

**MINUTES OF THE
2,177th REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

JULY 12, 2021, 3 P.M.

Directors having been duly notified; Madam Chair Dunning called the regular meeting to order at 3:06 pm at the MRGCD General Office. The following Directors and Staff were present:

| DIRECTORS | | STAFF | |
|----------------------------------|---------|------------------|------------------------------|
| Karen Dunning, Madam Chair | Present | Mike Hamman | Chief Engineer/CEO |
| Stephanie Russo Baca, Vice Chair | Present | Dr. Chuck DuMars | Chief Water Counsel |
| Barbara Baca, Director | Present | Lorna Wiggins | General Counsel |
| John Kelly, Director | Present | Jason Casuga | Chief Operating Officer |
| Joaquin Baca, Director | Present | Pamela Fanelli | Secretary-Treasurer/CFO |
| Glen Duggins, Director | Present | Anne Marken | Acting Water Operations Mgr. |
| Michael T. Sandoval, Director | Present | Mike Lopez | Water Distribution Div. Mgr. |
| | | DeAnna Phillips | GIS Tech / Board Liaison |

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

| | |
|-------------------------------|--|
| Lacy A. Daniel, LRPA | John Fleck, UNM |
| John Thompson, MRGCD Lobbyist | Annalise Parker, UNM |
| Judy McSweeney, MRGCD | Carlos & Evangeline Madrid, Bernalillo, NM |
| Marie VanDerGeest, MRGCD | Annette Garcia, Belen, NM |
| Alicia Lopez, MRGCD | Marcella Melendez, Belen, NM |
| Willie West, MRGCD | Rickie A. Gonzales |
| Julian Avalos, MRGCD | Sammy Feldblum, UCLA |
| Francesca Shirley, MRGCD | Anders Lundahl, NM ISC |
| Estella Gamboa, MRGCD | Matthew Aragon |
| Gabriella Coughlin, MRGCD | Gayle Goodman |
| Daniel Arquero, MRGCD | Mike Moreno |
| Lorenzo Benavidez, MRGCD | Andrew Salas, Belen City Manager |
| Yasmeen Najmi, MRGCD | Andrew Hautzinger |
| Adrienne Martinez, MRGCD | Tricia Snyder, Wild Earth Guardians |
| Casey Ish, MRGCD | Jerah Cordova |
| Michael Padilla, MRGCD | Elaine Hebard |
| Doug Strech, MRGCD | Sonny Cooper, Weston Solutions |
| Danial Clouser, MRGCD | Phil Bredfeldt, Weston Solutions |

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

Director Moore led the Pledge of Allegiance at today's meeting.

Madam Chair Dunning declared a quorum, and the meeting was publicly noticed. This meeting is a new hybrid order meeting, wherein board members, staff, and the public are at the meeting in person but may also call in. Rollcall votes will no longer be necessary for regular motions.

AGENDA ITEM NO. 2 – APPROVAL OF THE AGENDA

Director Russo Baca requested to move Item 10.f., Report on the Valencia-Socorro County Flooding of July 6, 2021, before Item No. 7, Items from the Floor.

Vice Chair Baca made the **MOTION TO APPROVE THE MEETING AGENDA with the above changes**. Director Kelly seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 3 – CONSENT AGENDA

- a. Consideration/Approval of Payment Ratification - July 12, 2021
- b. Consideration/Approval of June 2021 for Wiggins Williams & Wiggins
- c. Consideration/Approval of June 2021 Invoice for Law & Resource Planning Associates, PC
- d. Consideration/Approval of Minutes for Special Election Canvass Meeting - June 11, 2021
- e. Consideration/Approval of Minutes for Regular Board Meeting - June 14, 2021
- f. Consideration/Approval of Minutes for Special Election Canvass Meeting - June 25, 2021
- g. Consideration/Approval of Minutes for Special Meeting to Swear in Newly Elected Board - June 28, 2021
- h. Memo on MRGCD Approved Licenses for June 2021 (For Informational Purposes Only)
- i. Notification of the Reclassification of Land (For Informational Purposes Only)

Director Kelly made the **MOTION TO APPROVE THE CONSENT AGENDA**. Director Sandoval seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 4 – RECOGNITION OF VALERIE MOORE FOR HER DEDICATED SERVICE ON THE MRGCD BOARD OF DIRECTORS

Mike Hamman thanked Former Director Moore for her years of service; presenting her with a plaque and MRGCD jacket on behalf of MRGCD. Each board member and Dr. DuMars thanked Former Director Moore for her service and dedication, as well as wished her luck in her new endeavors. Director Moore will continue to participate as a community member with the Conservation Advisory Committee. Ms. Moore reciprocated appreciation for the Board and the MRGCD team.

AGENDA ITEM NO. 5 – REORGANIZATION OF THE BOARD - Lorna Wiggins, MRGCD General Counsel

Lorna Wiggins stated that this is the time of year when the Board reorganizes itself with her assistance. The positions that are being filled are the Chair and the Vice Chair of the Board. She then began with the nominations for the position of Chair. Director Dunning and Director Russo Baca were nominated for the position.

Vice Chair Baca made the **MOTION TO CLOSE NOMINATIONS FOR THE POSITION OF CHAIR OF THE BOARD**. Director Dunning seconded the motion.

After Director Dunning received six votes, Director Russo Baca withdrew her name from the process. Director Dunning remains in the Chair of the Board position.

Lorna Wiggins called for nominations for the position of Vice Chair of the Board. Director Russo Baca was nominated for the position. Since she was the only nominee, a motion was not needed to close nominations. Votes were unanimous and Director Stephanie Russo Baca is now the Vice Chair of the Board.

AGENDA ITEM NO. 6 – 2021-2022 BOARD COMMITTEE ASSIGNMENTS - Madam Chair Dunning

Madam Chair Dunning shared recommendations and discussion ensued with following changes to the Board committees (including the Chair for each):

IRRIGATION/WATER BANK AND ILLEGAL IRRIGATORS COMMITTEE

Vice Chair Russo Baca, Chair
Director Sandoval
Director Duggins

LEGISLATIVE COMMITTEE

John Thompson, MRGCD Lobbyist
Director Barbara Baca, Chair
Vice Chair Stephanie Russo Baca
Director Joaquin Baca

ELECTION COMMITTEE

Director Sandoval, Chair
Director Dunning
Director Joaquin Baca

WATER PROTECTION /USBOR / FWS & ESA COMMITTEE

Vice Chair Stephanie Russo Baca, Chair
Director Joaquin Baca
Director Sandoval

PERSONNEL COMMITTEE

Director Dunning, Chair
Director Kelly
Director Barbara Baca

BUDGET COMMITTEE

All Board members attend Budget Sessions

FINANCE/AUDIT EXIT COMMITTEE AND ENDOWMENT FUND

Director Kelly, Chair
Chair Karen Dunning
Director Barbara Baca

DISTRICT URBAN ISSUES COMMITTEE

Director Joaquin Baca, Chair
Vice Chair Russo Baca
Director Barbara Baca

BIA NEGOTIATION COMMITTEE (REINSTATED)

Director Sandoval, Chair
Vice Chair Russo Baca
Director Duggins

AGENDA ITEM NO. 7 – ITEMS FROM THE FLOOR (Comments are held to six (6) minutes)

Lorna Wiggins on Behalf of Concerned Citizen

Lorna Wiggins was asked to read a letter from a constituent to the Board. The concerned citizen is not identified and described an incident wherein the constituent happened upon an "event" on the Santa Ana Pueblo Friday, July 2nd, that required 911 assistance. This person did not have a cell phone, but an ISO was working on the water flow at that time. The concerned citizen was relieved that they saw this ISO as they felt the ISO could get help sooner than they could. The ISO immediately contacted the proper Santa Ana authorities for help, the situation was taken care of, and the ISO also called the concerned citizen later in the day to check on them. The concerned citizen wanted the Board to know what an important role the MRGCD ISOs and staff have as being the eyes and ears of the community. The concerned citizen asked that the Board recognize the ISO, Javin (Velasquez).

Chair Dunning ask Mr. Hamman to have Javin (Velasquez), the Irrigation Systems Operator, present at the next board meeting so that the Board can give kudos. Mr. Hamman agreed.

Marcella Melendez

Ms. Melendez is a concerned citizen from Belen. She is saddened that the people have not quite recovered from the previous flood and now once again. She believes that the people of Belen do not have much money but believes money is out there if everyone comes together. She also believes our government does not have its priorities right in that it doesn't appear that this flooding issue is important to them. She thanked the Board for their support but also asked if everyone could pull together to find a permanent solution to these flooding problems.

The Chair and Mr. Hamman both recommended that she and the community attend the Valencia County Commissioners Board meeting which will have an item regarding their flood control on their next agenda.

Michelle Mares

Ms. Mares lives in Los Lunas and her son lives in Belen, who is one of the victims of this most recent flooding event. She has heard from the City of Belen that this flooding issue is MRGCD's responsibility, and MRGCD says it's the City of Belen's responsibility. She was in contact with Representative Gail Armstrong who told her that infrastructure bill needs to be passed in Congress. She believes that the new infrastructure bill could work by correcting some of these issues. She strongly urged everyone in the meeting to contact New Mexico Senator and Representatives to support this issue being included in the infrastructure bill. She also voiced her frustration of seeing Belen's firemen hosing empty sidewalks on Main Street when his elderly neighbors across the street haven't even removed the carpet yet.

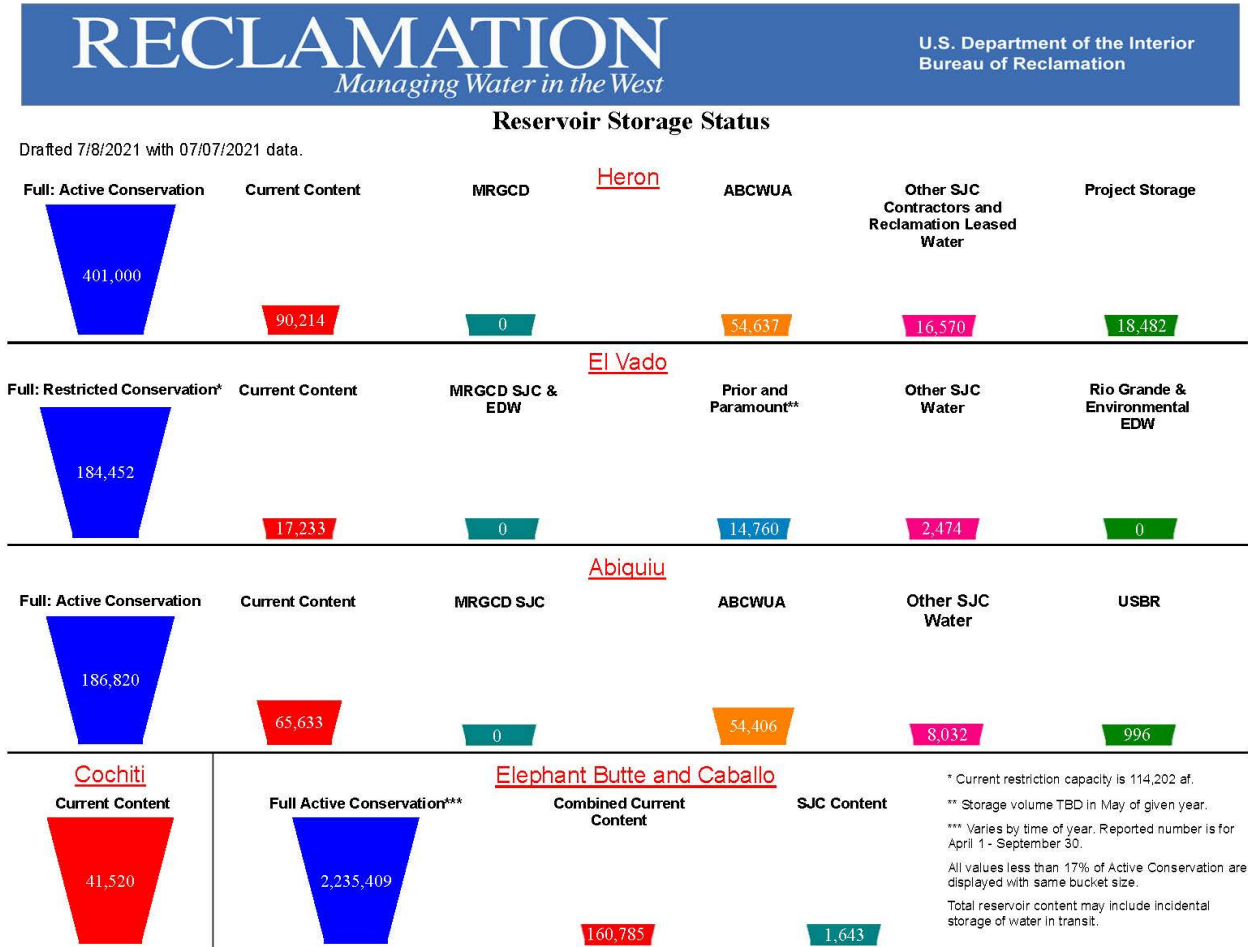
Glen Duggins

Director Duggins noted that he had received a phone call from farmer in Bernalillo that there was a problem with the pumping station and the acequia. Madam Chair Dunning asked Mike Lopez to respond. Mike Lopez noted that one of the two turbine pumps was out on a fuel pump station; the Bernalillo Acequia was just operating on one pump. This issue will be worked on after this season closes; however, Mr. Lopez noted that MRGCD can still provide the water needed in that area but that the schedule is just different.

AGENDA ITEM NO. 8 – REPORT(S) FROM THE DEPARTMENT OF INTERIOR

a. Bureau of Reclamation - Jennifer Faler, Area Manager

Although Jennifer Faler was not in attendance, below is the reservoir storage status provided by the BOR:



b. Bureau of Indian Affairs - Viola Sanchez, Designated Engineer

Viola Sanchez was not in attendance of today's meeting.

AGENDA ITEM NO. 9 – REPORT(S) FROM THE SECRETARY-TREASURER/CFO - Pamela Fanelli, CMA, CGFM

a. Review of End of FY21 and Fourth Quarter Financials – Pamela Fanelli, Secretary

Pamela Fanelli went over the year-to-date 06-30-2021 FY21 financial information first saying the Board received budget to actual and then the budget to actual tactical comparison, in their Board packets.

The District is projecting a surplus of \$250,292 for Fiscal Year 2021. This will be moved to the Capital Reserve Fund as mandated by prior Board Resolution.

Total actual revenues excluding other financing sources totaled \$24,153,024. This was below what was budgeted by \$99,568. Major budgeted line items that came in higher than budgeted included Ad Valorem revenues - \$880,158, Water Service Charges - \$160,406, and Other Revenues - \$131,782. Items that came in lower than budgeted included Water Bank Fees - \$361,683, Interest on investments - \$213,355, and Grants - \$678,892.

Ad Valorem revenues include an accrual for June's distribution received in July. The counties were able to give us the totals, but the money will come later this month. The only county that did not come in higher than budgeted was Sandoval County. I am working with them to determine the reason. Water Service Charges came in higher than budgeted due to the great efforts of our assessment staff and partially due to increases sales of land and property. Due to increased sales, owners are paying off the liens the District has put on their property. Water Bank Revenue came in lower due to the severe drought conditions. The District adjusted the Water Bank Revenue budget in FY2022. Interest Income came in lower than budgeted. On average the District earned 0.1286% on our investments. Many projects were put on hold in FY2021 due to the pandemic which affected budgeted grant revenue. The expenditures associated with the grant revenues were not incurred. The grant timelines have been extended and the District has many projects budgeted in FY2022.

Total expenditures excluding transfers for FY2021 totaled \$21,819,963. We have encumbered \$1,275,215 which brings total expenditures to \$23,095,178. Total budgeted expenditures were \$24,278,092. Included in the encumbered amounts is \$542,331 of equipment purchases.

b. Report on the Finance Committee Meeting, July 12, 2021 – Directors Kelly and Baca, and Pamela Fanelli, CFO

Director Kelly reported that he and Director Barbara Baca met with Pam (Fanelli) and Becky (Burnham) to review the end of FY21 and fourth quarter financials. This report for the end of 21 must be sent to the State after board approval. Directors Kelly and Barbara Baca are recommending approval of both the end of FY21 and the fourth quarter financials. As an aside, they also discussed some future alternatives in equipment acquisition.

Director Kelly made the **MOTION TO ACCEPT THE YEAR-END FINANCIAL REPORT AND SEND IT TO THE SANTA FE AS REQUIRED.** Director Barbara Baca seconded the motion. The **MOTION CARRIED UNANIMOUSLY.**

c. Consideration/Approval of Resolution M-07-12-21-169 Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval to the NM Finance Authority

Ms. Fanelli reported that in the FY22 budget, there was a line item for a \$3,000,000 loan and a \$3,000,000 equipment purchase. The loan, which the Board approved the budget in May, comes before the equipment purchase. The next step is the loan application, and this requires a resolution by the Board for approval to submit the completed loan application to the New Mexico Finance Authority. She stated that the proposed equipment to be purchased was included in their packets; this new equipment will be replacing older assets that were in the 1990s, early 2000s and will make the District's operation more efficiently workable.

Equipment to be purchased with an NMFA Loan

VEHICLES & TRAILERS

| DIVISION DEPARTMENT | CATEGORY | DESCRIPTION | JUSTIFICATION | Qty | Cost | Total |
|------------------------|-------------------------------|--|--|-----|---------|---------|
| COCHITI | CAPITAL VEHICLES AND TRAILERS | * Water Truck/Tanker (4,000 gal; tandem) | ADDITION | | | |
| | | * Dump Truck (5-yd) | Replaces 34407 - 1999 GMC Dump Truck (red) | 1 | 185,817 | 185,817 |
| ALBUQUERQUE | CAPITAL VEHICLES AND TRAILERS | * Dump Truck (5-yd) | Replaces 34407 - 1999 GMC Dump Truck (red) | 1 | 146,000 | 146,000 |
| | | * Tandem Dump Truck | Replaces Unit 44410 - 1999 GMC dump truck (red) | 1 | 182,608 | 182,608 |
| | | * Stake Bed Dump Truck | Replaces Unit 44005 - 1999 International dump truck (red) | 1 | 50,080 | 50,080 |
| | | * Welding Truck | ADDITION | 1 | 45,141 | 45,141 |
| DIVISION DEPARTMENT | CATEGORY | DESCRIPTION | JUSTIFICATION | | | |
| SOCORRO | CAPITAL VEHICLES AND TRAILERS | * Water truck | ADDITION | 1 | 185,817 | 185,817 |
| | | * Fuel truck | Replaces Unit 54202 - 1997 International Service Truck (red) | 1 | 239,228 | 239,228 |
| | | * Dump Truck | Replaces Unit 64006 - 1999 GMC dump truck (red) | 1 | 146,000 | 146,000 |
| | | * Dump Truck | Replaces Unit 64412 - 1999 GMC dump truck (red) | 1 | 146,000 | 146,000 |
| | | * Welder Truck | Replaces Unit 64003 - 1997 Ford F250 Flatbed Welder (red) | 1 | 45,141 | 45,141 |
| | | * Service Truck - Fuel | Replaces Unit 44201 - 1997 International Service Truck (red) | 1 | 239,228 | 239,228 |
| ER & T | CAPITAL VEHICLES AND TRAILERS | * Parts Runner Truck w/Lift Gate | Replaces Unit 23429 - 2007 Chevy K-1500 (red) | 1 | 40,119 | 40,119 |

HEAVY EQUIPMENT

| DIVISION DEPARTMENT | CATEGORY | DESCRIPTION | JUSTIFICATION | | | |
|------------------------|-------------------------------|--|---|---|---------|---------|
| | | * Rubber Tire Excavator | ADDITION | 1 | 255,000 | 255,000 |
| | | * Mini Rubber Tire Excavator w/attachments | ADDITION | 1 | 208,000 | 208,000 |
| | | * Long Reach Excavator | ADDITION | 1 | 210,000 | 210,000 |
| BELEN | CAPITAL HEAVY FIELD EQUIPMENT | * Long-reach Excavator | Replaces Unit 57305 - 2000 John Deere excavator (red) | 1 | 210,000 | 210,000 |
| | | * Rubber tire excavator | Replaces Unit 57306 - 2003 Volvo excavator (red) | 1 | 255,000 | 255,000 |
| | | * Mini Rubber Tire Excavator w/attachments | ADDITION | 1 | 208,000 | 208,000 |

Total Cost of Equipment included in the loan

2,997,180

Director Kelly made the **MOTION TO AUTHORIZE THE RESOLUTION AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY AS PRESENTED**. Director Barbara Baca seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 10 – REPORT(S) FROM THE CHIEF ENGINEER - Mike A. Hamman, PE

a. Report on Water Supply Conditions - Mike Hamman, CE//CEO, and Anne Marken, Acting Water Operations Division Manager

Anne Marken reported that today, we have about 100 CFS at Lobatos Gauge and a little above 300 at Embudo. We have 350 entry into the middle valley, below Cochiti, none of which is released MRGCD water. MRGCD made the decision last Tuesday to stop releasing the San Juan-Chama stored water because demands were reduced.

As of today, there is approximately 3,500-acre feet left in storage, and we are evaluating when to start releasing again. Currently, we are working to set up the Albuquerque reach to prevent any river channel drying until we are out of our stored water. While we're not releasing stored waters, these operations are being augmented with federally released San Juan-Chama water.

Below Isleta, we have been passing well over 100 CFS for most of the month, but all of that has been due to rain. And today we've been able to ratchet that back a little bit, and we're hoping to get into a really controlled recession down there, so we can do the support the minnow rescue in the Isleta reach. Similarly, in San Acacia, we have a lot of inflows from the arroyos running upstream of the dam there, so we are passing more water than we like. We can't divert too much right now due to the storms.

Ms. Marken said as there's 40% to 50% chances of rain this coming week, and we can expect to see temperatures hovering around the low 90s, high 80s. We sit tight and evaluate the weather and continue to evaluate demands to slowly start making that release from storage.

Director Kelly asked if the 3,500-acre feet was the final allocation for this year on the San Juan-Chama project, as well as asked what remained of the P&P storage.

Ms. Marken responded that our July allocation was going to be 3,600-acre feet. The City of Santa Fe agreed to loan us that water until it was officially allocated to us on the 15th. We have released some of that water, but we stopped last Tuesday due to the rain. That 3,600-acre feet is the last block of water in storage and will then look to run of the river and rainfall events. She added that we have not started P&P releases yet, as the pueblo demand has not yet dipped below what's coming in at Embudo and La Puente.

Mike Hamman added that if there's any silver lining to all of the bad news, we've gotten about 10,000-acre feet at Elephant Butte during this stormy event period.

b. Status Report on Water Distribution - Mike Lopez, Water Distribution Division Manager

Mike Lopez reported that these storm events bring sediment and silt that clog the canals, but it also washes in tons of debris from the mountains. MRGCD crews have been working to maintain the drainage canals to ensure water is flowing freely.

Mr. Lopez also reported that everyone in MRGCD pulls together to get the job done; it doesn't matter from what department or the division, everybody teams up and takes care of whatever has to happen. We've had some ISOs that have experience running equipment, basically resource sharing throughout the District.

Water demand is low. The river and the arroyo flows have been providing what we need for areas that have been impacted less from these rains. We still have areas in the District that are still irrigating right along because rains have not been as heavy for them. We are trying to take advantage of that and irrigate those folks now to stagger usage. We are anticipating and planning the best we can, but mother nature is basically at the wheel.

Madam Chair Dunning asked about the budget taking a big hit when we have events like this for employees who are eligible for overtime. Mike Hamman reported that staff can acquire up to 40 hours of comp time that can be used in the future. In addition, Judy McSweeney, in Accounting, is tracking the overtime that's being used as we can get reimbursement from FEMA/Department of Homeland Security.

Director Kelly asked if the District knows where the sediment would be removed from our very limited storage areas along the canals. Jason Casuga replied that ideas were being thrown around, but at this moment they do not really know where they will take it. Mike Lopez also added that our challenges are the narrow right of ways limits the size of equipment that can get

in there, so smaller equipment is being used for removal currently. Vice Chair Russo Baca suggested that some of the horse arenas may want some of it.

Vice Chair Russo Baca noted that many people ask her about their next irrigation. She asked Mike Lopez what he recommended, and would help him most, to respond to these individuals. Mike Lopez replied that the crews are working diligently to get everything up and running as quickly as they can and believes they will be ready by the time the farmers' demands will increase.

Discussion ensued with Director Duggins and Mike Lopez regarding timing and increased water demand over the next two weeks. Director Duggins noted that communication between ISOs and farmers had been broken but is much better now with Mike Lopez. He said that it is critical that the MRGCD Board communicates and when the community calls for it, MRGCD shows up.

Director Kelly added that he believes it is imperative that MRGCD take a good look at acquired property for a reregulation reservoir. Mike Hamman agreed and noted that currently MRGCD has some major infrastructure requests in, including the Bernardo siphon which could serve getting the east side water over to the west side. He thinks a re-reg reservoir somewhere in the Drain Unit 7 extension area; stating there's a couple other areas also in the works.

c. Report on the Six MRG Pueblos Coalition Meeting, June 22, 2021 - Mike Hamman, CE/CEO

Mike Hamman reported that at the meeting, they discussed pending maintenance issues. He noted that everyone is going through a get reacquainted process with the new leadership at Isleta Pueblo. They are reintroducing folks to the procedure of how we get our maintenance. They also discussed the New Mexico Drought Listening Session.

d. Update on Infrastructure/Drought Relief Funding Requests with the Congressional Delegation and State of New Mexico - Mike Hamman, CE/CEO

MRGCD did send in its five big asks to the congressional delegation; Tanya Trujillo (Assistant Secretary for Water and Science) was blind-copied so they are aware. We are actively engaged with the major water resource entities (National Water Resource Association and the Family Farm Alliance). They are having weekly and bi-weekly calls about asking various aspects of their membership to reach out to certain key legislators. The main message is, Don't be bashful. Get your infrastructure requests in, get them identified, and make sure that key delegation members that are on the ag committee and the commerce committee know about it.

e. NM Drought Listening Session, July 15, 2021 - Mike Hamman, CE/CEO

Mr. Hamman reported that about two-and-a-half weeks ago, right before Tanya Trujillo got confirmed, we were having a conversation about the publicity that California receives regarding drought. There is nothing in the press about the concerns that New Mexico is facing. If the rains cease, and we go into a very austere operational scenario, we will experience significant crop losses. Being able to discuss the drought impacts here in New Mexico is really important.

Ms. Trujillo brought up a drought listening session. Mike Hamman is taking the lead on it. They have got 14 different individuals lined up from around the state. It's an invitation only kind of event at the Albuquerque Bernalillo County Water Utility Authority's new facility. There will be a state of the state report by state climatologist, Dave Dubois. There will also be five-minute comments from all of the 14 folks from around the state. Vice Chair Russo Baca has kindly

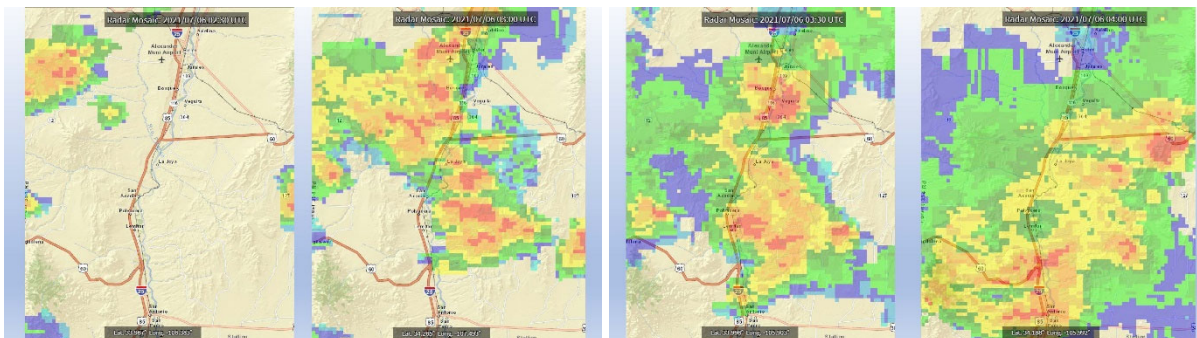
committed to being the representative for the Middle Rio Grande for that five-minute statement. There will be a separate press briefing after the event. The end result will be a report that will go to Congress, outlining all of the concerns around the region of the state.

f. Report on the Valencia-Socorro County Flooding of July 6, 2021 - Jason Casuga, COO

Prior to his presentation, Jason Casuga shared that MRGCD received a grant through the federal government WaterSMART program BOR for the Socorro Main Canal Booster Station along with our consultants, Bohannon Huston (BHI). BHI submitted this project in the water resources category to the American Council Engineering Companies New Mexico (ACEC) for an Engineering Excellence Award which are presented annually by ACEC. The awards pay tribute to New Mexico's most prestigious and distinguished engineering projects and the project won.

Director Kelly stated that this is an impressive award and a true honor for the MRGCD, for our engineering staff, our construction staff, for the consultants, for everyone involved in the project. Mike Hamman agreed with Director Kelly, recognizing Mike Lopez and the Socorro Division team's efforts and thanked Mr. Casuga who had a huge role in it as well.

Mr. Casuga gave an overview of the presentation for the flooding event on July 6th starting with a storm radar mosaic that showed the type of storm, how fast moving and intense it was from 8:30 pm to 10:00 pm. He then discussed the extent of the amount of irrigation canal damage suffered throughout the middle valley, starting from mainly Valencia County and heading south. Discussed the MRGCD flood response efforts and lastly, answer any questions.



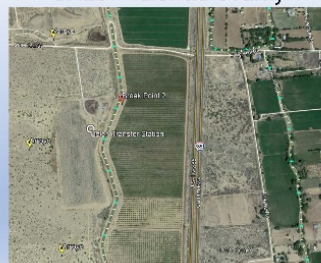
He explained the coloring of the radar: green being mild rain, yellow being heavy rain, and red being much rain with hail. The epicenter of the storm basically stayed right along Interstate 25 and the river dropping enormous amounts of rain along the mesa and within the actual areas that got flooded as well.

The standard for flood control in what ponds and what that infrastructure is designed for right now is called a 100-year storm event. The airport's rain gauge showed 2 ½ inches of accumulated rain water in 45 minutes; from a stormwater standpoint that is a lot of water which he feels is approaching or breaking somewhere around a 200 year rain event. The rainfall that occurred on July 6th exceeds that. No piece of MRGCD infrastructure was designed to withstand rain events of this intensity.

Major Canal Break Locations BHLC-City of Belen



Major Canal Break Locations BHLC - Valencia County



Valencia County Flood Response










- Repair of major and minor breaches and bank failures along the Belen Highline Main Canal
- Sediment removal from multiple locations on the Belen Highline and New Belen Acequia from W. Delgado Rd. to Camino De Llano
- Addressed drain capacity issues and inundation

Next Steps:

- Assess and report on extent of damage
- Respond to claims
- Work with local agencies on long term solutions

Middle Rio Grande Conservancy District

Major Canal Break Locations Socorro County

Socorro County Flood Response


- Repairing major and minor breaches and bank failures along the San Antonio Ditch, Luis Lopez Ditch #2, Luis Lopez Interior Drain, and Alamillo Acequia.
- Sediment removal from all ditches on the west boundary of the Socorro Division
- Addressing ditch capacity issues and inundation

Next Steps:

- Assess and report on extent of damage
- Respond to claims
- Work with local agencies on long term flood control solutions

MIDDLE RIO GRANDE
CONSERVANCY DISTRICT

Questions?



Mike Hamman added that the climatic experts in the southwest are stating unequivocally that climate change is moving us in a direction with higher temperatures and more intense storm events than this. These types of events are going to be more frequent and even more intense than what we're experiencing. Local governments, all of us, have to figure out how our 120-foot-wide strip of land running on the western side of Valencia County (also on the eastern side) with five or six foot high of uncompacted embankment is going to cause any relief to anybody on events such as this. MRGCD must run canals for irrigation purposes. We have to get other entities that have that type of a storm or flood control authority to step in and work with the legislature to try to figure out how we're going to handle this in the long run, because this is not going away and is only going to get worse.

Vice Chair Russo Baca asked for an example of the quantity of water. Director Kelly explained one cubic feet per second is equal to 450 milk jugs coming by you full of flood water in one minute. One cubic feet of water is seven and a half gallons. When pumping water, one CFS is a huge amount, 450 gallons a minute. The pump station does 40 CFS, a thousand gallons per minute.

Vice Chair Russo Baca then asked about the high line canal being a dirt ditch not a concrete levee. Mr. Casuga explained that an irrigation canal starts big at the top and gets smaller as you do down because you divert the massive water you need to irrigate an area. Then as the water gets pulled off, that canal gets smaller. A stormwater canal starts small at the top

because rain enters it's first in and as you work your way downstream and another arroyo comes in and another arroyo comes in, the canal has gotten bigger, bigger and bigger. A great example would be the North Diversion Channel in Bernalillo County. MRGCD facilities run north and south, and slope is not in our favor.

Director Kelly asked John Thompson, the MRGCD Lobbyist, how much capital outlay has gone to Belen, Valencia Cuntty, to address this beyond the \$400,000 MRGCD put in doing engineering studies, as well as the \$1,000,000 spent on emergency work. Mr. Thompson responded that it was his understanding, without examining their capital outlay requests, that there has been a significant appropriation to the City of Belen somewhere in the area of \$1.5 million.

Director Kelly then reiterated what Dr. DuMars said earlier about having a good handle on costs. One flood control dam could control one of those arroyos, that meet State Engineer requirements, would suck up the entire \$1.5-million. And that is contingent on them being able to use our canals infrastructure as their outlet pipe to get that water to the river. Dr. DuMars also mentioned that we are blessed in the urban area to have the Albuquerque Metropolitan Arroyo Flood Control Authority, the Southern Sandoval County Arroyo Flood Control Authority up in Rio Rancho, and then the Eastern Sandoval County Arroyo Flood Control Authority, all of which were voted on by the residents of that area to tax themselves for the community benefit of a flood control system. They are able to tax people all the way up to the divide between the Rio Grande and the Rio Puerco and all the way up the Northeast Heights to the flood at the Sandias where the national forest is. They're actually charging everybody contributing water into the problem area. We're sitting down here with our benefitted area in the middle. There's no way we can afford that regional flood control system. It never has been in our charter. We have been charged with riverine flood control and have done a wonderful job with levees up and down the river with a lot of help from the Corps of Engineers and others.

This is a regional issue and just because MRGCD is the first line of defense, called the Belen Highline Canal, it's not MRGCD's responsibility. We're part of the solution, and it's worked very well in Albuquerque where there is a series of detention dams on the west side of Albuquerque that all bleed off into the Gun Club or the Arenal Lateral. They have got gates on them. After the storm is over, we drain them down. In Bernalillo County, there are only two arroyos that make it to the Rio Grande in their historic location, the Calabacillas and the San Antonio arroyos. Every other arroyo has been diverted by the Corps of Engineers' North and South Diversion Channels Project or has been captured by a flood control dam with that water bled into our system. That model has worked in Bernalillo County. We have had good partners with the three flood control authorities. We've done similar work up in Bernalillo with the East SSCAFCA. We need a partner like that down in Valencia County and Northern Socorro County. The legislation has been successful. Three of these flood control authorities have been created going back to 1963. Director Kelly urges MRGCD to push that issue with the Valencia County Commission and with the town fathers of Belen. It's a model that works. Unfortunately, it's a model where people have to decide to tax themselves to make it work.

AGENDA ITEM NO. 11 – REPORT(S) FROM THE MRGCD ATTORNEY(S) - Chief Water Counsel and/or General Counsel

- a. Report on Wild Earth Guardians' Notice of Intent to Sue Under the Endangered Species Act – Dr. Charles DuMars, Chief Water Counsel and Mike Hamman, CE/CEO**

This topic will be covered in Executive Session.

b. Report on Special Master Hearing on Texas' Amended Complaint in TX v. NM & CO – Dr. Charles DuMars, Chief Water Counsel

This topic will be covered in Executive Session.

AGENDA ITEM NO. 8 – REPORT(S) FROM THE BOARD

a. Report on the MRCOG Executive Meetings, June 10, 2021 - Director Baca

Director Barbara Baca reported that the focus of the meeting was the budget for MRCOG with an 5% increase in membership fees.

Director Sandoval made the **MOTION TO APPROVE THE REPORT ON THE MRCOG EXECUTIVE MEETINGS**. Vice Chair Russo Baca seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

b. Report on the Indian School Road/Campbell Ditch Neighborhood Meeting, June 15, 2021 - Chair Dunning, Directors Joaquin Baca and Barbara Baca

Madam Chair Dunning reported that she and Directors Joaquin Baca and Barbara Baca were asked by the neighborhood association and the City to attend this meeting, which involved a pedestrian fatality. Because there is threatened litigation, if anyone had questions, they were asked to hold off until Executive Session.

Vice Chair Russo Baca made the **MOTION TO APPROVE THE REPORT ON THE INDIAN SCHOOL ROAD/CAMPBELL DITCH NEIGHBORHOOD MEETING, JUNE 15, 2021**. Director Barbara Baca seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

c. Report on the Conservation Advisory Committee Meeting, June 17, 2021 - Former Director Valerie Moore

Former Director Moore reported that the Conservation Committee was given a water leasing program update at the meeting. She and Chris Sichler requested that April accounting of water be adjusted since farmers did not get water until around April 15th with only one watering that month. She continued with her report that Audubon informed to the committee that they are installing temperature gauges in the outfalls, as the fish need 85° to survive. Lastly, three applications were sent out for the On Farm Program-Farm Improvements, and the ISOs are going to get the word out regarding the program.

Director Kelly made the **MOTION TO APPROVE THE REPORT ON THE CONSERVATION ADVISORY COMMITTEE MEETING, JUNE 17, 2021**. Director Baca seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

d. Report on the Local Farmer's Meeting in Lemitar, July 1, 2021 - Director Duggins

Director Duggins hosted a meeting with local farmers in his barn, with Mike Hamman in attendance as well as Jason Casuga, Mike Lopez, the ISO for Lemitar (Robert Parnell) and Thomas Padilla, Socorro Division's ISO Supervisor, to better understand MRGCD procedures. Everyone left in a better mood, in a better way, and a better understanding of the process.

Vice Chair Russo Baca made the **MOTION TO APPROVE THE REPORT ON THE LOCAL FARMER'S MEETING IN LEMITAR, JULY 1, 2021**. Director Kelly seconded the motion. The **MOTION CARRIED UNANIMOUSLY**.

AGENDA ITEM NO. 9 – EXECUTIVE SESSION

a. NMSA 1978 Open Meetings Act, Section 10-15-1(H)7

1. Threatened or Pending Litigation

Madam Chair Dunning requested a motion to move into Executive Session.

Director Barbara Baca made the **MOTION TO GO TO INTO EXECUTIVE SESSION**. Director Sandoval seconded the motion. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED**.

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|-----------------------|-----|-----------------------|-----|
| Director Barbara Baca | Yes | Vice Chair Russo Baca | Yes |
| Director Sandoval | Yes | Director Duggins | Yes |
| Director Kelly | Yes | Director Joaquin Baca | Yes |
| Madam Chairwoman | Yes | | |

Madam Chair Dunning Adjourned the meeting at 5:54 pm.

Madam Chair Dunning reconvened the meeting at 7:24 pm.

Director Baca made the **MOTION TO RETURN TO REGULAR SESSION**. Director Baca seconded the motion. Rollcall vote was administered with all members voting yes. The **MOTION CARRIED**.

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|-----------------------|-----|-----------------------|-----|
| Director Barbara Baca | Yes | Vice Chair Russo Baca | Yes |
| Director Sandoval | Yes | Director Duggins | Yes |
| Director Kelly | Yes | Director Joaquin Baca | Yes |
| Madam Chairwoman | Yes | | |

During Executive Session, updates were given on threatened or pending litigation. No decisions were made, nor any votes taken during Executive Session.

With no further comments, questions or concerns, Madam Chair Dunning adjourned the meeting at 7:24 p.m.

Approved to be the correct Minutes of the Board of Directors of July 12, 2021.

ATTESTED:

Pamela Fanelli, CMA, CGFM
Secretary/Treasurer

Karen Dunning, Madam Chair
MRGCD Board of Directors