

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

Minutes of Water Trust Board Meeting
August 25, 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
Todd Leahy
Wesley Billingsley

New Mexico State Engineer
Executive Director, NMML
New Mexico Department of Game and 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
Designee, New Mexico Energy & Minerals Department
Designee, New Mexico Dept. of Finance & Administration

Absent:

Greg Alpers
Priscilla Lucero
Robert Baracker
Tim McGinn

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

Finance Authority Staff:

Angela Quintana
Bryan Otero
Connie Marquez
Joe Maldonado
Lisa Barela
Michael Vonderheide

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

Guests:

Casey Allen
Cody Stropki
Joshi Uday
Kitty Clemens

1. **Call to Order and Roll Call.** Chairman John D’Antonio Jr., called the Water Trust Board (“WTB”) meeting to order at 9:02 a.m. Roll call was taken, and a quorum was established.
2. **Approval of Agenda.** Member Sloane made a motion for approval of the agenda, seconded by Member Forte. The motion passed unanimously by a voice vote.
3. **Approval of the May 14, 2021, Board Minutes.** Member Sloane made a motion, seconded by Member Forte, to approve the minutes of the May 14, 2021 meeting. The motion passed unanimously by a voice vote.
4. **Report and Recommendation from HB200 Task Force.** – Marquita Russel, NMFA Chief Executive Officer.

Ms. Russel provided a verbal report on the HB200 Task Force which met twice to discuss the implementation of HB200. HB200 expands the duties of the WTB to include the responsibility of recommending water utilization projects to the Interstate Stream Commission (“ISC”) for funding from the NM Unit Fund. The statute did not provide sufficient guidance on how the WTB should make those recommendations including but not limited to the evaluation standards, limitations, and overall processes. NMFA staff met with ISC on their current process.

The recommendation from the HB200 Task Force is that the Water Trust Board seek public comment on how decisions will be made and what criteria and processes should be used for proposed project recommendations. NMFA will set up an on-line process for public comments to be captured in a database. The public comment period will run for 45 days beginning in September 2021 which will allow the Task Force to better interpret how to proceed with the implementation of HB200.

Member Russel, on behalf of the Task Force, made a motion for the Water Trust Board to seek public comment on evaluation criteria and processes used to evaluate projects pursuant to HB200 seconded by Member Esparsen. The motion passed by a unanimous roll call vote.

5. **2022 Application Cycle Overview.** (*Informational only*) – Angela Quintana, Senior Program Administrator. The 2022 WTB application cycle opened on August 10 – 25, 2021 with the Notice of Intent (“NOI”) Period. The NOI form informs entities of the anticipated funding available for the current cycle while providing staff with projected needs. Applicants may continue to submit NOI’s up to the closing of the application on October 8, 2021.

The estimated available funding for the 2022 cycle is approximately \$47.7 million with a 15% cap of \$7.155 million. Per WTB policy, applicants may not receive more than 15% of the available funds in any year. NMFA staff will provide virtual application training on September 9, 2021.

The online project application will be open from September 8 – October 8, 2021. Applications will be reviewed for entity and project eligibility and evaluated by the Project Management Team comprised of the NM Environment Department, NM Department of Energy, Minerals and Natural Resources, NM Department of Agriculture, NM Department of Game and Fish, Office of the State Engineer, and the NM Finance Authority. The applications will be evaluated on established WTB criteria and applicants will be afforded an

opportunity to present their proposed projects on October 27, 2021, via Zoom. Waiver requests will also be considered at the meeting.

Since 2016, the amended WTB rules provide those applications submitted by qualified entities to be evaluated prior to the WTB recommending projects to the Legislature. Based on the evaluations, the Project Management Team along with NM Department of Finance and Administration and Legislative Finance Committee staff will make recommendations for potential funding to the Project Review Committee for the Board's consideration on November 23, 2021. Those applicants that are recommended to the Legislature for authorization will be invited to complete a readiness application which gauges regulatory and policy compliance. Staff will provide a WTB Readiness Application Training in December prior to the Readiness Application opening December 13, 2021 – January 28, 2022.

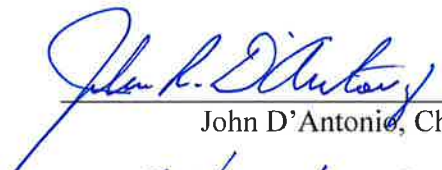
6. Proposed Next Meetings.

- October 27, 2021 – Waiver Considerations; Project Presentations
- November 23, 2021 – Legislative Authorization Recommendations
- April 13, 2022 – Compliance Waiver Considerations
- May 5, 2022 – 2022 WTB Funding Recommendations

7. Adjournment.

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

The meeting adjourned at 9:29 a.m.



John D'Antonio, Chairman
5 November 2021

Date

ATTEST:

Michael Sloane, Secretary

Date