

*New Mexico Finance Authority*  
207 Shelby St.  
Santa Fe, NM 87501  
(505) 984-1454

**Minutes of Water Trust Board Meeting**  
**October 27, 2021**  
**Teleconference/Via Zoom**

**Members Present:**

John D'Antonio Jr., Chairman  
A.J. Forte, Vice Chairman  
Michael Sloane, Secretary  
Brent Van Dyke, Treasurer  
Jason John  
Joy Esparsen  
Judi Kahl  
Julie Maitland  
Mark Thompson  
Marquita Russel  
Priscilla Lucero  
Tonantzin Roybal

New Mexico State Engineer  
Executive Director, NMML  
New Mexico Department of Game & Fish  
Soil & Water Conservation Districts  
Designee, Navajo Nation  
Designee, New Mexico Counties  
Designee, New Mexico Environment Department  
Designee, Department of Agriculture  
New Mexico Indian Affairs Department Appointee  
CEO, New Mexico Finance Authority  
Environmental Community Representative  
Designee, New Mexico Dept. of Finance & Administration

**Absent:**

Greg Alpers  
Robert Baracker  
Tim McGinn

Irrigation or Conservancy District Surface Water Rep.  
Acequias Water Users Representative  
Irrigation or Conservancy District Ground Water Rep.

**Finance Authority Staff:**

Angela Quintana  
Bryan Otero  
Alysia Sanchez  
Joe Maldonado  
Lisa Barela  
Michael Vonderheide

Senior Program Administrator  
Legal and Compliance Counsel  
Program Administrator  
Senior Administrative Assistant  
Board Administrator  
Managing Director, Program Administration

**Guests:**

Jennifer Fabion  
Brigitte Fuller  
Chita Gillis  
Ashley Martinez  
Oscar Dominguez  
Denise Baca  
Sara Mason

Johann Leitner  
Yossie N.  
Trevor Birt  
Ettie Anderson  
Linda Calhoun  
Rockelle Lengefeld  
Richard Runyon

Jody Garcia  
Geoff Plant  
Andrea Telmo  
Dave Simon  
Jeanette Linville  
H. Warren  
Stevie Olsen  
Charles Thompson  
Liz Anderson  
Royce Beaudsy  
Jesse Roach  
Rory McMinn  
J.P. Del Mar  
Johann Leitner  
Brandon Hove

Amy Cunningham  
Eric Hamilton  
David Laughlin  
Sara Mason  
Abraham Franklin  
Talal Saint-Lot  
Angelina Grey  
Howard Hutchinson  
Luz Carreon  
Alan Hook  
Jason Casuga  
Mark Sanchez  
Armand Grafman  
Carmen Austin  
Lucinda Blea

1. **Call to Order and Roll Call.** Chairman John D’Antonio Jr., called the Water Trust Board (“WTB”) meeting to order at 9:01 a.m. Roll call was taken, and a quorum was established.
2. **Approval of Agenda.** Member Forte made a motion for approval of the agenda, seconded by Member Russel. The motion passed unanimously by a voice vote.
3. **Approval of the August 25, 2021, Board Minutes.** Member Maitland made a motion, seconded by Member Forte, to approve the minutes of the August 25, 2021, meeting. The motion passed unanimously by a voice vote.
4. **Update HB200 Task Force (Informational Only).** – Marquita Russel, NMFA Chief Executive Officer.

Member Russel reported that the New Mexico Finance Authority, on behalf of the Water Trust Board sought public comment on the implementation of HB200 that began in September 2021 and was open for 45 days.

Ninety (“90”) public comments were received predominantly from residents of Grant County. The comments came from a diverse group of water users including property and business owners, the engineering community, non-governmental organizations, eligible recipients including municipalities and water and ditch associations, and State Legislators.

Many of the comments addressed current WTB requirements such as Preliminary Engineering Reports and requested that the application process be simplified because of technical, financial, or administrative capacity limitations on smaller systems.

The questionnaire included prioritization, population, environmental impacts, health and safety concerns, and readiness of the project. The Task Force will focus on criteria and program implementation and provide an update at the next Board meeting.

5. **Consideration and Recommendation of 2022 Water Project Fund Waiver Requests.** - Angela Quintana, Senior Program Administrator.

The 2022 WTB application cycle process provides for project evaluation in the fall based upon health and safety factors with those that are recommended to the Legislature for authorization are then invited to complete a readiness application, which gauges regulatory and policy compliance.

The Preliminary Expenditure Target ensures that applicants timely expend outstanding project funds. Specifically, Section 2.1, Recommendation to the Legislature, requires that the preliminary expenditure target be met at the time the Project Application is submitted. For the 2022 cycle, the preliminary expenditure target date was October 8, 2021. Applicants unable to meet the expenditure target by October 8 were instructed to include a waiver request with their application. Applications not meeting the preliminary expenditure target and not granted waivers by the Board will not continue in the evaluation process. Every entity with outstanding WTB balances was notified of the policy requirement and the deadline date to meet that requirement as part of the NOI review (August 10 – August 25, 2021). In addition to the Preliminary Expenditure Target requirement, all applicants are required to submit a completed project specific planning document for their proposed project. Per policy, all applicants will be required to submit a project specific planning document for the proposed project that has been completed and accepted within the last five years. This minimum requirement began with the 2015 application cycle and continues to be extremely important in determining project feasibility. One entity has requested a waiver on their June 2002 PER.

The maximum amount of funds anticipated to be available for the 2022 cycle is \$51.3 million (9% STB + WTF distribution – OSE adjudication). Per policy, applicants may not receive more than 15% of the available funds in any year, the 15% CAP this year is \$7.695 million.

For the 2022 cycle, five waiver requests were submitted for the Preliminary Expenditure Target and one for the appropriate planning document.

- 1) Albuquerque Bernalillo County Water Utility Authority, Water Conservation or Treatment, Recycling or Reuse Project (2); (Preliminary Target Drawdown)

**Waiver Request:** Preliminary Expenditure Target – 70%

**Recommendation:** NMFA staff recommends approval of the waiver request.

**Justification:** The applicant has an outstanding 2020 award (\$2,000,000) with a current balance of \$735,072 (64% expended). The Authority anticipates project completion by March 2022.

The Project Review Committee has reviewed this request and concurs with staff's recommendation.

**Member Russel made a motion, seconded by Member Forte to approve the Albuquerque Bernalillo County Water Utility Authority waiver request of the WTB Policy requirement for the Preliminary Expenditure Target. The motion passed unanimously by a roll call vote.**

- 2) Los Alamos County, Water Conservation or Treatment, Recycling or Reuse Project; (Preliminary Target Drawdown)

Waiver Request: Preliminary Expenditure Target – 70%

Recommendation: NMFA staff recommends approval of the waiver request.

Justification: The applicant has an outstanding 2019 (\$800,000) and 2020 (\$900,000) awards with a combined balance of \$1,050,000 (38% expended). The County anticipates completion of the 2019 project by October 2021 (current balance \$150,000). The 2020 project received bids in August 2021 which came in over budget by \$1,250,000. The County re-phased the project and anticipates going out to bid in October 2021.

The Project Review Committee has reviewed this request and concurs with staff's recommendation.

**Member Thompson made a motion, seconded by Member Lucero to approve the Los Alamos County waiver request of the WTB Policy requirement for the Preliminary Expenditure Target. The motion passed unanimously by a roll call vote.**

- 3) Eldorado Area WSD, Water Storage, Conveyance and Delivery Project; (Preliminary Target Drawdown)

Waiver Request: Preliminary Expenditure Target – 70%

Recommendation: NMFA staff recommends approval of the waiver request.

Justification: The applicant has an outstanding 2019 (\$500,000) and 2020 (\$1,000,000) awards with a combined balance of \$1,007,288.91 (33% expended). The District anticipates final closeout of the 2019 award by October 2021 (current balance \$7,189). The 2020 project required additional design to resolve technical details between the District and Santa Fe County. The project is scheduled to go out to bid by December 2021.

The Project Review Committee has reviewed this request and concurs with staff's recommendation.

**Member Russel made a motion, seconded by Member Esparsen to approve the Eldorado Area WSD waiver request of the WTB Policy requirement for the Preliminary Expenditure Target. The motion passed unanimously by a roll call vote.**

- 4) Sangre de Cristo MDWC&SWA, Water Storage, Conveyance and Delivery Project, (Preliminary Target Drawdown)

Waiver Request: Preliminary Expenditure Target – 70%

Recommendation: NMFA staff recommends approval of the waiver request.

Justification: The applicant has an outstanding 2020 award (\$121,736) with a balance of \$119,064 (2% expended). The 2020 award is for the design of the proposed project in the current cycle. The Association anticipates completion of the project by December 2021 in preparation of possible construction funding.

The Project Review Committee has reviewed this request and concurs with staff's recommendation.

**Member Lucero made a motion, seconded by Member Maitland to approve the Sangre de Cristo MDWC&SWA waiver request of the WTB Policy requirement for the Preliminary Expenditure Target. The motion passed unanimously by a roll call vote.**

- 5) Southern Sandoval County Arroyo Flood Control Authority, Flood Prevention, (Preliminary Target Drawdown)

Waiver Request: Preliminary Expenditure Target - 70%

Recommendation: NMFA staff recommends approval of the waiver request.

Justification: The applicant has an outstanding 2020 award (\$535,000) with a balance of \$395,649 (26% expended). The design is complete, and the award of the bid was approved on September 13, 2021. The project is currently underway.

The Project Review Committee has reviewed this request and concurs with staff's recommendation.

**Member Maitland made a motion, seconded by Member Russel to approve the Southern Sandoval County Arroyo Flood Control Authority waiver request of the WTB Policy requirement for the Preliminary Expenditure Target. The motion passed unanimously by a roll call vote.**

- 6) Talpa MDWCA, Water Storage, Conveyance and Delivery Project, (Planning Documents)

Waiver Request: Planning Requirement

Recommendation: NMED-Construction Programs Bureau staff recommends approval of the waiver.

Justification: The applicant provided a preliminary engineering report (PER) dated June 2002 but has also provided an updated construction cost estimate. The current application is for the construction/improvement of waterlines. The Association received Capital Outlay funds for the design portion and anticipates completion of the design phase by the ending of December 2021.

The Project Review Committee has reviewed this request and concurs with staff's recommendation.

**Member Lucero made a motion, seconded by Member Van Dyke to approve the Talpa MDWCA waiver request of the WTB Policy requirement for the Preliminary Expenditure Target. The motion passed unanimously by a roll call vote.**

*Chairman D'Antonio left the meeting at 9:57 a.m. for another scheduled meeting; Vice Chairman Forte chaired the remainder of the meeting.*

6. **2022 Water Project Fund Applications Presentations.** - Angela Quintana, Senior Program Administrator

Similar to previous years, applicants were given the opportunity to present their projects to the WTB so the Board can hear directly from the applicants and ask questions. Below in order of presentation is a list of applications provided to the Board for their consideration:

*Member John joined the meeting 10:19 a.m.*

Presentations	County	Project Name	Amount Requested
<b>Watershed Restoration</b>			
San Juan SWCD (Gary Hathorn)	San Juan	SJ watershed restoration project 2022	\$ 500,000
<b>Water Conservation or Treatment, Recycling or Reuse</b>			
Albuquerque BWUA (H. Warren)	Bernalillo	Advance metering-Phase 7	\$ 2,000,000
Albuquerque BWUA (David Laughlin)	Bernalillo	Volcano Cliffs Arsenic treatment facility upgrades	\$ 7,100,000
Albuquerque, City of (Dave Simon)	Bernalillo	Ladera Golf Course Pond liner	\$ 120,000
		Netherwood park irrigation system	\$ 300,000
		Phil Chacon Park irrigation system	\$ 950,000
Los Alamos County (James Alarid)	Los Alamos	Bayo non-potable booster station tank/upgrades	\$ 2,000,000
<b>Flood Prevention</b>			
Anthony, City of (Oscar Dominguez)	Dona Ana	Anthony Basin 9A1 Flood control	\$ 450,000
Luna County (Eric Hamilton)	Luna	LPOE Diversion Berm/pond flood control	\$ 2,500,000
Southern Sandoval CAFCA (Charles Thomas)	Sandoval	High Range Pond	\$ 1,150,000
Sunland Park, City of (Bridgette Fuller)	Dona Ana	Carlos Aguirre Court Pond flood control	\$ 225,000
Milan, Village of (Eric Hamilton)	Cibola	Airport Rd/Rio San Jose Channel CBC	\$ 2,000,000
<b>Water Storage, Conveyance and Delivery</b>			
Milan, Village of (Amy Cunningham)	Cibola	Water System improvements	\$ 2,400,000
Canada de los Alamos MDWCA (Chita Gillis)	Santa Fe	Water System improvements	\$ 682,000
Eldorado Area WSD (Steve King)	Santa Fe	Verano and Conchas Loop distribution line replacements	\$ 500,000
EMWT Regional Water Association (Bobby Ortiz)	Torrence	McIntosh community water system design	\$ 6,264,570
La Jara MDWC&MSWA (Andrew Vigil)	Sandoval	Water System improvements	\$ 361,800
Lincoln MDWCA (Nathan Roberts)	Lincoln	Water System improvements	\$ 2,360,000
Middle Rio Grande CD (Jason Casuga)	Bernalillo	Socorro Division conveyance	\$ 7,155,000
NM New Model Ditch Assoc. (Tom Levett)	Hidalgo	Pipe replacement	\$ 1,663,162
Ramah WSD (Angelina Grey)	McKinley	Water System improvements	\$ 350,000
Red River, Town of (Linda Calhoun)	Taos	Tenderfoot Area waterline	\$ 3,624,347
Regina MDWCA (Armand Groffman)	Sandoval	Water System improvements	\$ 243,000
Sangre de Cristo MDWC&SWA (Jody Garcia, Connie Gutierrez)	Guadalupe	Water System improvements	\$ 1,005,212

Santa Fe, City of (Alan Hook)	Santa Fe	Nichols Dam Repair project	\$ 1,500,000
Talpa MDWCA (Jody Garcia)	Taos	El Tros Rd. Waterline project	\$ 449,056
Williams Acres WSD (Rockelle Lengefeld)	McKinley	Water system upgrade	\$ 3,600,000
<b>Endangered Species Act</b>			
NM Interstate Stream Commission (Trevor Birt)	Bernalillo	River and Bosque restoration ES	\$ 2,000,000

**7. Public Comment.**

No Public Comments provided.

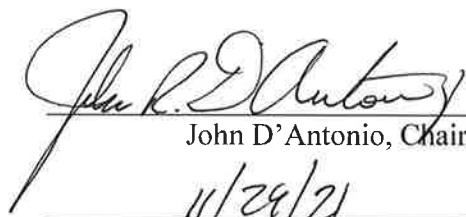
**8. Next Meetings.**

- November 23, 2021 – 9:00 a.m. Water Trust Board (Teleconference)
- April 13, 2022 – 9:00 a.m. Water Trust Board (TBD)
- May 5, 2022 – 9:00 a.m. Water Trust Board Meeting (TBD)

**9. Adjournment.**

**Member Russel made a motion to adjourn, seconded by Member Lucero. The motion passed unanimously by a voice vote.**

The meeting adjourned at 11:30 a.m.

  
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 John D'Antonio, Chairman  
 11/29/21  
 \_\_\_\_\_  
 Date

ATTEST:

\_\_\_\_\_  
 Michael Sloane, Secretary

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 Date