAEL: Mr. Chairman, that just begs a

1 follow-up.

2 So you're basically saying that at least
3 there is some truth to the idea that if you're flood
4 irrigating in the valley, you may be contributing to
5 some aquifer or some recharge process, maybe at a
6 very surface level that may not go into the deep
7 aquifer, but it's not -- you're not really wasting
8 water? Is that what I'm hearing you say?

9 MR. KELLY: Well, I think, you know -- I
10 wouldn't say that all flood irrigation is, you know,
11 wasting water, if it's done right and appropriately.
12 But, you know, we're trying to get people to use
13 water in the best, most wise way possible, so not to
14 overuse water. But I don't think, like I said
15 earlier, that we want customers to take it upon
16 themselves to recharge the aquifer.

17 And, you know, there's a new book being
18 written by John Fleck over there about water use in
19 the middle Rio Grande. And I'm certainly not the
20 expert on how much is getting into the aquifer from
21 there.

22 MR. RAEL: Fair enough.

23 CHAIR OLIVAS: Trustee Benavides, you had a
24 question?

25 TRUSTEE BENAVIDES: Yes. I'm thinking about

1 the incentive program and how it applies to the yard
2 with a large, water-thirsty tree, surrounded by a
3 lawn/ and, you know, the water-thirsty tree has
4 probably been there for a long time; perhaps it's a
5 cottonwood.

6 Is there much savings to be gained by
7 ripping out your lawn and then putting native plants,
8 low water-use type shrubs and things like that?

9 MR. KELLY: Well, yes, Trustee Benavides and
10 Mr. Chair, there are a lot of savings that can be
11 found by replacing turf grass with desert friendly
12 landscapes.

13 And that's one of our requirements that
14 we have, as well, is we don't give the rebate unless
15 the landscape is replaced with desert friendly
16 landscape. So we won't give a rebate for folks that
17 have ripped out and just put a bunch of rock down.
18 But we're looking to create desert friendly
19 landscapes.

20 But we have found that, you know,
21 sometimes people don't take into account that
22 watering that was done through the grass to their
23 trees. And we do talk to people about -- in our
24 xeriscape conversion program, we do remind them that
25 you're going to have to set up either watering your

1 trees by hand -- the way I like to water my trees at
2 home is from my rain barrels -- or some other way of
3 making sure that your tree gets that nice, deep
4 watering or setting up some kind of drip irrigation
5 for your trees.

6 TRUSTEE BENAVIDES: And I realize the trees
7 require a deep watering, whereas, the lawn does not.
8 And perhaps the native shrubs do not, as well. But
9 I'm just thinking of the quantity of water that you
10 need to pour on your trees just overwhelms what you
11 put on your lawn. Am I wrong about that?

12 MR. KELLY: Trustee Benavides and
13 Mr. Chairman, I do think you are wrong about that.
14 Where trees do need a big gulp, but they need less
15 often. So we found that, you know, compared to a
16 lawn, that has to be water hopefully no more than
17 three times a week during our Water by the Numbers
18 and in the middle of the summer, that, you know,
19 those once monthly watering of trees is less
20 watering, we've found.

21 TRUSTEE BENAVIDES: Thank you.

22 CHAIR OLIVAS: Any other questions or
23 comments from board members?

24 I did have one quick question for you.

25 MR. KELLY: Yes.

1 CHAIR OLIVAS: In my neighborhood, I've
2 actually seen some electronic devices going in on
3 fire hydrants. They look like meters or something
4 like that. Is that part of a leak detection program
5 or something like that?

6 MR. KELLY: Mr. Chair, I believe that is
7 part of our leak detection program. Those are
8 actually like listening to the water pipes and
9 listening for the water that is going out. And they
10 can address those leaks later.

11 CHAIR OLIVAS: So it's really looking for
12 like a non-revenue water loss, pipes, meters and
13 stuff?

14 MR. KELLY: Yeah, exactly.

15 CHAIR OLIVAS: Great. Seeing no further
16 questions from the board up here, thank you for your
17 report and thank you for your time here.

18 MR. KELLY: Thank you.

19 CHAIR OLIVAS: That takes us to Item C.
20 This is project updates on the Kirtland Air Force
21 Base Bulk Fuels Facility. We have four separate
22 presenters on this particular item. So we'll go
23 ahead and get started with our first presenter, which
24 is going to be Colonel Jason Vattioni, the commander
25 of Kirtland Air Force, along with Mr. Ryan Wortman,

1 physical scientist from the Kirtland Installation
2 Support Section.

3 Welcome, Colonel.

4 COLONEL VATTIONI: Thank you. Good evening.
5 Honorable Chair and Members of the Board and to all
6 present tonight, I am Colonel Jason Vattioni, as you
7 mentioned, installation commander for Kirtland Air
8 Force Base. And thank you very much for having us
9 here tonight and allowing us the opportunity to
10 present.

11 The Air Force, in conjunction with the
12 New Mexico Environment Department, made tremendous
13 progress on the bulk fuels facility project between
14 2014 through 2019 and continues through today.

15 We installed four extraction wells and
16 have successfully treated more than one and a half
17 billion gallons of water. We received an approved
18 risk assessment for groundwater and soil from the
19 New Mexico Environment Department which states: Due
20 to the responsive actions already taken by the
21 Air Force, there is no danger to the drinking water
22 of the City of Albuquerque.

23 In addition to groundwater treatment, we
24 have treated all impacted soil in the source area to
25 a depth of 20 feet. These activities are huge

1 undertakings and are successes we all can celebrate
2 on our road to a final cleanup of the bulk fuels
3 facility.

4 The tremendous progress we have made
5 since 2014 is due to the effective working
6 relationship the Air Force has had with both
7 regulators and community stakeholders. Through
8 technical meetings with the water utility authority,
9 the New Mexico Environment Department and renowned
10 experts in the field, we've developed work plans for
11 the construction of our state-of-the-art water
12 treatment system and implemented the robust sampling
13 methods currently employed at the site.

14 Unfortunately, we are encountering a
15 shift from the collaborative environment that has
16 facilitated the superb progress of the site thus far.
17 Recently, there seems to be concern questioning the
18 great work done together by our collective agencies
19 and partners. We should strive to prevent any
20 undoing of the progress made.

21 The Air Force will continue to work with
22 the New Mexico Environment Department to
23 transparently address concerns and engage in
24 collaborative decision making to complete our task of
25 building a reliable and comprehensive path forward.

1 Most importantly, the Air Force is
2 committed to ensure the water supply continues to be
3 protected. We will not waiver from that primary
4 mission.

5 We will continue to partner with the New
6 Mexico Environment Department to obtain approval, to
7 close the investigation phase and, begin evaluating
8 final remedies within the corrective measure
9 evaluation process.

10 That said, tonight I am here with our
11 subject matter expert, Mr. Ryan Wortman, to address
12 concerns and present the current project status.

13 Again, the Air Force is ready to advance
14 the cleanup process and to continue working with our
15 New Mexico partners and neighbors.

16 Thank you again for your time,
17 consideration and for allowing us to share with you
18 this evening. Mr. Wortman will now take the podium.
19 Thank you.

20 MR. WORTMAN: Thank you for that
21 introduction.

22 And, again, thank you to the board for
23 allowing us to speak on this subject. And we're
24 really looking forward to giving you a status
25 in-depth update on the bulk fuels facility cleanup

1 project and where we are currently.

2 This is my first time speaking in front
3 of the board, so just a little background on myself.
4 I grew up in Albuquerque and got a degree in geology
5 from UNM. And through growing up here and just
6 living here in general, we understand the valuable
7 resource we have as our groundwater. And that kind
8 of drove me towards getting a degree in geology and
9 pursuing a career in this environmental field.

10 I've been working with the Air Force
11 since 2020. I've really understood their commitment
12 to ensuring the protection of the aquifer from this
13 release, as well as their continuously progressing
14 this project forward to that ultimate goal of site
15 cleanup.

16 My experience on this project
17 specifically is I've been working on this project
18 since 2015 in some capacity or another. Some things
19 to note, I've worked on coauthoring the risk
20 assessment, the facility investigation report
21 Phase 1, as well as helping to install several of
22 those extraction wells that were mentioned, as well
23 as getting the treatment system up and running.

24 So topics that I want to cover tonight
25 include the pump and treat interim measure, our plume

1 contaminant plume, as well as some of our monitoring
2 plans, our process that we go through as far as the
3 clean-up process, from beginning to end and where we
4 are currently. We'll be talking about our source
5 area, our site activity time line, as well as a risk
6 assessment overview.

7 So this is a very critical image that we
8 show at all our open houses and all our public
9 meetings, because it shows where this ethylene
10 dibromide dissolved phase contaminant plume was in
11 2015 and where it was in our most recent site -- from
12 our most recent site data.

13 So what we're seeing here is a change in
14 the plume geometry, and this is due to those four
15 extraction wells and that 1.6 billion gallons that
16 were removed. We've been able to reduce and control
17 that northern portion of the plume. And this is done
18 under the interim measure provision of our permit
19 that NMED administers over us.

20 And what this provision does is it
21 allows us to remediate, to reduce exposure pathways
22 and reduce risk and eliminate risk to exposures.
23 Then for this, this would be exposure to drinking
24 water users through the drinking water supply wells.
25 But by these extraction wells controlling the

1 migration of this contaminant plume, we are
2 eliminating that risk. So this is a very important
3 image.

4 And just a little bit of background
5 about dissolved phase plumes and how this came to be,
6 is there was leaking infrastructure associated with
7 this small black and white, checkered box here, is
8 where the leak occurred. This was a small release
9 that occurred every time fuel was transferred, but
10 this small release occurred every time fuel was
11 transferred for decades at a time, resulting in a
12 large amount of fuel being released.

13 That then traveled through the earth,
14 until it came in contact with the groundwater. And
15 when fuel comes in contact with groundwater,
16 contaminants will dissolve out of that fuel and into
17 the groundwater and travel with the groundwater.

18 So what we're looking at here is
19 ethylene dibromide that is within the groundwater,
20 and this is our main risk driver at the site, because
21 this migrated far away from where the fuel contacted
22 the groundwater, much further away than any other
23 constituent that we also monitor at this site.

24 So just going back to highlighting the
25 success of our treatment system, these are some other

1 data points that just validate that success. Right
2 here, we're looking at -- the orange line is our
3 estimated mass of that that yellow shape, the plume,
4 the EDB plume in that northern area and how it's
5 reduced over time.

6 And then the blue line that we're
7 looking at here, it shows the mass removed from our
8 treatment system building. So this is when we get
9 water to the treatment system, and we're calculating
10 the mass from that water going into the system.

11 And that inverse correlation there,
12 that's really what you want to see to show that
13 you're measuring what you're removing out in the
14 field, along with what you're measuring at your
15 treatment system building.

16 So seeing that correlation is really
17 great to see. We expect that to continue to flatline
18 and, you know, maintain this kind of shape as we move
19 forward in the future, as well.

20 Additionally, some things to note on
21 here, is this shows when all the extraction wells
22 came online. They didn't all come online at the same
23 time. They were done over that period of 2014 to
24 2019 time period.

25 And each of these extraction wells, you

1 can see some of the greatest decreases in our
2 estimated mass from our monitoring wells is
3 associated when those extraction wells came online.

4 Another interesting thing to note on
5 here, too, is we show when we changed sampling
6 methods to this passive sampling technique. And we
7 can see that the estimations before and after this
8 transition are relatively consistent, which is what
9 you would want to see from a representative sampling
10 technique, which we'll talk about a little bit more
11 on a later slide.

12 So the yellow shape that we talked
13 about, that ethylene dibromide plume, I want to take
14 a couple minutes here to really deep dive on how that
15 illustration is developed, because that's really
16 telling us where this contamination is and how our
17 treating system is impacting it.

18 So what we're seeing here, it's a very
19 complicated image. And I apologize for it, because
20 this is straight from our periodic monitoring
21 reports, which we submit to the state. Every six
22 months, we redevelop this same image based off of the
23 most recent data.

24 So what we're seeing here on the circles
25 is all of our monitoring wells. There's 167 of them

1 that are monitored on a semiannual basis to create
2 this illustration, as well as we're seeing the
3 different colors illustrate the different depth that
4 those wells are at.

5 Each of these wells is tagged with a
6 specific concentration that that well came from, and
7 everything -- the yellow shape is drawn around all
8 the wells that are above the maximum contaminant
9 limit for ethylene dibromide, which is 0.05
10 micrograms per liter. And for context, what that
11 means, an analogy that we use, if you put a drop of
12 ethylene dibromide in an Olympic-size swimming pool,
13 that's around what the 0.05 micrograms per liter is.
14 So it's a very small amount that we're talking about.

15 But this is a very important number
16 because this is the Environmental Protection Agency's
17 maximum contaminant limit, EPA MCL. And what that
18 is, is it's a federally derived standard that is
19 enforced across the nation as a drinking water
20 standard. And what they're saying is anything at
21 that concentration or above, if a human drank that
22 water directly, there's a chance for an adverse
23 health side effect from that water. But anything
24 below that concentration is deemed safe to drink per
25 the EPA.

1 And we'll see in a later presentation of
2 drawing this contaminant plume to lower
3 concentrations than the MCL. And we have a lot of
4 concern with that, because that's basically showing
5 water that's deemed safe to drink by the EPA as a
6 contaminant plume, which we want to make our
7 decisions based off of where the risk is at the site
8 and gear our strategies towards where this
9 contaminant plume is at the MCL level or above.

10 So another update for the site is our
11 revised monitoring work plans. We've recently
12 received correspondence from the state requesting
13 revised work plans for both groundwater monitoring
14 and soil vapor monitoring. And in response to that,
15 we've requested a meeting as of March 1st with NMED
16 to discuss these work-plan revisions in detail.

17 And our main concern and reason for this
18 meeting is because of the determination they made
19 about the methodologies currently employed at the
20 site. The state's determined that eight years of
21 groundwater data -- or eight years of soil vapor data
22 and five years of groundwater data is not
23 representative of site conditions.

24 This is very concerning to us, because
25 the reason behind that, the main reason behind that,

1 is just how these methodologies were developed.
2 These were done at collaborative technical working
3 group meetings, where we brought in technical experts
4 across the nation, as well as subject-matter experts
5 from the water authority, the city, the county, NMED
6 and the Air Force.

7 And between 2014 and 2019, we had
8 multiple technical working groups on these subjects
9 to look at industry standards as well as, you know,
10 site-specific conditions. And we looked at all those
11 and came up with these methodologies and then agreed
12 upon them at these meetings and then documented them
13 subsequently in work plans. And then those were
14 approved by NMED eventually. And all of our work has
15 to be done in accordance with NMED approved work
16 plans per our permit that we're regulated over.

17 So we really want to get an
18 understanding of why this decision has been made and
19 have that collaborative discussion with the state,
20 because we've seen success with that in the past. As
21 well as, when you revise these work plans, we want to
22 ensure that it's going to develop usable data
23 throughout the entire RCRA corrective action process,
24 which we'll talk about on the next slide.

25 So the RCRA corrective action process,

1 this is the RCRA permit, which is what we're
2 regulated under. That stands for the Resource
3 Conservation and Recovery Act permit. This is how
4 NMED administers their cleanup process. This is the
5 flow chart of the entire process. I want to focus in
6 on where we are now and what our next step is on this
7 slide.

8 So right now, we're in the kind of
9 middle box here, the RCRA facility investigation
10 phase. The intent of that phase so collect data to
11 describe the entire nature and extent of
12 contamination. And once we've described that, we
13 then document that in our report. We've done that in
14 the RFI Phase 1 report, which was partially approved
15 by the state.

16 There was two data gaps identified
17 within that report that would have been subsequently
18 written work plans that were approved by the state to
19 go out and address those in the intent to close out
20 the investigation phase. Those reports were
21 submitted in 2021, and we're waiting for NMED's
22 response on those to figure out what actionable
23 objectives we have to close out the investigation
24 phase.

25 We've recently heard about an LNAPL

1 migration pathway work-plan requirement from the
2 state, and that is, you know, another data gap
3 investigation, is what that would trigger. However,
4 we need responses from this 2021 report in order to
5 figure what objectives are needed to be met by this
6 additional work-plan requirement.

7 And then the next phase here is the
8 corrective measures evaluation. Our goal is to close
9 out the investigation phase and get to that
10 corrective measures evaluation, CME, because this is
11 one of the most critical steps in the cleanup
12 process. This is where we talked about that interim
13 measure that's dealing with the migration of the
14 contaminants. This corrective measures evaluation
15 will then look at all the remaining contamination
16 above cleanup standards, and Air Force will present
17 strategies on how to remediate that to the state.

18 They will then select the most
19 protective and feasible strategy, and we'll present
20 that to the public for a public comment period, and a
21 hearing can be held on those strategies. And this is
22 where the public is actually involved in the cleanup
23 process, and it's a very important step that we're
24 looking forward to get to. And the Air Force's
25 position is that we have enough data to move there.

1 However, this has to be done on NMED's
2 direction, so we look forward on working with them
3 and figuring out how to close out that investigation
4 phase and start looking at immediate solutions for
5 all the remaining contamination at the site.

6 Another thing to highlight, this is the
7 source area here. I just want to spend a second on
8 this slide because this is showing where our -- we
9 have other contaminants out there besides EDB,
10 although that was the main risk driver that will
11 trigger the interim measure. But we have other
12 contaminants out there.

13 This plume we're seeing from 2016 and
14 2022, there hasn't been much change to this plume due
15 to the relatively flat groundwater gradient in this
16 area and just the natural characterizations of the
17 chemical and natural process that prevent this from
18 migrating towards drinking water supply wells.

19 We monitor and remap this image every
20 six months to ensure it's not moving. And if it did
21 end up moving at some point in the future, you can
22 see on this image we do have our extraction well and
23 these contaminants would be treated by our current
24 treatment system. So if it did end up migrating, it
25 would be captured by our extraction wells. And

1 that's, you know, something we're looking at
2 constantly. But right now, there's no risk
3 associated with this because it's not impacting
4 drinking water supply wells and it's not moving
5 towards drinking water supply wells.

6 So site activity time line, there's been
7 a lot of information already discussed and there's a
8 lot of information on this slide because a lot of
9 work has been done to date on this project. I just
10 want to highlight a few things.

11 The approved risk assessment, which
12 we'll talk about on the next slide, partially
13 approved risk assessment, as well as those data gap
14 investigations. We installed new wells. We did
15 coring to address the data gaps from the RFI Phase 1
16 report, and those were submitted in 2021, those
17 reports.

18 The interim measures done to date, like
19 Colonel Vattioni said, we remediated soil down to
20 20 feet, as well as we've operated soil vapor
21 extraction systems, as well as technologies used to
22 remove free phase fluid from above the groundwater.
23 These technologies removed about three-fourths of a
24 million equivalent gallons of fuel from the source
25 area to remove that continuous source of

1 contamination. And then, of course, the groundwater
2 treatment system, the most important interim measure,
3 which is preventing the migration of contaminants
4 towards drinking water supply wells.

5 And the risk assessment overview. So in
6 2017, NMED requested the Air Force to develop a risk
7 assessment to follow a very prescribed process that
8 quantifies risk in very prescribed manner. That task
9 was performed in 2017 by the Air Force; NMED then
10 approved it. And the conclusions were no risk to
11 soil, because, like we said, that was removed to 20
12 feet. And that groundwater is not currently
13 impacting drinking water supply wells. And with the
14 current operation of the interim measure and land use
15 controls in place, that it would prevent future
16 exposure.

17 Again, every six months we evaluate this
18 position by redrawing these plume illustrations and
19 doing performance assessment of our pump-and-treat
20 system. So we continuously reverify these
21 conclusions in that manner to make sure that we're
22 eliminating that exposure pathway.

23 There will have to be an update to this
24 risk assessment as we move further along in the
25 process, but I just wanted to highlight how important

1 that is. And in just the overall for -- the
2 conclusion to our overall position is we're going to
3 continue to operate the treatment system, continue to
4 monitor the networks to verify that there is no
5 impact to the drinking water supply wells, as we're
6 going to continue to engage NMED to move us along in
7 that RCRA corrective action process until we get to
8 that CME phase, where we can further evaluate
9 remedial strategies for the bigger picture and the
10 remaining contamination at the site.

11 So with that, I know that's a lot of
12 information, and I apologize. But there's lot to go
13 over on this project. And if you guys want anymore
14 detail on any of these subjects in the future, we're
15 more than happy to come back. We'd also offer up a
16 tour of our treatment system on base. If you would
17 like to participate in that or you have any
18 constituents that would be interested, our contact
19 information is here. So with that, I'll open it up
20 to questions.

21 CHAIR OLIVAS: Thank you, Mr. Wortman and
22 Colonel, for being here.

23 Councilor Davis.

24 COUNCILOR DAVIS: Mr. Wortman, thank you for
25 being here. I'm catching up a little bit. I took a

1 year off from the water authority board, and I think
2 I feel like I stepped right back in to where I left
3 off a year ago. And thank you all for working on
4 this.

5 My question is, what -- I think the --
6 when I left the board maybe a year ago, so I'm
7 catching up to all of our data points here, the
8 Air Force was working on a groundwater remediation
9 testing plan. And some of the community groups had
10 raised -- and the water authority had raised some
11 concerns about the one the Air Force was submitting.
12 I see now that NMED denied that and you guys were
13 going back to the table to work through it.

14 What was the challenge in that entire
15 year that got us to submitting the application that
16 NMED ultimately denied? What was deficient there
17 that didn't get addressed in that whole year?

18 MR. WORTMAN: Are you talking about the work
19 plan?

20 COUNCILOR DAVIS: Yes.

21 MR. WORTMAN: So the monitoring work plan,
22 we've been working on developing new work plans, but
23 we really need to figure out the status of those old
24 work plans that we're currently operating under.
25 Because per our permit, we can't monitor outside an

1 approved work plan. So we really need to understand
2 that status before we can deliver another revise work
3 plan.

4 And that's part of our engagement with
5 the state right now, is to figure out how we can use
6 the data generated to date and how -- the status of
7 those current work plans.

8 COUNCILOR DAVIS: Mr. Chairman.

9 Thank you, Mr. Wortman. And, Colonel,
10 thank you for being here. And as always, we
11 appreciate when you all make time to come see us,
12 because it is important for all of our community.

13 And Commissioner Barboa and I represent
14 those neighborhoods there. And it's been exciting to
15 see some progress for some time. And I think we sort
16 of hit a roadblock there. And so glad that you guys
17 are back on it again.

18 But, again, I think it's disappointing
19 to feel like we kind of lost a couple years there
20 trying to figure out what the plan was going to be
21 and then to have the plan ultimately denied by NMED
22 because it didn't meet those standards.

23 And so I hope that this next round,
24 hopefully with the technical advisory groups and
25 other that can help participate, you can get the data

1 you need to do that. I'm encouraged that maybe
2 there's a better path forward. But it does feel
3 disappointing that there was a lot of time and money
4 wasted and there's concerns that remained.

5 And we talked about how the water table
6 was rising back, and we weren't sure what data we
7 were going to get from some of those submerged data
8 points, as I recall. But I appreciate that.

9 Do you know, Mr. Wortman, just by
10 chance, what do you think a time line looks like?
11 What is your perception of getting that data back
12 that you need in order to submit a revised plan that
13 you think would meet the problems identified by NMED?

14 MR. WORTMAN: Well, that's a great question.
15 It's difficult to give a specific time line because
16 of the nature of this RCRA process. We submit
17 documents that have to be approved by NMED. So it's
18 two agencies on separate time lines, and we have to
19 be lockstep to move forward. And if there's any,
20 like you said, deficiencies in the reports that we
21 submit identified by the state, that's going to cause
22 delay.

23 So I can't give specific time lines.
24 But from our position, we have enough data to start
25 closing out that investigation phase and looking at

1 those remedial solutions in that CME phase. And
2 that's where we can give a more actionable time line,
3 once we start sharing those strategies with the
4 public and NMED selected the most protective strategy
5 that we present to them. And that's when I can give
6 more specific time lines.

7 But at this point, it's just going to be
8 working and getting approvals through the state.

9 And, again, I'm encouraging collaborative discussions
10 with the state. Because if we get things approved
11 the first time around, of course, that's going to
12 significantly accelerate the time line.

13 So that's our main goal, getting things
14 in front of the state that can be acceptable and give
15 us clear, actionable objectives to close out that
16 investigation phase.

17 COUNCILOR DAVIS: Mr. Chair.

18 Mr. Wortman, one more just to finish
19 there. Thank you. My concern would be -- and I'm
20 not the technical expert here, so you can dissuade me
21 from this. My concern would be if we do figure out
22 the data to fill those gaps and to address those
23 deficiencies, and thanks, that's the word I was
24 looking for, address those deficiencies, my concern
25 would be that if it shows some variance from the

1 models, that there's more time now to go back and
2 revisit and restudy. At least that's been my
3 experience.

4 And so I feel like we're a little
5 behind. I'm grateful to hear that you all are
6 working on a new collaborative process with the
7 community members and see the value of sitting down
8 at the table. And I'm grateful to have you all here.
9 I'm glad that you all are focusing on it.

10 I'm worried about where that might take
11 us, but certainly hope that you can keep us updated
12 on the status of getting that data and anything we
13 can do to help move that along. I know our staff is
14 anxious to do that, as well, and I'm grateful to see
15 them here. So thank you for being here. I
16 appreciate. I'm glad to hear things are sort of
17 working forward through those gaps.

18 Thank you, Mr. Chair.

19 CHAIR OLIVAS: Commissioner Barboa.

20 COMMISSIONER BARBOA: Thank you. And thank
21 you, Chair and Councilor Davis. Thanks for the
22 presentation. It's great to get an update.

23 Also, when I first came -- this is my
24 first time serving on the water board, but when I
25 first came on to the commission, I did get a tour,

1 obviously. But I have not heard much. I tried to
2 attend some of the public hearings that have
3 happened. But I guess it does -- I'm thankful for
4 the presentation and all the information. I think
5 maybe I need to re-catch up.

6 But when I hear you talking about final
7 cleanup and final remedies, that feels like you're on
8 a pathway to closure, which sounds hopeful on your
9 end. But I worry that we both haven't got the data
10 and there's concerns with New Mexico Environment
11 Department that -- I guess I would like to see the
12 plan for how we make sure remedies are occurring
13 before we're planning for our final recommendations.

14 MR. WORTMAN: I believe I could speak to
15 that.

16 So in that corrective measures
17 evaluation, there is a public comment period to
18 where, you know, that's a very interactive phase of
19 this process, to where the public can weigh in on
20 those selections.

21 But I would say those data gaps that
22 NMED identifies are important to address, I 100
23 percent agree. We just need to flesh out what those
24 specific data points are and what is needed to close
25 out that investigation phase. And, again, this is

1 all going to be done under NMED approval.

2 But as an assurance during this, we're
3 committed to continuously operating that treatment
4 system and monitoring the groundwater data to make
5 sure there's no unanticipated migration that could
6 potentially impact drinking water users.

7 So that's the commitment while we iron
8 out these more detailed scientific models and those
9 kinds of things moving through the process.

10 COMMISSIONER BARBOA: Thank you, Chair.

11 And I guess a question about funding. I
12 know when I -- I live in the neighborhood, so does
13 Councilor Davis, adjacent to the Air Force base. And
14 yeah, I know I've heard a lot about funding. What
15 kind of funding is committed to the cleanup?

16 MR. WORTMAN: Yeah. So to date,
17 \$130 million has already been spent on this project
18 to get to where we are today. And there's been no
19 issue since me joining the Air Force in 2020 in
20 securing any amount of funding.

21 It's just we need to come up with that
22 clear, actionable work plan so I can put that funding
23 into contracts and get it executed into the field.
24 That's one of my main responsibilities.

25 But as far as securing funding from the

1 Pentagon down, it's not been an issue on this
2 project. They understand the importance and due to
3 proximity of the drinking water users of this
4 contamination, so...

5 COMMISSIONER BARBOA: Okay. Thank you. And
6 I maybe would like to talk about funding over the
7 past few years, what that's looks like and what
8 you're budgeting for, it sounds like after you get
9 some plans.

10 MR. WORTMAN: Yeah, yeah, if you wanted some
11 specific numbers, we can go ahead and do that. I
12 don't have those on hand, obviously. But it's a good
13 follow-up question.

14 COMMISSIONER BARBOA: Thank you. Thank you
15 for the presentation.

16 Thank you, Mr. Chair.

17 CHAIR OLIVAS: Trustee Benavides.

18 TRUSTEE BENAVIDES: Yeah, it's a great
19 presentation.

20 So when I look at the maps of the plume,
21 that show where the contaminants are, those are
22 two-dimensional maps. So I'm assuming that is where
23 the contaminants are in the groundwater. Right? And
24 you know that through measurements from wells, I
25 assume. So that's a good indication of lateral

1 migration.

2 So I'm wondering about vertical
3 migration. Are there instances where there's a plume
4 above the groundwater that has yet to make it to the
5 groundwater?

6 MR. WORTMAN: Yeah, so that's a great
7 question; something I didn't go into. The image I
8 was showing was the dissolved phase contamination, so
9 that's the actual impacted groundwater. And we show
10 the uppermost layer, because that's the most impacted
11 by the fuel.

12 But there's other residual contamination
13 in the vadose zone as well, so that's where fuel is
14 still being absorbed into soil. That's going to have
15 to be addressed in that CME evaluation. So there's
16 other contaminants. We're just looking at the
17 dissolved phase plume.

18 So if you'd like, we can go into some of
19 those other details in a follow-on presentation. But
20 there's other work to be done than just the impacted
21 groundwater out there.

22 TRUSTEE BENAVIDES: Do we have a very good
23 idea of where those contaminants were introduced into
24 the soil?

25 MR. WORTMAN: Yes. It's associated with

1 that leaking off-loading rack that would leak every
2 time fuel was transferred from train car into the
3 bulk fuel storage area.

4 And this occurred over a decade period
5 of time. It was identified in 1999, when it finally
6 started daylighting to the surface. That
7 infrastructure was then removed immediately. And
8 currently, we have all aboveground piping in that
9 area, with leak detection systems in place to make
10 sure there's no continuous fuel source to this area.

11 TRUSTEE BENAVIDES: Thank you.

12 CHAIR OLIVAS: Any other questions from
13 board members?

14 I suspect we may have others as we move
15 through some of these other subsequent presentations
16 that may bring us back to some of your points. So
17 thank you, Mr. Wortman. Appreciate it.

18 So this takes us to Item Number 2. We
19 have an update from NMED, Mr. Rick Shean, the
20 resource protection division manager.

21 Welcome, Mr. Shean.

22 MR. SHEAN: Thank you, Mr. Chair. My name
23 is Rick Shean. I'm the resource protection division
24 director at the New Mexico Environment Department.
25 And I would like to thank you on behalf of Secretary

1 Kenney for inviting us and allowing us to get into
2 our perspectives on what the current status is as to
3 the bulk fuels facility site.

4 I'd like to also note, too, I've just
5 been in my new position for about maybe a month or
6 so. I was hazardous waste bureau chief prior for
7 just about a little over a year. But I've been
8 around this site since a young professional when I
9 started working with the water utility authority as
10 their water quality hydrologist. So I'm very
11 familiar with this site, and I have some more
12 historical perspectives to share in my presentation.

13 But first, just to define our role and
14 our interactions that we have with the Air Force, our
15 hazardous waste bureau actually enforces the Resource
16 Conservation and Recovery Act federal laws, and we've
17 been given delegation authority by the EPA in order
18 to do that. This has been for a long time now.

19 We also enforce the New Mexico Waste
20 Act, and we implement this through the regulations
21 that we have. One of the instruments that we have
22 for several facilities is a permit. And that's
23 something that both the permittee, that's Kirtland
24 Base at this point, and state sign.

25 Within that permit, there is section on

1 corrective measures, corrective action. I may use
2 those interchangeably, so I apologize if it sounds
3 the same; I mean the same thing.

4 The bulk fuels facility falls under this
5 corrective action that were going on right now. So
6 it was their -- as a part of the permit, there are
7 several designated called solid waste management
8 units, a fun acronym we say is SWMU. So there were
9 several. There are two SWMUs associated with this
10 leak. So we enforced it on the SWMUs associated with
11 this.

12 I will note, before I get to this slide,
13 that the history of the site from 1999, when the
14 Air Force reported it to the New Mexico Environment
15 Department, at that time they requested that it be
16 regulated by the groundwater quality bureau under the
17 Water Quality Act. NMED did do that for ten years.

18 And up until about 2010, NMED became --
19 was not satisfied with the progress on the site and
20 moved it back into -- under the hazardous waste
21 bureau to be enforced through their permit again.

22 About three, four, five years, sort of
23 the biggest action that was taken during that time,
24 hazardous waste instructed Kirtland Air Force Base to
25 put in several monitoring wells. Golly, it was a

1 huge drilling campaign, and for those who lived in
2 the area and endured it, it's been -- we think that
3 we could not fully appreciate what happened during
4 that time and what the neighborhood was put through.

5 But between the years of 2011 to most of
6 2014, the Air Force, meaning Kirtland leadership, and
7 when I speak of Kirtland leadership, I am not
8 speaking -- reflective now of who is in the seat as
9 the commander of the base. But I will say at that
10 time, there was fierce resistance to the idea of a
11 pump-and-treat system. And it took this board,
12 Mr. Sanchez reaching out and finally using some
13 political capital to get in the face of the
14 congressional delegation to New Mexico to get the
15 Air Force to the table to start that collaborative
16 process.

17 And during 2014 up to 2019, I would say
18 the big success out of that, and as the Air Force
19 pointed out today, was the reduction of that
20 contaminant groundwater plume mass. That was, at
21 that time, headed toward one of Ridgecrest wells. We
22 didn't know really -- modeling told us one way, could
23 go another. We looked at range of options.

24 So the importance of the collaboration
25 at that point was to take care of the problem that we

1 didn't -- we didn't know anything at the time. It
2 seemed like an emergency at the time. We didn't know
3 how far, we didn't know how deep that plume was. So
4 it took a lot of people to get in the same room and
5 work around the table.

6 And Air Force did show up with the money
7 at that point and the effort to take care of the
8 plume. And as the map has seen, there has been a
9 great reduction in the mass. And I don't think the
10 water authority thought at the time when it was doing
11 its conservation and when it was going to implement
12 its action in with the San Juan-Chama diversion, that
13 they thought they'd have an impact with this, but
14 that helped, as well. That brought the water table
15 up. And now, where the plume sits, I would say the
16 last two, three, four years, I have never seen the
17 plume more stable. So we know where it is. So I
18 agree with the Air Force, we have said it before,
19 they have done a good job with that dissolved phase.
20 There are still other portions of the contamination
21 to deal with.

22 So as Mr. Wortman did -- he did an
23 excellent job describing the corrective measures
24 process. And right now, we're in the investigation.
25 We do hope to get to the corrective measures

1 evaluation. As Mr. Wortman mentioned, there will be
2 an opportunity for the public at that time to weigh
3 in and discuss this.

4 But then we have to make a selection.
5 And it's the New Mexico Environment Department that's
6 going to choose what corrective measure is put in
7 place. And there is an opportunity for a dispute
8 resolution if that is not what is liked by the
9 permittee or maybe even the public. And then at that
10 point, the final remedies we talked about, that's
11 when we start implementing those and get to a final
12 remedy in place.

13 So what we're seeing now in the current
14 investigation phase, as I just described, the drop in
15 municipal use of the water authority has risen the
16 water table, putting the dissolve phase plume in a
17 stable situation after much pump and treat and
18 removal of a lot of the contamination mass.

19 However, the source area has not been
20 adequately addressed. You know, just as the
21 environment department took back the site into the
22 RCRA program to enforce it, now this is what we want
23 to do, we want to normalize the situation again, get
24 this back on the RCRA track. Which we think the
25 added benefit to the Air Force is that there is more

1 predictability in what we're going to ask, and we can
2 do one item at a time. So although there's a very
3 successful groundwater treatment plant -- treatment
4 system in place, it does not address the source area.

5 Also, what we want them to continue to
6 look for during this interim is the extent of
7 contamination in the source area. And related is the
8 soil vapor contamination. The soil vapor is where
9 all these off-gases -- if you've seen gasoline poured
10 on the ground and watch it evaporate, well, it does
11 the same thing once it gets underneath the surface;
12 it's off-gassing. It creates little -- like a
13 groundwater plume, but it makes a vapor plume. So we
14 want them to look at that.

15 We also want them to look at the pathway
16 that the released fuels have gone to. I mean, one of
17 the great things that the collaborative effort did
18 and all of the work together was come up at least
19 with a conceptual model of what the release would
20 look like. They sort of dug into their files and
21 they know the leak, they know what was happening
22 during then. But the conceptual model, as good as my
23 description putting on a drawing right now, it's not
24 going to tell you exactly where you need to go and
25 put that remediation system in place so we can deal

1 with the risk once and for all.

2 So one of the challenges I see is that
3 in the letters that we have since 2019, we've been
4 trying to get the Air Force to come back into the
5 RCRA, and we see we have a difference of opinion.
6 And there were approvals that were given back during
7 that time when we were in what we could refer to as
8 sort of an experiment period. We stepped away from
9 formal RCRA actions and we took advantage of the
10 flexibility of the interim measures.

11 But now we want them to get back to the
12 table and start dealing with the source area, much
13 like we did when we brought them back to the table
14 and told them, "You've got to drill all these wells
15 out in the neighborhood and we really have to get
16 ahold of what's going on."

17 So at this point, we have actually
18 provided -- we've had some back and forth. If you
19 ever find the time, you want to read some boring
20 letters, there's a lot of back and forth between the
21 environment department and Kirtland on what exactly
22 is the next step. But we're hoping we can -- when we
23 talk about collaborate, we can work in this
24 relationship between the regulator and the permittee.

25 Data gaps, as I think even Mr. Wortman

1 brought up, free phase fuels, he probably talked
2 about the LNAPL plume, that's where the gas sits as
3 gas, and it's either floating on top of the water or
4 it's caught in between rocks, sand, soil, clay in the
5 ground. However, it's still releasing and still
6 dissolving into the groundwater. So we want them to
7 make sure we can find where all these pockets are,
8 exist. Also, as I mentioned, the migration pathway.

9 It's our feeling at this point that a
10 risk assessment cannot be a true representation,
11 although we did approve -- as we talked about the
12 groundwater phase, yes, as far as the pathway and
13 drinking water, we believe that's been resolved at
14 this point, as things sit today.

15 But we cannot take the full sort of risk
16 until an investigation is completed and we fully
17 understand what we're looking at. And to make sure
18 that groundwater cleanup standards are met across the
19 entire site.

20 We also have soil vapor sampling and
21 groundwater monitoring. I'm not going to go through
22 all the details. I've provided this so you can read
23 it over time.

24 But our next steps, as I said, we want
25 to get back on the RCRA track with this site, we want

1 to fill the data gaps and we want to complete the
2 investigation activities so a remedy can be selected.

3 There's also been -- we feel we're
4 getting pushback from Kirtland Air Force Base
5 regarding the direction we're giving on how they're
6 sampling. They made references to approvals we gave
7 back during the experiment. Yes, there were a lot of
8 smart people sitting around the table and they all
9 made a decision, how can we do this for cheaper, how
10 can we do it faster because we had to respond.

11 At this time, I think we're out of the
12 threat, and now we can get back to the work we did at
13 RCRA. We can start following standard protocols on
14 the sampling that they're doing and the way they
15 collect samples, much like Kirtland does on all the
16 other corrective action sites that we have on base
17 and they do for their regular monitoring. So we're
18 not asking them to do anything out of the ordinary.
19 We're just asking them to sort of handle this the way
20 they do the other sites on base.

21 So when the data gaps are filled and the
22 data is collected, the investigation phase can be
23 completed and we can get to the -- we can find a
24 viable remedy through the corrective measures
25 evaluation.

1 That's my formal presentation, and I'm
2 happy to answer any questions.

3 CHAIR OLIVAS: Thank you, Mr. Shean.

4 Any questions or comments from the
5 board? Commissioner Barboa.

6 COMMISSIONER BARBOA: Thank you, Chair.

7 I just thank you for the presentation.
8 I haven't met you and I'd love to maybe follow up and
9 meet folks. I guess thank you for saying that --
10 right, the needed investigation and that that's in
11 process. I guess I'm -- are all parties that need to
12 be participating in the investigation doing so
13 willingly?

14 MR. SHEAN: I'm sorry, I missed that last
15 part.

16 COMMISSIONER BARBOA: I guess are all
17 parties participating that need to be a part of this
18 investigation, you know, coming forth and willingly
19 participating in the investigation?

20 MR. SHEAN: So the Air Force is present.
21 They are at the table. Are you referring to maybe
22 water authority staff, other stakeholders?

23 COMMISSIONER BARBOA: Yeah, I guess all
24 other stakeholders, but also, yeah, I guess
25 specifically Kirtland Air Force. When you say

1 there's an investigation happening right now and we
2 heard we can't really have time lines around what
3 this might look like -- I feel like when I came on,
4 there was a lot of conversation about what had
5 happened. And it's been two years now that I've been
6 on the commission and that's the same information
7 that was presented tonight. So I guess my
8 community -- what does the investigation process look
9 like?

10 MR. SHEAN: Yes. I mean, are we almost
11 there? I would like at least two more years using
12 data, using the analyses and sample protocol that we
13 are requiring, actually, of the Air Force to do this
14 going forward. I'd like to see that data in two
15 years till we probably get to a point to say, okay,
16 now we know exactly what we're looking for and we can
17 put this in place. It's going to be many years, even
18 when we get the final remedy in place, it's going to
19 be many years.

20 That's why, thankfully, the Air Force
21 did change, did bring money to the table in 2014/15 to
22 put that remediation system in place so they could
23 address what was the immediate threat. So I think we
24 have some time on our hands using the standard
25 process.

1 COMMISSIONER BARBOA: Using the standard
2 process, and that's ongoing?

3 MR. SHEAN: The RCRA.

4 COMMISSIONER BARBOA: That's ongoing right
5 now?

6 Okay. Thank you, Chair. I think that's
7 it. Thank you.

8 Thank you, sir.

9 CHAIR OLIVAS: Mr. Rael.

10 MR. RAEL: Mr. Chairman.

11 Rick, if I may call you by your first
12 name. I'm a little bit concerned with your last
13 comment. When you say to this board and the
14 community that's listening, you refer to we're just
15 not sure what we're looking for or what's there.
16 That gives me a bit of concern in that, because of
17 the length of this process and what's been done, and
18 there's no question there's been some good work done,
19 are there other issues that you feel that -- or other
20 contaminants or other severity situations with this
21 plume that we should be, if you will, more cognizant
22 about? Or is it just simply your concern that the --
23 because it's on federal land, et cetera, that you
24 don't have enough information and you're hedging your
25 bets a bit in terms of what you might find?

1 MR. SHEAN: Mr. Rael, thank you for pointing
2 that out. What I will say is, we have a lot of data
3 on the site. We have a lot of information about the
4 plumes around the groundwater plume. I'm less
5 concerned about that dissolved phase plume at this
6 point. I'm not saying forget it. I'm saying we can
7 monitor it right now. We have a good idea.

8 The information we want, though, is
9 going to be more specific to the contamination and
10 the source, where all this was leaking in the soil.
11 That's what we really need, some good data, in order
12 to put something. And that's -- the Air Force, to
13 their credit, they spent a lot of years doing soil
14 vapor extraction. They were taking care of this
15 plume.

16 So in addition to removing those vapor
17 plumes, they were also moving fuel in the vapor floor
18 out of it, so they did get started. However that
19 system has not been on for quite a while. So it is a
20 concern if they don't turn back to that, and we may
21 have some -- it may take longer than is really
22 necessary. But there is a lot of data. So I don't
23 want you to feel concerned that we don't know
24 anything about this. We do.

25 MR. RAEL: Mr. Chairman, one more question

1 to follow up.

2 So, Rick, and just for those of us
3 listening and for us as members of this board, tell
4 me what you think the solution looks like, and how
5 much longer do you think we'll -- assuming all the
6 parties come to the table, at least as we've talked
7 about tonight? Are we talking two or three years
8 out, and what does that look like?

9 MR. SHEAN: Mr. Rael, that two- to
10 three-year time frame, if we -- and they've
11 recommended and the Air Force does want to work on
12 getting something that we can approve, and I will
13 accept that commitment of theirs, if we can do that
14 and not play this game of sending letters back and
15 forth, I think this is going to get done faster than
16 it is, faster than otherwise, the other alternative.

17 MR. RAEL: Mr. Chairman, I would just make a
18 comment to the colonel and to the Air Force.

19 This is a significant issue for that
20 part of our City of Albuquerque. And I would really
21 make a request on behalf of the mayor and the city
22 administration that if there is a method, a process
23 that we can expedite the communication between NMED
24 and the base to get these issues resolved, it would
25 be in the best interests of all of us as it relates

1 to what we are going to do to remediate this and to
2 assure that the citizens of that part of the city
3 and, quite frankly, the entire region that relies on
4 this aquifer, that we try and expedite that
5 communication to try and get to a solution.

6 I recognize that there may be difference
7 of opinion between, if you will, the experts on both
8 sides of this issue. But I am sure that we can get
9 to some point in the process where we can get
10 together and really utilize those resources to get
11 this done quicker. Thank you.

12 MR. SHEAN: Agree. Thank you.

13 CHAIR OLIVAS: Councilor Davis.

14 COUNCILOR DAVIS: Really quick, Rick. It's
15 good to see you again. Thank you for bringing all
16 that back.

17 MR. SHEAN: Thank you.

18 COUNCILOR DAVIS: And I appreciate it. I
19 remember, I think I had repressed the trauma, but at
20 one point, I was part of that group that went to D.C.
21 to talk to our delegation to ask for some help to get
22 some more attention and some more resources. And so
23 I disagree a little bit that resources have always
24 been available. They quite frankly weren't, and that
25 was part of our challenge in previous years. But I

1 understand they are better now.

2 And I'm glad that you're here,
3 Mr. Wortman. Thank you. It's been refreshing to
4 have you here.

5 But at the end of the day, like, there
6 are disagreements, there are letters flying back and
7 forth, all of those things. But in this RCRA
8 process, at what point -- I mean, NMED is ultimately
9 the agency responsible for overseeing or approving
10 these plans. So what are you not getting in terms of
11 there are these data points that are apparently out
12 there that we're not -- they're saying they don't
13 have access to or don't have in a timely manner?

14 Who is responsible for getting those
15 back? Is that NMED contractors? Is that their
16 contractors? Like, what's the -- what's the data gap
17 and who is responsible for getting that back? And
18 who is the referee in determining what data is right
19 or what interpretation is right?

20 MR. SHEAN: I look taller in vertical
21 stripes, so you could say the NMED is --

22 COUNCILOR DAVIS: The referee.

23 MR. SHEAN: -- is the referee.

24 COUNCILOR DAVIS: We've all used that term
25 for you all I think.

1 MR. SHEAN: Yes. Thank you. We're the
2 referee, and so we're just calling a foul, giving a
3 yellow card, saying, "Hey, come back to the rules and
4 work at it."

5 Because, as you mentioned, it's us
6 making the decision at the end of the day and we are
7 going to have to defend it to the public if the
8 public brings up or anyone brings up that there's --
9 this data doesn't -- the quality of this data is not
10 good and you've made decisions based on it. So at
11 the end of the day, it's the state that's going to
12 have to defend that.

13 COUNCILOR DAVIS: Mr. Chair, I appreciate
14 it.

15 And thank you, Mr. Shean. I appreciate
16 that. Yeah, in the past, that was kind of the
17 problem. Again, I've been gone a year. I don't feel
18 like we're gotten very far in this process. Mainly,
19 because the plan that NMED was going to review when I
20 left just got denied. So that tells me we didn't get
21 very far.

22 But I do think that it felt like the
23 Air Force at one point was trying to move faster,
24 with different staff and different people. I fully
25 acknowledge it. I'm grateful for having some new

1 ones. But it felt like they were trying to move
2 faster just to do the cleanup and say they were done,
3 that they had a final action, move to final action
4 when we didn't have good data.

5 And so I hope that this next phase of
6 denying that, sending it back for deficiencies, I
7 hope there's enough specificity in NMED's denial to
8 tell them what we need and where that data can come
9 from and that there are resources on the ground to
10 fill those gaps where needed. And if there's not, I
11 hope that someone will include us.

12 I know the water authority has stepped
13 in previously to provide contractors, to provide
14 resources, to provide data to help move that process
15 along. And I can't speak for everybody here, but I'm
16 willing to bet that we would be willing to be a
17 partner in helping with that again. I certainly know
18 the city would if we needed to be. Although, you
19 know, be careful what you ask for. So please, keep
20 us informed.

21 Thank you, Mr. Shean, for doing that.
22 And I know our staff and our teams are with you all
23 around those tables. But we have to get this done.
24 It's been two years now and we still don't have the
25 data we need to know the, sort of -- we know where

1 the plume is, but we don't know the extent of how
2 we're going to do this. And people still live there,
3 we're still dealing with those issues and we've got
4 to get this done. It's been 25 years now. Yeah. We
5 should have a party of something.

6 MR. SHEAN: Yeah. When I first started, I
7 didn't think I'd still be on it, I've got to say. I
8 was hoping there was another division deputy
9 director, quite honestly.

10 COUNCILOR DAVIS: Thank you, Mr. Chair.

11 CHAIR OLIVAS: Anything further from board
12 members? Commissioner Barboa.

13 COMMISSIONER BARBOA: Thank you, Chair.

14 Just one follow-up question. I think,
15 again, to my point about money and where the budget
16 is, I guess NMED being the final decision maker, do
17 you have authority to set some deadlines around --

18 MR. SHEAN: Yes, we do.

19 COMMISSIONER BARBOA: And have those been
20 set?

21 MR. SHEAN: We provide deadlines for, say,
22 the work plans we have coming up. And every time --
23 if we provide them with a deadline to get the work
24 plan, they ask for an extension, we can offer it.
25 Two deadlines just recently passed and we have not

1 formally responded at this point. We're still
2 dealing with general counsel on how we're going to
3 deal with that. But yes, we can.

4 COMMISSIONER BARBOA: Okay. Thank you. And
5 I guess just I maybe want to see where those --
6 because I understand there was -- like Councilor
7 Davis reminded us of the expense -- of the -- both
8 resources, monetary and staff, and development of
9 treatment plans was robust at some point. It seems
10 to have plateaued, and I don't know what -- yeah,
11 like, let's keep moving.

12 CHAIR OLIVAS: Councilor Fiebelkorn.

13 VICE CHAIR FIEBELKORN: Thank you,
14 Mr. Chair.

15 So along those lines, you know, there's
16 deadlines that are coming and going, and then we set
17 a new deadline and it comes and goes. What is the
18 ramification for missing a deadline? What kind of
19 authority does NMED have to actually make something
20 happen here? This has been a quarter of a century,
21 and it just seems like there should be some authority
22 within your purview to really move this along.

23 MR. SHEAN: We do have options. We have do
24 have the authority to do something. I would like our
25 general counsel, you know, to let us know what they

1 think we should do. Because you're right, it's been
2 a long time.

3 VICE CHAIR FIEBELKORN: Thank you,
4 Mr. Chair.

5 Again, this is really important to the
6 City of Albuquerque and the residents here. And
7 missed deadlines are not something that I think
8 should be tolerated in this situation.

9 Thank you, Mr. Chair.

10 CHAIR OLIVAS: Thank you, Councilor
11 Fiebelkorn.

12 And not seeing any further discussion on
13 this, I just kind of have one -- it's really more of
14 a comment. But echoing what Mr. Rael and others have
15 said up here, this is a critical issue for our entire
16 community. It's just not that region of the city,
17 that the respective commissioner and councilor
18 represent. It's our regional aquifer, our regional
19 water system that we're very proud of, and we have to
20 maintain and protect that precious water supply. So
21 I think this is a critical issue beyond this one
22 area.

23 And I also want to acknowledge the
24 importance of the Air Force case as a critical
25 partner, not just on this issue but in the economic

1 impact that that facility has and the important
2 impacts that has on our community as a whole.

3 But, you know, water is life and this is
4 a precious key resource that underpins all of those
5 things. Without the water, we don't have the
6 economic impact of that facility.

7 So I hope that -- I really appreciate
8 the historical perspective that you're bringing to
9 this, and I hope that you'll continue to be a leader
10 in this. And I hope that we see this partnership
11 grow closer together, as it seems like, you know,
12 right now, we're not communicating in the same
13 language all the time.

14 And missed deadlines, as Councilor
15 Fiebelkorn said, are just really not acceptable when
16 you're talking about a resource like this that needs
17 protection and an issue needs to be addressed.

18 So appreciate you being here.

19 MR. SHEAN: Thank you, Mr. Chair.

20 CHAIR OLIVAS: That takes us to our third
21 update here. This is a project update on the bulk
22 fuels facility from Diane Agnew with the water
23 authority.

24 MS. AGNEW: Mr. Chair, Members of the Board,
25 thank you so much for the opportunity for me to come

1 and provide you with the water authority's
2 perspective. I know it's making for a long night of
3 presentations, but we all value your support and your
4 interest.

5 I am also going to spend just a hot
6 minute to talk about my background. So Rick and I
7 have a unique, long view of this project we've both
8 been engaged in since 2009, 2010, which means that we
9 can see both where we have been and where we are not
10 going and some of the obstacles in place, places for
11 opportunity for us to make some progress.

12 With that said, I'm just going to spend
13 just a short period of time on this slide, because
14 we've all talked about -- both Ryan and Rick talked
15 about the history, but this was -- answers one of the
16 questions that you had, Mr. Benavides, about where
17 the leak actually occurred.

18 The picture on the bottom is what the
19 old fuel off-loading rack used to look like. So it
20 was this aboveground just like rack that the train
21 cars would pull up next to, and then the fuel would
22 go down into the ground into a pipe and it would go
23 underground into the tanks and fill up the tanks.

24 And so there's nothing visible of the
25 fueling infrastructure until they showed up to work

1 in 1999, and that's also shown on this graph, this
2 picture on the bottom. That's what the site looked
3 like after they found fuel pooled on the ground
4 surface and then removed the soil. So you can see,
5 even in that dated photo the staining of the soil,
6 and that was just the surface expression.

7 And then these other two photos are of
8 the hole in the pipe. So when they pulled out the
9 pipe to replace the infrastructure, they found the
10 holes. And you can see that they're fairly small,
11 about the size of a quarter. But it didn't take that
12 much of a hole for millions of gallons of fuel to
13 come through.

14 Just simply how the system works. So a
15 little bit of the background on how the
16 infrastructure was set up.

17 I also want to spend a minute talking
18 about MCL and really putting it into the correct
19 framework. The maximum contaminant level is set by
20 the EPA and it doesn't represent human health. It
21 represents what the EPA believes is a technical
22 feasible level that they can both measure a
23 contaminant to and treat a contaminant to.

24 The number that the EPA has that
25 actually represents what's safe to consume is their

1 MCL goal. And so whenever the EPA talks about MCL
2 for EBD, but also put the MCL goal, which is zero.
3 That means that the EPA recognizes that the only safe
4 amount of EDB to consume is zero. It's not the MCL.
5 It's an important factor when we're talking about
6 risk and what the site should be cleaned up to and
7 how it should be monitoring the site.

8 I also thought it was funny -- we all
9 have our own RCRA arrow. I'm not going to talk about
10 it.

11 This graphic is -- there's this fairly
12 standard environmental stakeholder model, and I just
13 adopted it from bulk fuels. Because I'd like to talk
14 about why you just heard presentations from
15 Air Force, NMED and now the water authority.

16 So in the center is the problem. What
17 are we all facing? We're facing the soil and
18 groundwater that's been impacted by the leaking jet
19 fuel.

20 Who all is involved? Well, you have the
21 water authority. We fall into the category of the
22 may be adversely affected by decisions.

23 So this is -- we have legitimacy in our
24 concern, we have urgency in our concern. We do not
25 have any power to change the outcome for ourselves.

1 But we can be affected by the decisions being made.
2 We can be affected by the delays in the project. We
3 can be affected by the failure to characterize the
4 project. So that's where we sit in this bubble.

5 The environment department, they sit in
6 the bubble of being responsible for preventing or
7 minimizing the risk. And, you know, they're state
8 regulators and they do that through the RCRA permit,
9 as Rick just talked through the RCRA process, holding
10 the permittee accountable, making sure they're
11 meeting the metrics, delivering data that reliable
12 and robust.

13 And then the other part of this
14 structure are two really important parts. There's
15 those who created the risk. In this case, it's the
16 U.S. Air Force with the leaking jet fuel, and then
17 there's the contractors.

18 So the Air Force hires contractors to do
19 all the work that they presented to you, and those
20 fall into the category of may favorably be affected
21 by the decision. Typically, they have a gain. In
22 this case, contractors get paid to do the work for
23 the Air Force to investigate and implement.

24 I'm just going to also briefly update
25 the water authority. We did install our data gap

1 monitoring well. We decided that well was critical.
2 We've been watching this site and we evaluate all of
3 the Air Force's groundwater monitoring data
4 ourselves. We do our own groundwater modeling. And
5 based on all those inputs, we decided that there's a
6 part of aquifer that had not been investigated that
7 we were concerned about, as the EDB may be moving
8 toward our supply wells without being measured.

9 And it was worth it to us to go after
10 capital outlay funding. Thanks to our legislators,
11 we received it. We installed the well. It has no
12 EDB, which is great news. Because that means that we
13 have a point where we can see reliably and we know
14 that ethylene dibromide is not moving towards our
15 supply wells. And it also gives us the ability to
16 better constrain the plume. We can put that into our
17 conceptual model.

18 This is a cartoon of what the site
19 conceptual model is. And it really, I think --
20 hopefully it brings together everything we've talked
21 about in a very -- a 2-D view, and also with a lot of
22 text and a graphic. So the idea is that where that X
23 is, that's where the fuel off-loading rack was. It
24 leaked fuel over time. Some of that fuel stayed in
25 the ground. Some of it is sitting as a fuel vapor.

1 Some of it's actually fuel that's stuck in the soil.
2 And some of it moved down to groundwater, where it's
3 dissolving and moving towards our supply wells.

4 We don't have complete characterization
5 of the fuel mass, but Rick just talked about how
6 that's a big data gap. And that's something that
7 they really want the Air Force to characterize, and
8 we completely agree.

9 The Air Force's slide showing the
10 benzene plume where they're touting plume stability
11 actually highlights plume instability, because if you
12 look at the graphic on the left and compare it to the
13 graphic on the right, it gets more dark red. That
14 means higher concentrations. And, in fact, if you
15 look at the graphic on the left data and you look at
16 the graphic on the right data, you see some of those
17 data points change by an order of magnitude.

18 So there's fuel in the ground. As the
19 groundwater comes up, it's touching that fuel.
20 That's going into the groundwater. And as long as
21 that's occurring, we have a risk to our groundwater
22 supply.

23 And then that's where we get to the
24 source treatment. So without treating that remaining
25 fuel, you're going to have that leak continue for --

1 what we've actually modeled, that will continue for
2 over 100 years. So if there's nothing implemented to
3 go after the source, we're talking about over a
4 century of impacts to our groundwater supply, even if
5 that pump -- and that's assuming the pump-and-treat
6 system is running. So with the pump-and-treat
7 system, we just have to keep going for almost three
8 generations without any changes.

9 Another slide I'd like to talk about, I
10 know we've brought it up, and it goes to the
11 groundwater monitoring discussion. The NMED is
12 requiring Air Force change their groundwater
13 monitoring program in a way that completely aligns
14 with the recommendations of the technical staff at
15 the city and the water authority.

16 And the other thing that we keep talking
17 about is we are urging the Air Force to contour their
18 plume to all detections. What they are showing in
19 their maps is they are showing just the
20 concentrations of the ethylene dibromide above the
21 MCL.

22 So, again, MCL is not protective of
23 human health. It's just the regulatory cleanup
24 standard. The MCL goal is zero. So contouring all
25 detections really is what we want to look at to be

1 able to understand what the true risk is: Where is
2 EDB and where is it not?

3 The map on the left is what the water
4 authority has done with our contractor. This maps
5 all detected ethylene dibromide at the site.

6 Another key difference between the two
7 maps is that we are actually showing what ethylene
8 dibromide looks like right at the water surface. So
9 to go back to my cartoon here, right where the top of
10 the blue line is, that's where we expect ethylene
11 dibromide to be because of how it behaves in water.

12 And so when you contour the measured
13 concentrations at that water table and you do all the
14 detections, you get a plume that looks like this on
15 the left.

16 The Air Force is presenting something
17 remarkably different when they go and present just
18 the MCL, and then they use a reference elevation
19 that's much deeper than the water table, where you
20 would expect to see lower concentrations of ethylene
21 dibromide.

22 And then I should say that both these
23 maps are using Air Force data that isn't in
24 compliance with the NMED groundwater monitoring
25 requests. So there is some adjustment that would

1 need to be made getting that data that NMED has
2 requested, getting multiple corners, and then you can
3 look at how the plume is moving and shaping.

4 And when I -- when we decided to build a
5 time line -- the Air Force time line is looking at
6 tasks. And they certainly have done a lot of work
7 out here and they've spent a lot of money out here.

8 I'm going to put this time on the
9 projector. Our time line focuses on progress,
10 because ultimately what we want to get to is final
11 remedy. And that's the remedy selection. This
12 remedy selection, that's really where we want to go.
13 The water authority wants to get to final remedy as
14 much as anybody else. That's when we know we can
15 start having confidence that our water is getting
16 cleaned up and there will be reduced risk to our
17 water supply.

18 So that's why it has that
19 characterization. That's the big RCRA milestone that
20 the Air Force needs to clear. As Rick said, they to
21 complete that investigation so they can move into the
22 corrective measures evaluation. That is incomplete.

23 And what we'd like to highlight here is
24 that they are currently working and continuing to
25 collect data under a work plan that's been

1 disapproved by the environment department.

2 Since 2020, the state has issued ten
3 notices of disapproval. The Air Force has responded
4 with issuing 16 extension requests. None of these
5 extension requests argue the technical merits of what
6 they're doing. Instead it is a lot of letter
7 movement, which we saw when we were on the site in
8 2009 and 2010, similar to what Councilor Davis is
9 referencing, when there was a need to start meeting
10 with the delegation and getting increased political
11 pressure.

12 The height of this time line really
13 doesn't illustrate what was referenced with the
14 technical working groups. So a lot of effort was
15 made by this board and by our local elected
16 officials, the city, to go and get funding for the
17 project. You see that spike in funding in 2014.
18 That coincides very neatly with when the groundwater
19 treatment system was put into place. That was the
20 effort of a collaborative approach with technical
21 working groups involved with the City of Albuquerque,
22 water authority and the environment department and
23 the Air Force.

24 Those technical working groups, they did
25 not happen after 2018. We had our first technical

1 working group in 2021, actually. And there was
2 supposed to be a follow-up technical working group.
3 That has never happened. We've requested it. And
4 the environment department is amenable to having a
5 technical working group if they can get the Air Force
6 to come and meet. The Air Force is so far not
7 willing to come to those technical working groups.
8 But we feel that -- you can see that the combined
9 technical working group collaborative approach with
10 funding is where you saw a lot of progress at this
11 site. And that's where we think there's a need for
12 increased push to see that progress move forward
13 again at a time line that is appropriate.

14 I'd also like to highlight the -- it
15 ties back to that cartoon graphic again, the source
16 area cleanup. There's no source area cleanup
17 happening now, but there used to be source area
18 cleanup. And Rick mentioned it in his presentation.

19 The Air Force was running a soil vapor
20 extraction system that was very effective. It was
21 pulling fuel out of the ground. It was consuming it.
22 And they've removed tons of fuel from the ground.
23 And that system was shut down in 2015. And it
24 actually has since been decommissioned, though it was
25 proving to be a very effective way to treat fuel in

1 the soil.

2 So there are technologies that we know
3 work out here that we could revisit and we could
4 apply to get off of that source so that we could
5 reduce the risk to groundwater and also make rapid
6 progress towards cleaning up the site.

7 So moving forward, really, there's three
8 main areas to focus on. Many more here. But
9 ultimately, active remediation of the source area is
10 really critical. Until that happens, we will have
11 continued risk to the groundwater source.

12 That funding allocation is also key,
13 making sure that the Air Force is requesting
14 sufficient funds to be making aggressive progress at
15 the site, that they're coming into compliance with
16 NMED. And along those lines, continuing to support
17 the environment department in their efforts to do
18 oversight at the BFF project site. And again, that's
19 really how -- how this happens is through engagement
20 with the public, through the elected officials and
21 this board. This board has been instrumental, hugely
22 supportive. And we'd like to encourage and support
23 that in any way that we can.

24 So with that, I will stand for
25 questions.

1 CHAIR OLIVAS: Questions for Ms. Agnew?

2 Seeing none, I really want to thank you
3 for coming before us and letting us hear your update
4 here. I think that really tied things very nicely
5 together for us. And I just kind of have one
6 question on this.

7 I mean, what I'm hearing is, if that
8 source, that point source is not remediated, we're
9 going to continue to see those fuels, whether it EDB
10 or benzene, any other of those components of the
11 fuel leach into the aquifer, into the water table,
12 and continue to migrate out into the community if
13 that point source is not addressed. And so
14 currently, that is not being done?

15 MS. AGNEW: That's exactly right. And it's
16 worth highlighting, there's a couple things in here
17 that make this site unique in the need for that
18 treatment, is if we had a static water table and it
19 wasn't rising, you could maybe get closer to the,
20 quote, unquote, plume stability. But that is not the
21 case. This water table is rising because of our
22 groundwater management practices.

23 So these little red ovals in this
24 cartoon, those are pools of fuel still in the soil.
25 So as that water table comes up, it comes into

1 contact with that fuel reservoir and just dissolves
2 and increases concentration. So it's a dynamic
3 system that will continue to be dynamic until we get
4 some treatment in the soil.

5 CHAIR OLIVAS: And one other point I wanted
6 to clarify, as well.

7 On threshold levels that are being
8 measured that makes those difference in those two
9 maps, to be clear, the water authority's perspective
10 is that there is no safe level of EDB for human
11 consumption? And that is what your map reflects, is
12 where is there any detectable level of this
13 contaminant versus the Air Force map which is showing
14 only the threshold. At any point where it's above
15 the threshold, dangerous contact essentially. And
16 you also made that distinction about the level at
17 which it's being measured also causing some of that
18 discrepancy; is that correct?

19 MS. AGNEW: That is correct, Mr. Chair.
20 That's correct. So you've got it exactly right. And
21 while it is -- so the MCL is what the environment
22 department can currently force the Air Force to clean
23 up the aquifer to.

24 The approach should, in our opinion,
25 really be that the plume should never go past where

1 it is right now, because any migration is going to be
2 above zero and that's not safe. We need to be
3 reducing this now.

4 We would actually like to see cleanup to
5 zero. But that is truly safe. That is when this
6 will become an available resource to us. As long as
7 there's ethylene dibromide, this is not available for
8 us to use.

9 And to say there's no risk to the
10 groundwater or no risk to the drinking water supply
11 wells is not entirely -- what that statement means in
12 a true risk perspective, what that is, is that
13 there's no supply well in this plume right now. That
14 doesn't mean there's no risk. And I think that's
15 what we're trying to highlight with that.

16 CHAIR OLIVAS: Mr. Rael?

17 Okay. Seeing no further discussion,
18 thank you so much for coming here and filling us in
19 on this.

20 So our last item on this topic here, we
21 have an update from --

22 MS. AGNEW: Yes, sorry, I forgot to
23 introduce Mr. John Fleck. He is with our technical
24 advisory committee, and I failed to introduce him
25 entirely. I apologize. He's here to present on the

1 TCAC.

2 MR. FLECK: That's okay. I don't have a lot
3 to add, and so I won't take much of your time.

4 My name is John Fleck. I'm a faculty
5 member at the University of New Mexico working on
6 water policy and the water resources program, doing
7 natural resource water work, and was part of the
8 technical advisory committee group. We, you know,
9 advised -- you know, we view our role as helping
10 advise the water authority on issues such as this.

11 We are significantly concerned about
12 what we have seen. But my history with this project
13 actually goes back a lot further. I spent a lot of
14 time sitting in the back as a newspaper reporter and
15 writing about this. I think interestingly, Diane and
16 Rick and I all go back to the beginning.

17 And the concern I have, when I return to
18 this issue in my role as technical customer advisory
19 committee, is that we're kind of in the same place we
20 were when I stopped writing about this many years ago
21 in the newspaper.

22 Diane did a nice job of explaining the
23 complicated regulatory dance that is underway here.
24 We have a state regulator, we have a regulated
25 permittee. And then we have the water utility

1 authority off on the side as the party most
2 potentially harmed by all this. And when I say the
3 water utility, I really mean your constituents.

4 And as a sort of academic water policy I
5 want this to be like a super fascinating question,
6 but that's my water supply and my community. So I'm,
7 you know, emotionally attached to it, in a way,
8 beyond the mere academic nature of it.

9 But there's really an important point,
10 and I think Rick made this point in the exchange with
11 Councilor Davis, that one of the really important
12 things that I saw back when I was covering this as a
13 newspaper reporter for the *Albuquerque Journal*, and
14 what we have seen in the years since, is that, in
15 fact though you don't have regulatory authority, your
16 political capital as community leaders, as elected
17 officials charged with the responsibility of both
18 sitting on this board but also representing the city
19 and county residents, the investment of political
20 capital on your part to provide the necessary
21 pressure on the dancing parties -- I mean, we've
22 heard a lot of discussion about how the dance is
23 going right now. And, you know, I'll point to ten
24 notices of disapproval and 16 time extensions, gives
25 me a sense of where I think the problem is now. But

1 we have seen that active involvement by elected
2 officials in this community as leaders and
3 representatives of the community has helped make
4 progress.

5 And so I guess that's, as a technical
6 customer advisory committee, what I'll ask of you.
7 You've got a great technical staff, but your
8 investment of some of your political capital to put
9 the pressure on the necessary places, and it may need
10 to be the Air Force now, there may be times when it
11 needs to be the state regulators, is crucial to
12 getting this problem solved.

13 So I won't take any more of your time.
14 We've been here a while. Thanks. And I don't know,
15 any questions maybe? Thanks.

16 CHAIR OLIVAS: Thank you, Mr. Fleck. Any
17 questions from any of the board members?

18 COMMISSIONER BARBOA: Thank you.

19 CHAIR OLIVAS: Really appreciate everyone
20 tonight on this issue. And I just want to say thank
21 you to everyone that participated in this, from the
22 environment department, Colonel Vattioni and
23 Mr. Wortman, and of course our own water authority
24 staff and our technical advisory board.

25 This is an issue that is obviously

1 ongoing and really has gone on too long, and we're
2 not at the end yet, unfortunately. But I really hope
3 that this can serve as a wake-up call to everybody in
4 the room that this is the time to really come
5 together and act and work together. And if that
6 means some of us up here putting pressure on other
7 elected leaders or working with regulators or
8 whatever we need to do, I think this is a really
9 critical issue for our entire community. And
10 appreciate the buy-in from all parties here.

11 And I really do want to, again, thank
12 the Air Force or being here along with our
13 environment department and all the staff. So thank
14 you.

15 MS. AGNEW: Mr. Chair, I want to let you
16 know that our first presenter is here.

17 CHAIR OLIVAS: Thank you so much.

18 So we will return to our first, but now
19 our last presentation here on STEM in the Burque
20 career pathway. We have Amon Haruta here, the
21 director project management from Explora, to tell us
22 about this exciting project.

23 MR. HARUTA: Thank you so much, Mr. Chair
24 and Members of the Board. This is my first time in
25 this building. And my apologies for arriving late.

1 I live in Santa Fe, so I rely on Google Maps
2 sometimes, and my Google Map took me to Vincent
3 Griego Child Care Center on Alameda, so my apologies.
4 But thank you so much for having me. And I'm very
5 excited to give you an overview of this project and
6 exhibition called STEM in the Burque.

7 So what is STEM in the Burque? It is an
8 immersive exhibition, with many components, housed in
9 this brand-new extension building that we just
10 finished at Explora called X Studio. And, really,
11 it's a co-creation project that we have been doing
12 with the community, local teens, water utility
13 authority and other local STEM employers and
14 educators.

15 There are three goals. One, to increase
16 awareness of STEM activities that's happening in
17 Albuquerque and extended New Mexico communities.
18 Number two, to empower teens and also their families
19 to think about solutions to the world's big problems.
20 And number three, to encourage and really develop
21 Albuquerque youth and New Mexico youth to be future
22 STEM leaders.

23 This exhibition, STEM in the Burque, has
24 several components. Biggest component would be, I
25 would say, the exhibits. As many of you may know,

1 Explora is known for the hands-on activities and
2 different types of activities and exhibits. We have
3 14 brand-new exhibits, seven of which -- and I should
4 actually say nine of which we've developed in
5 collaboration with water authority. And I see
6 several faces here who have been part of this great
7 project. So those nine activities, exhibit
8 activities, are based on different ideas and focuses
9 of the water resource management.

10 And the exhibition, as I said, has other
11 components. Team lounge, classrooms, makerspace and
12 other types of facilities and mentor corners to meet
13 with different STEM professionals.

14 Now, how did this STEM in the Burque
15 develop? So we have to go back several years, almost
16 ten years ago. The initiation of the concept for
17 STEM in the Burque really started with community
18 listening sessions. Over the years we held, I would
19 say, 25-plus, probably more than 30 altogether,
20 communities sessions really asking the community what
21 the aspirations are and what they would like to see
22 in the community.

23 And with that, out of it, we came up
24 with this concept of creating a space, an exhibition
25 for teens. Because teens historically and generally

1 speaking are somewhat underserved and a little bit
2 overlooked in the museum world. So we also felt,
3 listening to the community, decided that it was
4 important to create a physical space and also
5 exhibition that are dedicated to really elevating and
6 providing opportunities for the teens.

7 So about three years ago, we also had
8 more listening sessions in the conversations with
9 several teens about what they would like to see and
10 what they want to see. And after that we decided to
11 put this grant into writing and we got the grant from
12 a federal institution, the IMLS, Institute of Museum
13 and Library Services, and there we were. We started
14 the project.

15 And throughout the project, some of the
16 key elements of this project were really active
17 participation by the community, mainly teens,
18 partners like the water utility authority, several
19 subject-matter experts, and educators and other
20 people, other museums also throughout New Mexico and
21 also other states.

22 Challenging also was the continually we
23 made an effort to really keep the buy-in from
24 everybody involved, and especially in this case, this
25 project got so prolonged because of COVID. Also

1 construction delays of the new center. It was a
2 challenge. But also a great challenge to really keep
3 the interest of all parties involved.

4 This was, by far, the largest exhibition
5 project that Explora took on in our history, so we
6 utilized a lot of resources, not just internally but
7 also, again, community partners and different vendors
8 and contractors. So it began a real community
9 effort. So it's a culmination of different
10 components of our community, teens, employers,
11 educators and different businesses.

12 Now, how did this start? We go back
13 about three years. It's hard to believe three years.
14 But we kicked off with a small meeting with people
15 from the water authority, and we had this fun
16 activity called design charrettes. Again, several
17 faces I see here were part of this design charrette.
18 We do this in the museum world. We get people
19 together and we play with different materials to
20 create what we want to see for the exhibit.

21 In those sessions, we came with three
22 themes for this exhibit, especially, particularly,
23 this nine exhibit set themed around the water
24 resource management, watered resources division,
25 water treatment and conservation stewardship.

1 Conservation, when we say conservation,
2 is not just conservation of water, but also
3 conservation of wildlife through water resource
4 management.

5 And seven focus areas we came up with as
6 well: Aquifer shortage and recovery; reuse;
7 watershed protection; water storage; groundwater and
8 surface water protection; water treatment and
9 distribution; and wastewater collection and
10 treatment.

11 And key note that we wanted to convey
12 through these nine exhibits was everyone has a role
13 to play in the work of Albuquerque Water Utility
14 Authority and New Mexico's water treatment and water
15 resource management. And the key question: What is
16 your role?

17 Now, I'd like to just briefly go over
18 those nine exhibit expanses. And the first one is
19 sort of a centerpiece of the exhibit set, and I
20 really encourage all of you, if you have haven't been
21 to Explora recently, please come and check it out
22 yourself. The centerpiece of this exhibit set is
23 called Water 2120 Game. It's really based on the
24 Water 2120 plan. We worked with a local company
25 called Electric Playhouse to create this game to

1 simulate sort of a time travel scenario that you can
2 play. And you can play with different water
3 resources and sources, really, to see how you can
4 come up with a really sustainable water plan for the
5 future.

6 Now, second one is the Water Resource
7 Distribution. This is really more of an engineering
8 problem-solving game. It simulates the water source,
9 so the route from Rio Chama to watershed. And you
10 use different water resources available to come up
11 with an amount of water needed for the day. So the
12 exhibit generates the requirement for the day,
13 randomly, and you play with the different allocation
14 of water. And it simulates the water movement
15 through different water sources.

16 Water Bar, this one has four different
17 activities. One is a simulation of circulation.
18 Another one is a filtration. We have a microscope to
19 look up the microorganisms in the waste water. And
20 then a Pac-Man-like game to simulate how bacteria
21 helps treat the water, clean water.

22 Another piece is the Conservation. This
23 is a pretty simple game. Rick was real instrumental
24 in creating this game. It really stimulates the
25 water -- well not really, simply visually represents

1 use of water, depending on what kind of daily
2 activities at home. And you have a choice of high
3 efficiency option versus normal option. And it
4 really simple represents how much water you could
5 save using different options.

6 We have also Aquifer model. This is a
7 model of aquifer in groundwater. You can use a food
8 dye to really see how the water seeps into the ground
9 and how it gets stored. And also that represents if
10 contamination happens, then how it gets into the
11 aquifer system.

12 And we have Refugium. This is more of a
13 passive exhibit. It's not necessarily hands-on. But
14 we also like to represent -- model the aquifer
15 refugium to see water resource management also
16 really, you know, helps protect wildlife.

17 We also have Showcase of water authority
18 staff. Diane is one of them. Yeah. And we have
19 those posters or panels throughout the building
20 highlighting STEM professionals. And in this case,
21 of course, and the water utility staff. And not just
22 scientist, but also people who help science happen,
23 who help make those things happen, we are
24 highlighting. And these are three of the 15 panels
25 we have in the building.

1 So what's next? This has been very much
2 a learning experience for us and for the community,
3 as well. In Explora, we are all learning how these
4 exhibits work and also how programming will work.
5 And we are evaluating right now and we're learning a
6 lot. Some things are breaking down, but we're coming
7 up with solutions to keep it going. And we will also
8 do periodic evaluations of them, not just physical
9 exhibits, but also how programming activities will
10 work in this building. And we also will continue to
11 maintain and improve exhibits and equipment.

12 And the water authority really
13 generously is helping us in terms of both funding and
14 also subject-matter expertise to keep that going.

15 Several ideas have been exchanged
16 between us and water authority. Some of them, as you
17 see here in this presentation, we are really hoping
18 to have "Meet a Scientist" or "Meet a Professional"
19 type of activities, involving teens and inviting
20 people, like Rick and Diane, Liz and Mark here, to
21 talk to the teens and interact and talk about water
22 resource management and conservation.

23 We are also thinking of some kind of a
24 field trip also, organized by water authority, and
25 work with our interns, as well, to facilitate that

1 kind of activity, inviting families and teens, other
2 youths. So yes, we are very, very excited.

3 And it's really -- this STEM in the
4 Burque and X Studio combined, it's really a promise
5 to teens and their families, and especially teens of
6 low income background and also teens of color and
7 their families, that every single youth, every kid
8 has an opportunity to choose their future. And we
9 are promising them, we are promising the community,
10 working with a community partner like water
11 authority, to do our best to make that happen.

12 CHAIR OLIVAS: Thank you, sir. Appreciate
13 the report.

14 Any questions or comments from board
15 members? Trustee Benavides.

16 TRUSTEE BENAVIDES: Yeah. The Explora is a
17 wonderful asset for the city and there's many
18 different age-appropriate activities going on.

19 How do we get more teens to visit
20 Explora. I think maybe you were touching on that
21 with your last slide. Do you have thoughts about how
22 we do that?

23 MR. HARUTA: Thank you for the question.
24 This STEM in the Burque, because we knew the target
25 audience for this particular exhibition, teens, teens

1 are a very tough crowd, so as you can see, on the
2 color scheme you see in this presentation is also the
3 color scheme for the exhibition, itself, in the
4 building, we wanted to make ourselves a little bit
5 more relevant to the teens, meaning: Be cool.

6 So it's a challenge, but also, we have
7 teen interns now, about 45 to 50 teen interns
8 already. So through that, we are really counting on
9 word of mouth, as well, and they talk to their peers,
10 social media, whatnot.

11 And also, we reach out to schools and
12 different teen groups. We work with the city youth
13 council. We also have a youth advisory group, teen
14 advisory group, and we engage those people and we
15 tell them to talk to the teens, we ask them to talk
16 to their families.

17 And also, we try to stay relevant,
18 meaning we try to stay cool and more interesting to
19 the teens. And that's just some of the examples.
20 And we also host, as you may be aware, we have teen
21 nights. We invite just teens to take over the museum
22 and have some fun activities that are related to teen
23 subject areas.

24 So those are some of the examples that
25 we try to court more teens into the building and

1 engage in teen activities.

2 TRUSTEE BENAVIDES: I used to do hands-on
3 science for Los Ranchos Elementary School. And
4 taking science-type activities to the schools was a
5 big hit. Of course, we're talking about elementary
6 schools.

7 But what I'm thinking about, do you
8 go -- do you reach out to the schools? Will you out
9 there --

10 MR. HARUTA: Yes.

11 TRUSTEE BENAVIDES: -- with some hands-on
12 activities?

13 MR. HARUTA: Absolutely. Yes. Yeah.
14 Explora reaches pretty much every corner of the state
15 and actually beyond. We reach southern Colorado
16 also. We have a relationship with virtually every
17 library in the state, as well.

18 So several things. You know, we have a
19 numerous number of activity kits that we send out to
20 the communities, school districts, libraries. We
21 also, again, outreach activities also involve
22 physically bringing mini Explora to different
23 schools, different districts, different communities.
24 So we bring Explora to those communities, as well.

25 And I mean, literally, our education

1 team logs thousands of miles every single year. And
2 I would say about probably 20,000, actually more than
3 that, several tens of thousands students we reach,
4 both at Explora and away from Explora.

5 TRUSTEE BENAVIDES: Thank you.

6 MR. HARUTA: You're welcome.

7 CHAIR OLIVAS: Anything further from the
8 board?

9 I overheard some chatter from Councilor
10 Jones about a field trip. I think it's a great idea
11 for all of us. I think there's a lot for us to
12 learn. It's a great facility and exciting
13 partnership.

14 COMMISSIONER BARBOA: We want a water
15 utility night.

16 TRUSTEE BENAVIDES: Yes.

17 CHAIR OLIVAS: A really exciting
18 partnership. Thank you, Mr. Haruta, for being here
19 and doing what you're doing for our entire state and
20 our STEM career pathway.

21 That concludes Item Number 10, other
22 business. And that will take us back into our
23 regular order of business.

24 Item Number 7, introduction, first
25 reading of legislation, Item A, R-23-6, establishing

1 one-year objectives for the Albuquerque Bernalillo
2 County Water Utility Authority in fiscal year 2024 to
3 meet five-year goals. We have Ms. Elizabeth Anderson
4 here to present this item.

5 MS. ANDERSON: Thank you, Mr. Chair, Members
6 of the Board. So I'm here for introduction, like you
7 said, for the goals and objectives. I'll try and get
8 through this quickly today. I know we've had a
9 really long agenda.

10 But this is an exciting topic. We do
11 this every year. It's part of our strategic planning
12 process. We have our five-year goals and one-year
13 objectives. So at the very top of this strategic
14 planning process, you'll see those objectives.
15 That's what we'll go through tonight. But it's just
16 the very beginning of this process.

17 The next step is the performance plan,
18 which you'll also be hearing more about later in
19 coming board meetings.

20 We do an American Water Works
21 Association utility benchmarking every year to see
22 how we stand with respect to statistics, you know,
23 that are collected by other utilities of a similar
24 size.

25 And we do -- and then we have effective

1 utility management. We do quarterly meetings and go
2 through all of these objectives with our staff from
3 across the utility to discuss how we're doing in
4 these different areas that we're targeting improving.

5 We do our annual budget. These goals
6 and objectives will get rolled into the annual budget
7 if there's any additional funding needs in order to
8 accomplish them.

9 Then here on left-hand side of this
10 graphic, you can see more of the qualitative metrics
11 that we're collecting feedback through our customer
12 opinion survey from our customers. We meet monthly
13 with our technical advisory committee, John Fleck,
14 who was here presenting to you tonight, one of the
15 members of that committee. We do customer
16 conversations throughout our service area.

17 And we also do employee expectations,
18 which is the performance expectations for all of our
19 staff members, which these objectives actually get
20 rolled out through. So that's one way that we're
21 able to collect that, let people know how they're
22 contributing towards this overall strategic planning
23 process.

24 We have five-year-goal statements, and
25 all of our objectives roll up underneath these goal

1 statements. This is a program that was implemented
2 by the EPA in conjunction with a bunch of different
3 national water agencies, including NACWA and the
4 American Water Works Association.

5 So these five goal-area statements, they
6 don't change year by year. The objectives within
7 them do change year by year. So we have goal
8 statements for customer service, business planning
9 and management, organizational development, water
10 supply and operations, and then wastewater collection
11 and operations.

12 Something I also wanted to highlight
13 here is that we implement these objectives as a
14 measure for improving our systems. These aren't
15 policies. These are objectives. They're kind of
16 stretch goals, I think is what you could say. We're
17 always trying to seek ways to improve what we're
18 doing.

19 The performance measures by each goal
20 area, these provide more databased performance
21 measures that we can look back to in each of these
22 areas.

23 And so this is part of our -- these
24 objectives are part of the effective utility
25 management process that we use throughout the

1 utility, where we actually go back and every other
2 year, we look at how we're doing with respect to
3 different the areas within the organization. And we
4 try to find ways to improve in each of those areas.
5 So we have strategic planning sessions with each of
6 our business sections and identify measures that can
7 be taken to help us get to that next level. And a
8 lot of those do come through as objectives, so
9 there's a number of those that are included this
10 year.

11 I wanted to highlight just a few. Like
12 I said, I'm going to try to do this fast because I
13 know it's kind of a long agenda tonight. But some of
14 the key areas that we're working on in Goal Area 1,
15 we provide leadership for the middle Rio Grande
16 endangered species collaborative program. Mark
17 Kelly is the nonfederal co-chair for that committee.
18 And we work with them on a lot of adaptive management
19 practices for the middle Rio Grande endangered
20 species.

21 We also are members of the Partnership
22 for Safe Water and constantly seeking to improve how
23 we're treating and distributing water throughout our
24 systems. We have some objectives that are looking at
25 arsenic treatment to improve resiliency of our

1 groundwater systems, because in times of drought, we
2 do have to lean back on those groundwater systems,
3 unfortunately.

4 And then a lot of areas where we're
5 focusing on xeriscape conversions, water conservation
6 measures, targeting some of our high use water
7 customers. There's objectives in here for helping
8 low income customers participate in those programs,
9 and really find ways to conserve within their
10 systems.

11 And then our leak detection programs and
12 constantly seeking to reduce that non-revenue water
13 loss and save water throughout our system, which is
14 an area we actually really excel at.

15 The Goal Area 2, we've got wastewater
16 collections and operations. We have a target of
17 30 percent of our waste from the wastewater treatment
18 plant going out and becoming compost. And then that
19 gets taken out throughout Bernalillo County, really,
20 and used by a number of users.

21 We also have objectives for
22 collaborating with partner agencies; in particular,
23 the office of the natural resources trustee. And the
24 work that we're doing for this whole habitat project
25 right now at the outfall, which is a good

1 collaboration with the Middle Rio Grande Conservancy
2 District and the Interstate Stream Commission, Bureau
3 of reclamation, and, of course, ONRT.

4 Our customer services goals, we've
5 converted about 70 percent, over 70 percent of our
6 systems to the AMI, the automated meter infracture,
7 which has been an excellent way for us to find more
8 conservation that we can do through our system and
9 provide, you know, more accuracy of billing for
10 customers. So we're continuing to roll out that AMI,
11 with the goal of getting 100 percent of our system
12 on AMI.

13 We have customer service metrics that
14 we've been adding. We've been really targeting call
15 quality with customers. And that's been an area
16 where we've seen some improvement, so we've actually
17 increased our goal for that one. And of course we're
18 going to be doing customer conversations again this
19 year.

20 For Goal 4, business planning and
21 management, we're working hard to work with the
22 funding that Bernalillo County provided through the
23 ARPA program. Thank you to all of our commissioners
24 in Bernalillo County. There's been some excellent
25 projects that are going through, including the

1 Tohajiilee pipeline, and a number of other really
2 important projects in our system.

3 Our rehabilitation and renewal programs,
4 we're doing a lot of infrastructure repair right now
5 and rehab, which is critical for our wastewater
6 systems. We have goals of providing at least
7 25 percent of the power to our wastewater treatment
8 plant through renewable sources, primarily solar.
9 And then our biogas through cogeneration. So a lot
10 of work being done there and plans to increase the
11 solar throughout our system, as well.

12 And then finally, our organizational
13 development area, Goal 5. We are working on
14 mentoring programs and some more, you know,
15 health-based programs, stretching and mental health
16 for staff, offering lots of training opportunities
17 and reducing our vacancy rate. Our goal is to keep
18 it below 7 percent, and we do a very good job of
19 maintain that.

20 So that is all I have. I did want to
21 say that we reviewed our objectives with the
22 technical customer advisory committee. They were
23 very enthusiastic about them, had lots of great
24 questions and comments and they were supportive of
25 these objectives, as well. And I stand for any

1 questions.

2 CHAIR OLIVAS: Any questions from the board
3 members tonight?

4 MR. RAEL: Mr. Chairman.

5 CHAIR OLIVAS: Yes, Mr. Rael.

6 MR. RAEL: I just want to ask one question.
7 As I was looking through the goals and objectives, is
8 there is a specific goal and objective to the issue
9 that we talked about this evening as it relates to
10 the plume that is directly -- I would say that we're
11 sending the message that we're going to focus on that
12 particular goal?

13 MS. ANDERSON: Focusing on that.

14 MR. RAEL: As I read through all of them,
15 there's some general comments about water quality and
16 efficiency, I didn't see anything specifically to
17 that.

18 And then the other question that I do
19 have. If this is a document that's available to the
20 public, it's fairly technical and it might require
21 something as it's published to the community to --
22 you know, to, quite frankly, explain some of these
23 acronyms that are embedded in the entire program.

24 Because ven as much as I've been around,
25 some of these acronyms are pretty hard to figure out

1 what they actually mean. So maybe as an idea of
2 maybe including some kind of an opportunity to folks
3 that aren't as technical as you all in the system, so
4 they might be able to understand some of these goals
5 actually mean.

6 But that's just a commentary.

7 MS. ANDERSON: Thank you. Yeah, we all love
8 our acronyms, huh? My favorite acronym is the TLA,
9 the three-letter acronym, it's an acronym for
10 acronyms.

11 So we do have objectives for Kirtland.
12 We have monitoring, the goal to continue monitoring
13 and seeking funding for monitoring for the well at
14 the Kirtland Bulk Fuels Facility. We also have our
15 rivers and aquifer protection plan and goals specific
16 to that, or objective specific to that.

17 MR. RAEL: I'm sorry, Mr. Chairman, to
18 interrupt.

19 What number objective is that one that
20 you're referring to?

21 MS. ANDERSON: 1.23 is the objective for the
22 Kirtland Bulk Fuels. And then 1.20 is the RAPP, the
23 rivers and aquifers protection plan. So both of
24 those will focus in on our groundwater protection.

25 And I appreciate your comment about the

1 acronyms. We always try our best to define as many
2 of those as possible, but there's certainly times
3 when they sneak through.

4 CHAIR OLIVAS: Anything else?

5 Seeing no further discussion here, this
6 is our first opportunity to take a look at this, to
7 be clear. So this will come through here again in a
8 month, if I'm not mistaken. So we have some time
9 chew on this. If there's further questions, we have
10 that opportunity. So thank you so much,
11 Ms. Anderson.

12 That takes us to Item B, R-23-7,
13 authorizing an agreement for water and sewer service
14 for MX at Petroglyphs. This is also a first reading
15 of legislation. We have Kristopher Cadena to
16 present.

17 MR. CADENA: Hello, Mr. Chair, Members of
18 the Board. My name is Kristopher Cadena. I'm manage
19 the utility development section here at the water
20 authority.

21 And this is an introduction for a
22 development agreement for a proposed development
23 located on the west side of Albuquerque. It's on the
24 northeast corner of Kimmick and Rosa Parks. It's a
25 proposed 28-unit townhome development.

1 And for service, developers are required
2 to install public water and sewer for the development
3 by extending existing infrastructure in the area.

4 And the developer will be required to pay utility
5 expansion charges and the water resource charges as a
6 contingency for service.

7 I stand for any questions.

8 CHAIR OLIVAS: Any discussion or questions
9 from board members?

10 Seeing none, thank you so much,
11 Mr. Cadena.

12 That concludes our introduction section.

13 Item 8, our consent agenda, we have no
14 items on the consent agenda tonight.

15 Taking us to Item 9, approvals. Our
16 first Item here, A, R-23-3, adopting a utility
17 franchise agreement with the Village of Los Ranchos
18 de Albuquerque, New Mexico. We have Mr. Charles
19 Kolberg to present.

20 MR. KOLBERG: Thank you. As you know from
21 our last meeting, this is a proposed franchise
22 agreement with the Village of Los Ranchos, the
23 purpose of which is to allow us to locate pipes in
24 the rights-of-way in Los Ranchos. In exchange for
25 the right to the that, we collect from the ratepayers

1 in Los Ranchos a franchise fee, which is then
2 immediately passed through to the village.

3 So it's up for approval. I stand for
4 any questions. I'm not standing, but I will accept
5 questions.

6 CHAIR OLIVAS: Thank you, Mr. Kolberg.

7 Any questions from board members here?

8 Seeing none, do I have a motion on this
9 item?

10 COUNCILOR DAVIS: So moved.

11 VICE CHAIR FIEBELKORN: Second.

12 CHAIR OLIVAS: A motion from Councilor
13 Davis, a second Councilor Fiebelkorn.

14 Seeing no discussion, all in favor, say
15 aye.

16 ALL MEMBERS: Aye.

17 CHAIR OLIVAS: Any opposed? No opposed.
18 Item is adopted unanimously.

19 (7-0 vote. Motion approved.)

20 CHAIR OLIVAS: Item B, R-23-4, an amendment
21 to the approved operating capital and implementation
22 program of the Albuquerque Bernalillo County Water
23 Utility Authority for the fiscal year ending
24 June 30th, 2023. Stan Allred to present.

25 MR. ALLRED: Mr. Chairman, Members of the

1 Board, this is for approval. It's cleanup for
2 operating and capital budgets. We have change for
3 Fund 41. It's a new fund that was created in the
4 last budget cycle for the San Juan-Chama Project
5 Association approved by this board. We just would
6 like to recognize an additional \$26,700 of revenue
7 and then appropriate additional amounts to be spent
8 in that fund. And that is a capital improvement
9 fund.

10 We have change for Fund 29, which is the
11 CIP fund, it's our growth fund. We had received some
12 monies from Bernalillo County. Thank you very much.
13 We want to recognize that revenue and apply \$796,000
14 worth of appropriation to projects out of that fund.

15 We have Fund 27, which another CIP fund.
16 Is it our Water 2120 fund. We want to recognize
17 water rights, lease water and water resource charge
18 in the amount of 858,000 and apply that revenue to
19 appropriate work to be done in the Water 2120 arena.

20 Fund 21, we were short one and a half
21 million dollars for power and chemicals, so it's to
22 add the appropriation of \$1.5 million to those line
23 items in the budget. There's also an amendment to
24 this budget of an additional \$1.5 million to bring
25 that amount to 3 million.

1 In January and February, we incurred
2 about \$850,000 each month in increased gas bills due
3 to the increase in gas prices, so to make the budget
4 whole, we're asking to increase appropriation for
5 chemical -- I mean, for electric and gas by \$3
6 million.

7 Staff recommends approval, and I stand
8 for any questions.

9 CHAIR OLIVAS: Thank you, Mr. Allred.

10 Any questions? Seeing none, I'll make a
11 motion to move this resolution. Do I have a second?

12 VICE CHAIR FIEBELKORN: Second.

13 CHAIR OLIVAS: I have a second from
14 Councilor Fiebelkorn.

15 And then I have an amendment to make on
16 this. I'd like to offer an amendment on Page 1, Line
17 15, to read General Fund 21 fund balance 3 million,
18 and Line 16, General Fund 21 expense to read
19 3 million. I'll make the motion. Do I have a
20 second?

21 VICE CHAIR FIEBELKORN: Second.

22 CHAIR OLIVAS: Second from Councilor
23 Fiebelkorn.

24 Any questions on this amendment? Seeing
25 none, all in favor, say aye.

1 ALL MEMBERS: Aye.

2 CHAIR OLIVAS: The motion carries
3 unanimously.

4 (7-0 vote. Motion approved.)

5 CHAIR OLIVAS: And that takes us back to the
6 original motion. Any further questions on the motion
7 as amended? Seeing none, all in favor of adoption,
8 please say aye. Seeing no opposed, the motion is
9 adopted as amended.

10 (7-0 vote. Motion approved.)

11 CHAIR OLIVAS: That takes us to Item C,
12 R-23-5, authorizing the Albuquerque Bernalillo County
13 Water Utility Authority to submit a congressionally
14 directed spending grant request to the 118th Congress
15 of the United States. We have Marta Ortiz to
16 present.

17 MS. ORTIZ: Good evening, Mr. Chair and
18 respective Board Members. Before you this evening is
19 a resolution authorizing the water authority to apply
20 for grant funds through the 118th Congressional
21 District. Of that, we will be submitting
22 applications to our three New Mexico representatives.

23 The first one is Senator Martin
24 Heinrich. We'll be sending two applications. One
25 for the Thomas Wells Arsenic Treatment Plant.

1 And the second one is for Carnuel
2 Wastewater System infrastructure to Senator Ben
3 Lujan. We are sending an application for our South
4 to North Phase 1 Pipeline project.

5 And the last one will be an application
6 to Representative Melanie Stansbury for our aquifer
7 storage and recovery project.

8 These projects are consistent with our
9 state and federal priorities. And I stand for any
10 questions that you may have pertaining to this.

11 CHAIR OLIVAS: Any questions?

12 MR. RAEL: Mr. Chair.

13 CHAIR OLIVAS: Yes, Mr. Rael.

14 MR. RAEL: So as we look at these
15 priorities, I was going to ask this question earlier,
16 but I'll ask now. Are we going to make a request for
17 any funding as it relates to the Kirtland plume on
18 behalf of resolving that issue? We've talked about
19 the fact that we've intervened before as a board and
20 as a water authority. Is that going to come back in
21 a different resolution, or are we not asking for that
22 at this point?

23 MR. SANCHEZ: Mr. Chairman, Mr. Rael, that
24 was part of our federal priorities request, so that
25 stands. These are just directed appropriation

1 requests to the delegation.

2 MR. RAEL: Mr. Chairman.

3 Thanks, Mr. Sanchez. So since, you
4 know, we haven't had a face-to-face meeting in some
5 time, and I missed the last one, Mr. Sanchez, can
6 you, when you get a chance, maybe give me a copy of
7 what you all asked for.

8 We'd obviously like the City of
9 Albuquerque to support that request. I'm sure the
10 county and others will want to do that, as well. So
11 thank you very much.

12 CHAIR OLIVAS: Thank you. Any further
13 questions?

14 I just wanted to recognize how important
15 several of these projects are to the community. The
16 Carnuel Water Project is in my district; an
17 incredibly important project for an underserved
18 community, a historic land grant community there,
19 with a very shallow aquifer, dependent on private
20 wells and septic tanks that really have that area on
21 the New Mexico Environment Department's list of sites
22 in need of remediation. And this is an important
23 project to move that community in that direction and
24 get them a reliable source of water.

25 And the north/south reuse line is also a

1 really important project for, really, the entire East
2 side of Albuquerque. So, you know, we're talking
3 about serving golf courses, parks, all kinds of
4 recreation facilities and other reuse water
5 facilities on that side. So it's a really important
6 project for moving in the direction. As we talk
7 about One Water approach, that type of thing, reuse
8 water is critical to that.

9 So I hope that we're successful with
10 this request. And I hope that our Congress members
11 really help support this and allow us to make this a
12 reality for our community. So thank you.

13 MS. ORTIZ: Appreciate your support.

14 CHAIR OLIVAS: Councilor Davis.

15 COUNCILOR DAVIS: Mr. Chair.

16 Thank you for bringing this. I just
17 want to ask -- I realize that our two senators and of
18 course our representative always kind of cover the
19 bases for us here in the Albuquerque region. But
20 now, with redistricting, we also have Representative
21 Gabe Vasquez, who represents I think all of the West
22 side and a good chunk of the South Valley.

23 Is there a reason we chose not to engage
24 the representative in that new district in this
25 process? Or are there projects that just maybe

1 didn't make the list this time in that regard?

2 MR. SANCHEZ: Mr. Chair, Councilor Davis, we
3 actually receive communication from each delegation
4 member soliciting funding requests. We did not
5 receive one from Congressman Vasquez.

6 COUNCILOR DAVIS: We can fix that. Lets
7 follow up, Mr. Sanchez. We know how to find those
8 folks, and I'm sure if they can help us find some
9 money, they would be more than happy to help. I'm
10 sure our commissioner who represents that
11 neighborhood would know who to call. Thank you.

12 CHAIR OLIVAS: Thank you, Councilor Davis.
13 Councilor Fiebelkorn.

14 VICE CHAIR FIEBELKORN: Thank you,
15 Mr. Chair.

16 In addition to, of course, supporting
17 this resolution, I'm just wondering if there was
18 other actions that you need in support for these,
19 letters of support from the city, the county? Any
20 other help that we can provide, just let us know.

21 MS. ORTIZ: Yeah, we've requested those from
22 the respective delegates. I believe we've received
23 all of those already. But if we need additional
24 ones, we certainly will reach out.

25 VICE CHAIR FIEBELKORN: Great. Thank you.

1 CHAIR OLIVAS: With that being said, if
2 there's no further questions, I make a motion to
3 adopt the resolution authorizing these requests.

4 COMMISSIONER BARBOA: Second.

5 CHAIR OLIVAS: A second from Commissioner
6 Barboa.

7 Seeing no further discussion, all in
8 favor, say aye.

9 ALL MEMBERS: Aye.

10 CHAIR OLIVAS: No opposed. The motion
11 carries unanimously.

12 (7-0 vote. Motion approved.)

13 CHAIR OLIVAS: Item D, C-23-4, FY 2023
14 second quarter performance indicator report from
15 Ms. Anderson again.

16 MS. ANDERSON: Mr. Chair, Members of the
17 Board, so this is our FY23 second quarter performance
18 indicator report, just with the action of recommend
19 receipt as noted.

20 This is something that we issue every
21 quarter, based on the data that we've gathered
22 throughout the utility from the previous quarter.
23 And we've developed these different metrics to look
24 at as performance indicators that are based on
25 benchmarks that we get from the American Water Works

1 Association survey that we participate in so that we
2 can see how we're doing with respect to how other
3 places are doing things.

4 And this just gives us some data to look
5 at that we can present to you as a way to look across
6 the utility at how things are doing in various areas
7 through our service.

8 So what we're presenting to you today is
9 a very good report card. 18 of 22 of these metrics
10 are on target. Four of them are work in progress or
11 below target, so those are areas that we're still
12 working to hit that target. But, in general,
13 everything is looking very good. And you can expect
14 to see these every quarter.

15 So I stand for any questions.

16 CHAIR OLIVAS: Thank you, Ms. Anderson.

17 Any questions from the board? Seeing
18 none, I make a motion to -- a motion of receipt be
19 noted on this item.

20 MS. ANDERSON: Okay. Thank you.

21 COUNCILOR JONES: Second.

22 CHAIR OLIVAS: I have a second from
23 Councilor Jones.

24 Did you have a question, Commissioner?

25 Seeing no further discussion, all in

1 favor, say aye.

2 ALL MEMBERS: Aye.

3 CHAIR OLIVAS: No opposed. The item
4 carries.

5 (7-0 vote. Motion approved.)

6 CHAIR OLIVAS: That takes us to Item E,
7 C-23-5, approving an increase to the price agreement
8 cap with Cannon Cochran Management Services Inc., for
9 third-party claim services. Andres Santiago to
10 present.

11 MR. SANTIAGO: Good evening, Mr. Chairman,
12 Members of the Board. My name is Andres Santiago.
13 I'm the risk manager for the water authority.

14 We are seeking your approval to increase
15 the price cap with CCMSI. This is our third-party
16 administrator that handles our general liability
17 claims, workers' comp claims.

18 So this contract was originally awarded
19 for four years. We've exceeded -- we're going to
20 exceed that \$500,000 value and we're going to be
21 extending the contract for another two years with
22 their services. So seeking your approval. I stand
23 for any questions.

24 CHAIR OLIVAS: Thank you, Mr. Santiago.

25 Any question from the board?

1 Seeing none, do I hear a motion on this
2 item?

3 COMMISSIONER BARBOA: So moved.

4 VICE CHAIR FIEBELKORN: Second.

5 CHAIR OLIVAS: Motion from Commissioner
6 Barboa. Second from Councilor Fiebelkorn.

7 Any further discussion? Seeing none,
8 all in favor, say aye.

9 ALL MEMBERS: Aye.

10 CHAIR OLIVAS: Motion carries unanimously.

11 (7-0 vote. Motion approved.)

12 CHAIR OLIVAS: And that takes us to Item F,
13 C-23-6, approval of power purchase agreement with
14 Nexamp Solar, LLC, as a result of -- and I won't read
15 the number here. Nan Winter to present.

16 MS. WINTER: How are you?

17 CHAIR OLIVAS: Doing well. Welcome.

18 MS. WINTER: Mr. Chair, Commissioners,
19 Councilors, Trustee, Mr. CAO, my name is Nan Winter.
20 I am general counsel -- outside general counsel,
21 sorry, Charles -- to the Albuquerque Bernalillo
22 County Water Utility Authority.

23 This is the second time you have seen
24 this matter. This came to the board in 2022. This
25 is a re-solicitation of a 2022 RFP for covered

1 parking solar facilities, and a Smart Flower device
2 to serve the groundwater pump station. It is located
3 adjacent to the Bachechi Park.

4 The original award did not result in a
5 contract with the recommended 2022 vendor. That
6 vendor disputed the water authority contractual
7 provisions and, ultimately, there was no contract.

8 We rebid and in this project now would
9 result in an additional megawatt to the water
10 authority's already about 10 megawatts of solar
11 utilization. This project will offset approximately
12 30 percent of the electrical usage of the raw water
13 pump station.

14 It will also save the water utility
15 about \$4.475 million over the course of the next 40
16 years. In addition, it saved an additional
17 \$1.3 million over the 2022 procurement. So the
18 decision to rebid was a good one.

19 Approval of this item will delegate
20 signature authority to Mr. Sanchez. And I will be
21 putting the final touches on the PPA, purchase power
22 agreement.

23 CHAIR OLIVAS: Any questions for Ms. Winter?

24 Sounds like a great project. And to be
25 clear, this is at the surface water pumping plant?

1 MS. WINTER: The raw water pump station,
2 Mr. Chair. What we're planning on installing down
3 there is some solar -- some covered parking and a
4 Smart Flower device. And it will offset just raw
5 water pump station. So that's about Alameda and
6 Rio Grande.

7 CHAIR OLIVAS: Understood. Thank you.

8 I make a motion to adopt this for
9 approval.

10 VICE CHAIR FIEBELKORN: Second.

11 CHAIR OLIVAS: A second from Councilor
12 Fiebelkorn.

13 Any further discussion here? Seeing
14 none, all in favor, say aye.

15 ALL MEMBERS: Aye.

16 CHAIR OLIVAS: Any opposed? The motion
17 carries unanimously.

18 (7-0 vote. Motion approved.)

19 CHAIR OLIVAS: I believe that concludes our
20 business for this evening, and I will call this
21 meeting adjourned.

22 (Proceedings adjourned 7:40 p.m.)
23
24
25

AFFIRMATION OF COMPLETION OF TRANSCRIPT

I, Kelli Gallegos, DO HEREBY AFFIRM that on March 22, 2023, the Albuquerque Bernalillo County Water Utility Authority meeting was taken before me at the request of the Albuquerque Bernalillo County Water Utility Authority.

I FURTHER AFFIRM that I did report in stenographic shorthand the proceedings as set forth herein, and the foregoing is a true and correct transcript of the proceedings to the best of my ability.

I FURTHER AFFIRM that I am neither employed by nor related to any of the parties in this matter and that I have no interest in the final disposition of this matter.

Kelli Gallegos
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