

**MINUTES OF THE  
THREE THOUSAND EIGHTEENTH REGULAR MEETING  
OF THE  
BOARD OF DIRECTORS OF THE  
MIDDLE RIO GRANDE CONSERVANCY DISTRICT  
NOVEMBER 13, 2017**

Directors having been duly notified, Chairman Kelly called the regular meeting to order at 3:08 pm at the MRGCD General Office. The following Directors and Staff were present:

**DIRECTORS:**

John P. Kelly	Chair	
Glen Duggins	Vice-Chair	
Joaquín Baca	Director	Absent
Karen Dunning	Director	
Derrick J. Lente	Director	
Beverly Romero	Director	
Valerie Moore	Director	

**STAFF:**

Mike A. Hamman	Chief Engineer/CEO
Dr. DuMars	Chief Water Counsel
Bruce Wiggins	General Legal Counsel
David M. Fergeson	Secretary/Treasurer
Jeanette Bustamante	Administrative Officer
Ray Gomez	Engineer Supervisor
Jason Casuga	Engineer I
David Gensler	Water Operations Manager
Adrienne Martinez	Engineer I
Joe Brem	Albuquerque Division Manager
Sloan Washburn	Belen Division Manager
Lorenzo Benavidez	Socorro Division Manager
Doug Strech	GIS Supervisor
Christine Nardi	HR Director
Anne Marken	Hydrology Technician I
Becky Burnham	Budget Analyst

The following names of individuals were interested viewers and/or participants:

Jeff Willis, AMAFCA	Robert Becker, YLAW
Gary Stansifer, OSE	Jerry Lovato, AMAFCA
Jennifer Faler, BOR	Viola Sanchez, BIA
Nolan Bennett, AMAFCA	

**AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE**

Bruce Wiggins, Legal Counsel and Veteran of the Marine Corp led the Pledge of Allegiance.

Chairman Kelly observed a moment of silence in honor of the victims of the mass shooting in Texas

Chairman Kelly welcomed the guests and declared a quorum.

**AGENDA ITEM NO. 2 – APPROVAL OF THE AGENDA**

Chairman Kelly called for approval of the Agenda.

Mr. Hamman modified the title of 7b to read in lieu of Approval of Contract to Best and Final price with West Consultant Inc.

Director Dunning: asked to move 8a to follow 7i, and Chairman Kelly added an agenda item for Mr. Mr. Hamman to provide an update to the Board on the Corrales Siphon and Socorro Hub projects.

Chairman Kelly announced the Middle Rio Grande Flood Control Association Breakfast will be held on Tuesday December 5<sup>th</sup> at the Albuquerque Country Club, and all Board Members are invited to attend, and Mr. Hamman and David Gensler will be doing a presentation.

Chairman Kelly stated he will provide Ms. Bustamante with a copy of the invite and directed her to forward to all Directors.

Director Dunning made the **MOTION TO APPROVE THE AGENDA AS AMENDED**. Director Duggins seconded the motion. The **MOTION CARRIED** unanimously.

**AGENDA ITEM NO. 3 – APPROVAL OF MRGCD PAYMENT RATIFICATION & ATTORNEY INVOICES**

- a. Consideration/Approval of Payment Ratification for November 13, 2017

Director Moore questioned Check # 125406 – Risk Sense and inquired if this was similar to the Infrastructure and Vulnerability Assessment on item 7b.

Mr. Ferguson advised Director Moore that the Risk Sense assessment is to assess the vulnerabilities for our network and computers, etc., and it is not the same type of assessment as the Infrastructure and Vulnerability Assessment.

Chairman Kelly questioned Wex Bank fuel charges. Mr. Ferguson responded Wex is a company under the State Price agreement for purchase of fuel.

Director Romero made the **MOTION TO APPROVE THE PAYMENT RATIFICATION FOR NOVEMBER 13 2017**. Director Moore seconded the motion. The **MOTION CARRIED** unanimously.

- b. Consideration/Approval of October 2017 Invoice for Law and Resource Planning Associates

Chairman Kelly requested for LRPA to set up a separate billing category item for Protests that have developed and would like that be detailed out separately.

Director Dunning made the **MOTION TO APPROVE OCTOBER 2017 INVOICE FOR LAW & RESOURCE PLANNING ASSOCIATES**. Director Lente seconded the motion. The **MOTION CARRIED** unanimously.

- c. Consideration/Approval of October 2017 Invoice for Wiggins, Williams and Wiggins.

Director Romero made the **MOTION TO APPROVE OCTOBER 2017 INVOICE FOR WIGGINS, WILLIAMS & WIGGINS**. Director Dunning seconded the motion. The **MOTION CARRIED** unanimously.

Chairman Kelly thanked both legal counsels for submitting their bills in timely manner.

**AGENDA ITEM NO. 4 – APPROVAL OF THE MRGCD MEETING MINUTES**

- a. Consideration / Approval of Minutes for Regular Board Meeting – October 23, 2017

Director Dunning made the **MOTION TO APPROVE THE MINUTES OF THE REGULAR BOARD MEETING SEPTEMBER 25, 2017**. Director Moore seconded the motion. The **MOTION CARRIED**

**AGENDA ITEM NO. 5 – ITEMS FROM THE FLOOR**

THERE WERE NO COMMENTS FROM THE FLOOR

**AGENDA ITEM NO. 6 – REPORT(S) FROM THE U.S. DEPARTMENT OF THE INTERIOR**

- a. Reports from U.S. Department of Interior – Jennifer Faler, Area Manager

Following is the BoR Water Report 11-13-17

## 1. Heron Summary

Content = 149,249 ac-ft (11/9)  
 Azotea tunnel: 0cfs  
 Total SJC inflow year-to-date: 161,829 ac-ft  
 Currently releasing: 0 cfs  
 Current MRGCD storage: 24,176 ac-ft

## 2. El Vado Summary

- A. Total storage (all contractors and natural) in El Vado as of (11/9):  
107,346 ac-ft.
  - B. Native in El Vado  
71,834 ac-ft.
  - C. MRGCD's SJ-C storage in El Vado  
29,796 ac-ft.
  - D. P & P: 13,956 ac-ft
  - E. EDWA: 0 ac-ft
  - F. All other SJ-C contractors: 5,941 ac-ft
- Current release is 500 cfs    RG Inflow is 80-140 cfs

## 3. Storage in Abiquiu

Content = 138,180 ac-ft (11/9)  
 MRGCD's SJ-C storage= 0 ac-ft

Total supplemental water released in 2017: 13,413 ac-ft

**Snowpack Data:**

As of 11/6/17 (% of median)

Rio Chama	70%
Upper Rio Grande Basin	57%
Sangre de Cristo basin	81%
Jemez Basin	50%
San Juan River Basin	40%

Ms. Faler stated she has a few things to cover and will let Mr. Gensler provide the water update. She proceeded stating they are not releasing any more supplemental water. They came in this year about 13,400 total acre feet of supplemental water released, and last year's number was between 22,000 and 23,000 acre feet that was released, so it was a good year for the minnow, monsoons and everything. She covered the El Vado Safety Dam Projects that will be managed out of the Provo Office. Also stated that she has been trying to schedule a public meeting on the Safety Dams Project, but have had trouble lining up schedules with the Area Manager in Provo. The public meeting may be scheduled in February to discuss corrective action and other matters. She commented there are a lot of recreational users and other users on the river, and this will be an opportunity for the District to have conversations with other entities to request assistance and help with cost sharing.

Ms. Faler stated she received a request to carry over water in Heron because BOR has restrictions at El Vado as they are studying the dam. She also commented BOR has escalated from the Albuquerque office to the Regional office regarding the waiver to carry over water in Heron. There are blanket waivers for all the agencies that lease US water. So, there is a benefit to the Government for that, and they have

made the waiver process more streamlined and will be looking into doing a similar thing for MRGCD to have one of those streamlined carry over waivers over the next few months.

The periodic Compliance review for our Irrigation Districts came up, and BOR staff from Denver came to perform this compliance review, and they met with Mr. Hamman. Ms. Faler stated that the Compliance Review auditor, Yolanda, spoke with Ms. Faler, and she advised Ms. Faler that the District received good marks, and the compliance review was very favorable, and she stated the District did a great job providing all the necessary information for the compliance review.

Ms. Faler stated she spoke to the Deputy Secretary regarding title transfer matters, and she indicated the Deputy Secretary mentioned it is a favorable climate time to discuss title transfers, and she is passing that information out to the Irrigation Districts. They are also pursuing title transfer for the levees because of the Corp of Engineers Levee Project that is coming up. Ms. Faler stated she and her office stand ready to talk about whatever possibilities the District is thinking about.

Ms. Faler then spoke on the Biological Opinion (BO), and commented she does not feel the partner's commitment with the implementation of the BO. She indicated it was a pretty good deal when the Fish and Wildlife Service got out of the water business in exchange for stepping up and accelerating things like infrastructure, managing/maintaining infrastructure in the river and building habitat. The Reclamation has hired staff, and working on schedules, budgets, multiple projects, and expressed concern MRGCD and ISC have not staffed up. She affirmed it feels a lot more like status quo from our partners and wanted to comment on it.

Ms. Faler advised the Board that the BOR Commissioner announced that there will be a change in Reclamation regions as part of the Department of Interior reorganization. They are looking to split up the Great Plains Region, and Albuquerque will report to the lower part of that region, and she stated it may be discussed at the NWRA Conference in Tucson.

Chairman Kelly commented in regards to the BO he suggested for the Bureau, MRGCD and ISC meet for breakfast and discuss this matter, and Mr. Hamman would be happy to coordinate with the right people, and expressed that there have been a lot of changes at ISC. The Chairman thanked Ms. Faler for the report.

b. Reports from U.S. Bureau of Indian Affairs (BIA), Viola Sanchez, Designated Engineer.

Ms. Sanchez reported on the Prior and Paramount water and that there were no releases over the summer, so the full amount stored minus evaporation losses will be released and used for New Mexico's debit payment to Texas.

She also advised the Board that BIA is working with Mr. Casuga on all post season winter projects for all 6 Pueblos. In addition they are reviewing List "A" Facilities because there are facilities on List "A" that have not been maintained by the District, while there are things that were not on List A that are maintained by the District. Over the years the names have changed or they got attached to different things, or the locations maybe were never in the right place so BIA is in the process of cleaning up List "A" Facilities.

**AGENDA ITEM NO. 7 – REPORT(S) FROM THE CHIEF ENGINEER - (Mike Hamman, MRGCD CE/CEO)**

a. Bid Abstract/Approval – Jason Casuga, Staff Engineer

Mr. Casuga advised the Board that the District is in project design of the water system and right now bids were obtained for both PVC and iron pipe for the Socorro Hub Project to construct the pipeline. The overall budget for this material is \$220,514. Staff is recommending award to Baker Utility in the amount of \$210,258.80.



7a

## Memorandum

**To:** MRGCD Chairman Kelly and Board of Directors  
 Mike A. Hamman, CEO/CE  
 David Ferguson, Secretary-Treasurer  
 Jeanette Bustamante, Administrative Officer

**From:** Richard DeLoia, Purchasing Agent *RD*

**Date:** October 25, 2017

**Re:** ABSTRACT FOR SPECIALIZED PIPE FOR SOCORRO HUB PROJECT

Bid for specialized large PVC Pipe and Iron was advertised on October 7<sup>th</sup> and October 9<sup>th</sup>, 2017, five (5) bid packets were issued, and three (3) bids were received as follows:

SPECIALIZED PVC & IRON PIPE AND VARIOUS FITTINGS

VENDOR	TOTAL COST
BAKER UTILITY	\$210,258.80
FERGUSON WATER WORKS	\$233,102.34
CORE & MAIN	\$235,113.07

After thorough review, staff recommends award to Baker Utility for a grand total amount of \$210,258.80.

\*\*Socorro Hub Project\*\*

Director Moore made the **MOTION TO APPROVE AWARD OF SPECIALIZED PVC PIPE AND IRON FOR SOCORRO HUB PROJECT AS RECOMMENDED.** Director Duggins seconded the motion. The **MOTION CARRIED.**

- b. Request for Board Approval to proceed with Contract negotiations with West Consultants, Inc. for Schedule I Infrastructure Assessment and Schedule II Vulnerability Assessment Services.

Anne Marken presented the results of the Proposed Fees from finalist WEST Consultants Inc. in regards to the Infrastructure and Vulnerability Assessment RFP. She advised the Board that she prepared two separate detailed abstracts for the Infrastructure Assessment and Vulnerability Assessment which outlines the original fees proposed and received the Best and Final Offers.

Chairman Kelly commented he spoke with Mr. Hamman and stated the next step is the consulting services contract identifying the detailed scope of services and the deliverables i.e. the draft report and the amount of copies or digital format. Mr. Hamman can bring it back to the Board at the December 11<sup>th</sup> meeting. Therefore the Board concurs with the fee schedule, and will accept the final negotiated scope of work.

- c. Water Report – David Gensler, Water Operations Manager

Mr. Gensler advised the Board that the 2017 Irrigation Season is pretty much over, except for water deliveries to the Pueblos for two more days. We will go out and shut down the remaining parts of our system on Wednesday November 15, 2017. The bulk of the District’s system was shut down on November 6<sup>th</sup>, diversions were lowered, structures opened and we began the process of draining water back to the river.

Since late September/early October with rains, we have really been running at a reduced rate everywhere. We did deliver water to irrigators that requested through November 6<sup>th</sup>, and there were not that many requests. Today the current diversions are; 80 cfs at Cochiti, 45 cfs at

Angostura, and 90 cfs at Isleta. Flows in the river are at about 500 cfs up at Embudo, 1,200 cfs at Otowi, and 1,100 cfs at Albuquerque. The discrepancy there between Embudo and Otowi is because the District is still releasing water.

Delivery to Elephant Butte is the issue of most concern to the District right now. We have been averaging 1,600 acre feet a day delivered to the Butte. To accomplish this and get New Mexico back on track with the Rio Grande Compact deliveries, the District is currently releasing about 400 cfs from El Vado. As of late last week, the District had about 60,000 acre feet of Rio Grande in El Vado, and may wind up sending about 20,000 acre feet and will wind up with around 40,000 acre feet at the end of the year. The amount of Prior and Paramount water is 13,000 ac. ft. that will be released to the Butte, along with about 16,000 ac. ft. of offset water for the Albuquerque/Bernalillo County Water Utility Authority.

The Rio Grande situation is very fluid, ISC is computing deliveries weekly. They run a spreadsheet model every week to see how we are doing on our deliveries, and water managers are meeting every Monday to make little adjustments and talk through how it will work out with the goal of finishing up the year with New Mexico at zero or slightly in the black.

Currently we are sitting at 40,000 ac. ft. debit, and at the rate we are changing, plus the Water Utility Authority and Prior and Paramount water we are going to deliver about 45,000 ac. ft., over and above our required deliveries between now and the end of the year.

To close I would like for everyone to ponder for another payback of our debt to the Albuquerque/Bernalillo County Water Utility Authority. We still owe approx. 40,000 ac. ft. of San Juan water to the Water Utility Authority. I recommend that a minimum of 5,000 ac. ft. be paid, and would like to see if the Board would consider paying 10,000 ac. ft. this year. We are going to finish up the year somewhere on the order of probably 85,000 to 90,000 ac. ft. of water in storage going into 2018. Rio Grande Compact Article VII restriction will be lifted around the first of the year. The Butte should be over 400,000 ac. ft. Reclamation would be grateful to have a little extra water needed to move for two-two and half months the first part of 2018. Any water we pay back to the Water Utility Authority could go into a pot to be moved at that time, and it would have some benefits to the river system.

Chairman Kelly stated he was at the Chama Flow Optimization Project meeting with Mr. Gensler and the County of Los Alamos indicated they need 150 cfs to spin their turbine, would we be able to run 150 cfs for that two-two and half period. Mr. Gensler responded it would be close probably 130 cfs depending on how fast that water gets released. Chairman Kelly stated that is just one component of the issue. Dropping the flow out on the brown trout fisheries is probably the more important one; given the wild and scenic designation of the river. Mr. Gensler's said he always wrestles with the recreation and fishing stuff up there as Reclamation does too. Compact and District needs force us to operate that river system in a way that sometimes doesn't provide an ideal situation. It is good PR for the District to help our fellow New Mexicans up in the north part of the state.

Chairman Kelly asked Mr. Gensler in what format of approval is being requested. Mr. Gensler said he would like to have a formal board approval based on recommendations from staff to move the water.

Mr. Hamman stated he is comfortable with the notion of paying 10,000 ac. ft.

Chairman Kelly thanked Mr. Gensler, and the Board will review the recommendation for the loan payback at our December 11, 2017 Board meeting.

There was additional discussion regarding climatologist predictions, etc.

- d. Discussion January Board Meeting Dates – Mike Hamman, CE/CEO

The Board's consensus was to make no meeting date changes because the 15<sup>th</sup> is an Observed Holiday and the MRGCD is closed.

- e. Review and Discussion of "Draft" agreement for the Design, Construction and Project Management for the Montano Gap Levee Project – Mike Hamman, CE/CEO

Chairman Kelly acknowledged and introduced Mr. Jerry Lovato, Executive Engineer, Nolan Bennett, Field Engineer, and Jeff Willis, Real Estate Officer from the Flood Control Authority.

Mr. Hamman stated the District has been involved for several months discussing on how the FEMA Grants will be managed between the agencies, and also there have been several reiterations of this agreement.

AMAFCA stepped up to be the Project Manager and the City of Albuquerque (COA) is the official Grantee, and will work with Homeland Security. Each entities legal counsel is required to review for legal sufficiency and provide a letter that agreement has been reviewed and is approved for legal sufficiency. These letters will be transmitted to the City of Albuquerque and they will packet the documentation and forward to Homeland Security.

Mr. Nolan advised the Board that it was decided to incorporate who will be maintaining, as part of the Grant application and Grant scope it specifically states that the City of Albuquerque will maintain.

Chairman Kelly suggested adding that language as a recital and making it clear the Maintenance will be the City's obligation. Mr. Nolan responded it certainly is a reasonable request. The District will be part of the public process and part of the project advisory team.

Chairman Kelly then advised the Board that the District has a very limited role, there are no benefitted lands for this spoil bank levee, the District is going to allow the City, AMAFCA and the County to use our existing rights of way, which are mostly easements.

Director Dunning made a comment on item 24 of the Agreement where is in the public's interest for AMAFCA, the City, The County and the MRGCD to operate and jointly fund and construct, it sounds like the District is going to contribute a significant amount of money to this project. Mr. Nolan responded that is not the intent, it is more to say we are all working together as a coalition and build the best project in this region.

Chairman Kelly stated Section Two will override the general statement in Section One of the Agreement.

Director Lente stated this question is for staff, when you look at cumulative costs to the MRGCD for a project like this, even though we are not paying anything monetarily upfront, but will be providing in-kind services, the value of that to this organization in regards to rights-of-ways, easement, joint licenses, and staff time, what number would be placed for that.

Mr. Hamman stated the District has a longstanding relationship with the Flood Control entities in this region; we all work together of the betterment of the region. This particular case Mr. Nolan mentioned we will get improvements to the Corrales Riverside Drain, so that will come out of this project as the betterment for contributing our in-kind services and expertise to make this project a success. In regards to the rights-of-way this will be future negotiations with the City who owns all the land or has permanent easement from the Bosque to edge of the river. So it is very possible that we may negotiate some kind of long term agreement for us to mow the ditch and they pay the District to do that.

In regards to providing the impression we are an irrigation organization first and different type of flood control, when talking to SCAFCA as a partnership and they want to use our facilities to do other things and we set up the precedence are we doing a service to be a partners, are we doing ourselves a service, or are we setting ourselves up for potential future losses because we are using our conveyance channels that are supposed to be used for irrigation, we are now using for flood control. Should we be more involved and we should

Mr. Hamman commented this is something we will have to address with policy going forward.

Mr. Jerry Lovato addressed Director's Lente's concern and stated that AMAFCA provides a-lot of storm water for use for irrigation and AMAFCA has modified their facilities to take out trash, debris and sediment, before putting water into the ditches. We have the Amole facility that drains into the Arenal Main Canal, and also have flows that are going into the Gun Club. They have made modifications to the three-dam outlet that will allow AMFACA to put water back into that drain that will service Highline and the Indian Lateral. They are very conscious on the resource and they are also working with MRGCD staff on Valle del Oro to do the same.

Director Lente responded that the District is battling with a situation currently regarding when there is too much water, and you never know when that's going to happen then all of a sudden our ditches can't handle it because our ditches are not engineered to those specifications and when something happens then there is finger pointing.

Mr. Lovato stated AMAFCA takes that into consideration. They actually identify how much water MRGCD ditches can take, and build their structures just to put that much in. If there is too much water there is always going to be a blow-off, some type of safety valve someplace in the system that's going to drain someplace else. They understand MRGCD facilities are large and very big, but they are flat, so they don't move water very fast, and AMAFCA if very mindful of that.

Mr. Lovato said the District can support this project that will protect Bosque School, the homes in the area and public, and the project cannot be done without the easement. Bottom line if the easement is not available there will not be a levee simple as that. The levee can only happen with the generosity to allow it to happen with the easement. The benefit to the constituents on the west side of the river will benefit from this project.

After additional discussion Mr. Nolan stressed the timeline on this project and are requesting for prompt review.

- f. Presentation on District Wide Winter Work Plan – Jason Casuga, Staff Engineer

2018 Winter Construction Projects		
STATUS	PROJECT NAME	PROJECT DESCRIPTION
<b>ALBUQUERQUE DIVISION</b>		
Planning	Bosque 1 Langemann Gate (0+00)	Install Langemann gate at Bosque 1 Heading
Planning	Bosque 1 Shotcrete Lining (STA:64+50 to ±71+50 )	Shotcrete approx. 700 feet of the Bosque 1
Planning	Corrales Siphon Wood Stave Repair	Repair Missing Wood stave on the east side of the river
Planning	Albuquerque Main Canal Check Repair (Robinson Check) (±875+00)	Install Concrete Panel upstream and downstream with cutoff walls to project structure
Planning	Bosque 3 Check Repair (±8+00)	Install Concrete Panel upstream and downstream with cutoff walls to project structure
Planning	Corrales Acequia Check Replacement (± 47+60)	Replace Wood Check with concrete check
Planning	Corrales Acequia Check Replacement (± 173+00)	Replace Wood Check with concrete check
Planning	Sandia Acequia Wasteway (± 240+00)	New Catwalk-Raise Height for Safety
TBD	Armijo Acequia (±37+50)	New LCW
TBD	Gallegos Lateral (113+25 to 132+60)	2 weirs will replace 3 wooden checks
TBD	Durand Lateral (98+30 to 100+00)	1 weir will replace 2 wooden checks
TBD	Grejgos Lateral (103+00)	replace wood check with LCW
<b>BELEN DIVISION</b>		
Planning	Isleta Settlement-Disposal Pit D	Improve Tribal Service road to allow access to Pit for disposal of material.
Planning	Los Lentos Drain Dredging	Dredge drain starting at Station 130+00 800 feet south
Planning	Los Chavez Wasteway	Reconstruct Wasteway and Install New Langemann Gate
Planning	Peralta Main Canal Check Repair (665+00)	Install Concrete Panel upstream and downstream with cutoff walls to project structure
On-Hold	San Juan Main Canal LCW (±325+00)	install New LCW/Likely to be done FY19
TBD	Peralta Main Canal Culvert Crossing (869+00)	install new pipe under Peralta Main Canal
Planning	Las Nutrias Interior Drain Crossing (134+00) Camino Ulibarri	install new culvert crossing
Planning	Las Nutrias Interior Draining Crossing (170+00)	install new culvert crossing
<b>COCHITI DIVISION</b>		
Planning	Monica Lateral (Stat 0+00)	Rebuild Heading and outlet works from Monsoon Damage
Planning	Cochiti E. MC-New Culvert Crossing (970+00)	Replace old wood pedestrian crossing with new CMP Culvert
Planning	Cochiti E. MC-New Culvert Crossing (987+50)	Replace old wood crossing with new CMP Culvert
On-Hold	Sili MC-Bank Raising (894+00 to 881+00)	Raise banks approximately 2 feet.
Planning	Sili MC-Top of the World Crossing (555+00)	Pueblo has purchased pipe. MRGCD will install
<b>SOCORRO DIVISION</b>		
Planning	Socorro MC Hub (± 115+00 to 135+00)	New Distribution Hub
Planning	Steve Woodard Crossing (Luis Lopez Drain 179+00)	Install new Crossing.
<b>NOTE:</b> This list does not include normal O&M, turnout installs, and minor repairs that will be conducted by the divisions.		

Mr. Casuga referred to the 2018 Winter Construction Project list and advised the Board that this list *“Does not include normal O&M, turnout installs and minor repairs that will be conducted by the Divisions”*.

Mr. Casuga proceeded to tell the Board that the list is not comprehensive, but he is tracking larger infrastructure, and much larger coordination items, both on non-pueblo lands and pueblo lands. The items highlighted in green we know what the problems are and have a solution; and yellow represents *“Planning”*. Mr. Casuga explained they know what the problem is, but have hesitancy on whether or not they will be able to accomplish some of the things in yellow. A lot of the work focuses on the largest canals because that is the artery of the District in moving our largest volume of water, but it is not the largest canals that ultimately end up delivery the water to or customers, it is the smaller ones. These project listed as TBD and also the two yellow projects just above on the Corrales Acequia, those are much smaller projects.

We are trying some new things this year and will have the division’s primary construction crews focus on the mainline infrastructure with some of the expertise from Irrigations System Operators.

Mr. Casuga said they will all work together this year to get more done. There are also two projects on hold, and may fall off because of economy of how much work needs to get done. One of the large projects in Belen will be to overhaul the Los Chavez Wasteway, fix the alignment, and install some gates to better gage the flow going back into the drain. Another large project will be on the Pueblo of San Felipe. Reconstruct the Monica Lateral Heading. That heading was substantially damaged during our storm flows. There are approximately 25 projects, and in addition to some of these projects there are also individual Pueblos that have their own work plans that will also be addressed.

- g. Report on Pueblo Coalition Meeting November 7, 2017 – Jason Casuga, Staff Engineer

Mr. Casuga provided a copy of the agenda and expressed the main topic of conversation was the discussion from the Sandoval County Commission who presented the Sandoval County Oil and Gas Ordinance. The Sandoval County Commission will be taking this up at the Meeting on Thursday. The Pueblo Coalition will be preparing a joint letter, along with potential individual letters requesting to have that item tabled. Other than that it was a pretty general meeting.

Director Lente inquired if this was something of interest to this Board and this organization. He stated that he has been following the matter of the oil and gas proposal, and this has been an ongoing saga. He commented that there has not been any tribal consultation or any consultation at all. This ordinance will allow for oil and gas exploration with 100 feet of residents in Sandoval County. A lot of people are up in arms about it; the esthetics, safety concerns, property concerns, and of course potential environmental impacts it could have on the land and the water in the area.

Director Lente asked the Board if we would consider writing a letter of concern about this knowing that our surface and ground water are all interconnected, and that possibly the oil and gas exploration could somehow rupture and contaminate the ground water, and what does that mean for the people that farm in this valley, that utilize ground water, and in a lot of cases the surface water to irrigate their crops. This not only will effect Sandoval County, the water will flow downstream all the way south down to Elephant Butte.

Chairman Kelly directed Chief Water Counsel Dr. DuMars and Mr. Hamman to review the ordinance and report back on December 11, 2017. The District doesn't normally get involved with the planning & zoning issues in the four counties, but Director Lente made a good point.

Chairman Kelly asked for Mr. Casuga to continue and provide the Corrales Siphon update.

Mr. Casuga stated the Corrales Siphon repair is coordinated and ready to go. We have the permit from the Pueblo of Sandia for access and the contractor will begin work in earnest on the November 27, 2017. The draining of the siphon will begin at the start of the week with the intent and hope that the contractor will enter the pipe toward the middle to end of the week. When the repair starts, it needs to be continuous. Once the repairs begin it shouldn't take more than a week or so. The permit was secured for 4 weeks, but Sandia Pueblo is willing to extend if needed. The Specialty Contractor is from Phoenix and will be here overseeing the Quick Wrap material.

h. Update on District Wide Storm Event Progress – Mike Hamman, CE/CEO

Mr. Hamman stated that staff has been diligently checking costs associated with the repairs for all four divisions that were impacted with the flood events; we have been tracking all activity in the divisions. Thanks to Ms. Judy McSweeney, MRGCD Accountant has compiled some data and to date there has been \$200,000 in repairs and there is still work to be done, and it doesn't include equipment depreciation these are just hard costs. Down in the Luis Lopez area there are hard costs at \$46,000, Non-Highline Repairs at \$39,000, Cochiti Division at \$30,000, but haven't quite analyzed that area fully. Other projects were identifies and some realigning of arroyo banks that were damaged need to be included. We will easily exceed \$300,000 of hard costs to date, but we are making great progress getting things up and running.

Chairman Kelly commented that \$300,000 on a \$20,000,000 budget is to be expected, the surprise was how concentrated it was in one area.

i. Report on Bi-National Forum Conference November 7&8, 2017 – Mike Hamman, CE/CEO

Mr. Hamman reported that the Bi-National Conference Forum itself was to bring people together to look at all the activities within the Rio Grande/Rio Bravo basin and to educate both the Mexican and US entities involved in river issues and explore different ideas and concepts. Their focus is to collaborate on river flows, environmental conditions and water quality conditions, and numerous other concerns were raised in the presentations. The focus primarily was to work together to maximize resources for the common good.

It was very well attended both days and the way they conducted the forum is that they had participants seated at numbered tables in order to maximize engagement and learning from a mix of both Mexican and US participants.

Director Moore stated this forum was very informative and was very interested on the discussion on the Rio Conches. Mostly what we learned was cooperation. Got a different prospective on what the Mexicans are doing to support the Rio Grande.

Director Dunning stated it was a very well organized conference, and one of the criticisms was that there were not a lot farmers in attendance. On the Mexican side she was surprised how much they are doing environmentally, bad news they exclusively depend on ground water pumping, and it is a real issue. The silvery minnow is not doing well in the Big Bend reach; they don't get the necessary flow spikes to trigger spawning. On the US side in Texas it was interesting the person in charge of ESA compliance is not the State Engineer it is in the Comptroller Office, they stated it is a money thing and it impacts the bottom line. She sat with National Boundary Water Commissioner who does the water quality, and he indicated that herbicides currently used have such a short life, within hours you can't detect it in the water. The San Luis Valley is ahead of the curve getting farmers and people together to do river restoration and the person presenting was very impressive.

Mr. Eslinger of the Elephant Butte Irrigation District was also in attendance; and Beth Bardwell of the Audubon Society made the presentation.

- j. Update on NWR Annual Conference in Tucson, AZ. November 15-17, 2017 – Mike Hamman, CE/CEO

Mr. Hamman stated that conference is set and Director Dunning and Duggins and Dr. DuMars will be attending.

- k. Approved Licenses for October 2017 (For Informational Purposes Only)

Director Dunning asked who is doing the study for the National Heritage New Mexico to conduct a Riparian Study. Mr. Hamman responded he did not know and would inquire.

#### **AGENDA ITEM 8 - REPORT(S) FROM THE MRGCD BOARD OF DIRECTORS**

- a. Report on Bi-National Forum Conference, November 7&8, 2017- Directors Dunning and Moore

Director Duggins made the **MOTION TO APPROVE THE REPORT ON BI-NATIONAL FORUM CONFERENCE, NOVEMBER 7&8, 2017** Director Romero seconded the motion. The **MOTION CARRIED.**

#### **AGENDA ITEM NO. 9 – EXECUTIVE SESSION**

- a. NMSA 1978 Open Meetings Act Section 10-15-1-(H)2
  - 1. Threatened or Pending Litigation
  - 2. Water Rights Matter

Chairman Kelly requested a motion to move into Executive Session at 4:53 pm.

Director Dunning made the **MOTION TO MOVE INTO EXECUTIVE SESSION PURSUANT TO NMSA 1978 OPEN MEETINGS ACT (SECTION 10-15-1(H)7).** Director Romero seconded the motion. The **MOTION CARRIED.**

Chairman Kelly requested a roll call vote:

Director Dunning	Yes	Director Moore	Yes
Director Duggins	Yes	Director Romero	Yes
Chairman Kelly	Yes		

The **MOTION CARRIED.**

Chairman Kelly requested a motion to move back into the Regular Session at 6:04 p.m.

Director Dunning **MADE THE MOTION TO MOVE BACK INTO REGULAR SESSION.** Director Romero seconded the motion.

Chairman Kelly requested a roll call vote:

Director Dunning	Yes	Chairman Kelly	Yes
Director Duggins	Yes	Director Romero	Yes

The **MOTION CARRIED.**

Chairman Kelly said for the record that only discussion was had and no action was taken.

With no further comments, questions or concerns, Director Romero made the **MOTION TO ADJOURN THE MEETING.** Director Dunning seconded the motion and the **MOTION CARRIED** unanimously.

The meeting was adjourned at 6:05 p.m.

Approved to be the correct Minutes of the Board of Directors of November 13, 2017.

**Attested:**

\_\_\_\_\_  
David M. Fergeson  
Secretary/Treasurer

\_\_\_\_\_  
John P. Kelly,  
Chairman, MRGCD Board of Directors