

**MINUTES OF THE
2,212th REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
MIDDLE RIO GRANDE CONSERVANCY DISTRICT**

JUNE 10, 2024 - 3:00 PM

Directors having been duly notified; Madam Chair Russo Baca called the regular meeting to order at 3:04 pm. The following Directors and Staff were present:

DIRECTORS

Stephanie Russo Baca, Madam Chair	Present
Karen Dunning, Vice Chair	Absent
Brian Jiron, Director	Present
John P. Kelly, Director	Present
Glen Duggins, Director	Absent
Micheal T. Sandoval, Director	Present
Colin T. Baugh, Director	Present

STAFF

Jason Casuga	Chief Engineer/CEO
Lorna Wiggins	General Counsel
Christina J. Bruff	Chief Water Counsel
Pamela Fanelli	Secretary-Treasurer/CFO
Eric Zamora	Chief Operating Officer
Anne Marken	Water Distribution Division Mgr.
Matt Martinez	Water Operations Division Mgr.

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

Brook Bassan, ABQ City Councilor	Lucas Harvey, Emrgy	Richard DeLoia, MRGCD
Jennifer Faler, USBR	Nathan Roberts, BHI	Tarah Jaramillo, MRGCD
Pacifica Casares-Chehy, USBR	Joan Hashimoto	Mike Padilla, MRGCD
Angel Madera Enriquez, MRGCD	Patrick Taber, BIA	Calijah Kaye, MRGCD
Judith McSweeney, MRGCD	Amanda Molina, MRGCD	Casey Ish, MRGCD
Rhett Sander-Spencer, MRGCD	Kim Ward, MRGCD	Yasmeen Najmi, MRGCD
John Thompson, MRGCD Lobbyist	Steve Kinberger, MRGCD	Christine Nardi, MRGCD

AGENDA ITEM NO. 1 – PLEDGE OF ALLEGIANCE

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

Madam Chair Russo Baca declared a quorum, and the meeting was publicly noticed. This meeting was a hybrid meeting with Directors Jiron and Sandoval attending virtually. Therefore, rollcall votes were necessary for regular motions.

AGENDA ITEM NO.2 - APPROVAL OF THE AGENDA

Madam Chair Russo Baca added an amendment to 13(d), stating Director Sandoval was not at that meeting, and moved 14(a) to executive session for a further update. Mr. Casuga added Item 9(e) to discuss the search for an insurance carrier for FY25.

Director Kelly made the **MOTION TO APPROVE THE MEETING AGENDA with the above changes**. Seconded by Director Baugh. Rollcall vote was administered, and Director Jiron voted yes, the **MOTION CARRIED**.

AGENDA ITEM NO. 3 - CONSENT AGENDA

- a. **Consideration/Approval of Payment Ratification - June 10, 2024**
- b. **Consideration/Approval of May 2024 Invoice for Wiggins, Williams & Wiggins**
- c. **Consideration/Approval of May 2024 Invoice for Law and Resource Planning Assoc.**

- d. **Consideration/Approval of the Minutes for the Special Board Meeting - May 13, 2024**
- e. **Consideration/Approval of the Minutes for the Regular Board Meeting - May 13, 2024**
- f. **Memo on MRGCD Approved Licenses for May 2024 (For informational Purposes Only)**

Director Kelly made the **MOTION TO APPROVE THE CONSENT AGENDA**. Seconded by Director Baugh. The **MOTION CARRIED**.

AGENDA ITEM NO.4 - DISCUSSION FOR THE CITY COUNCIL E-BIKE O-24-14
COMMITTEE SUBSTITUTE - Brook Bassan, Albuquerque city Councilor District 4

Councilor Bassan explained they have been working on changing the electric bike (e-bike) ordinance in the City of Albuquerque and discussed some concerns people have about them. She said the state passed a bill that prohibits e-bikes unless a municipality chooses to do otherwise with their ordinance, and Albuquerque Parks and Recreation decided to permit them on paved trails. She stated they cannot go over 28 mph and expressed that if an analog bicycle can ride there, an e-bike should also be allowed to ride there. Councilor Bassan noted that a Joint Powers Agreement would not allow e-bikes to go to a certain area unless the Joint Powers Agreement is amended to include and permit certain trails. She said e-bikes are the new bicycle for many people and they would mitigate people's fears on speed, safety, and protection of open space while still allowing people who want to use e-bikes to also be able to use them.

Director Kelly stated that he believes a Class 3 e-bike going 28 mph did not fit in with analog bicycles, so he asked about speed limit plans on particular trails.

Councilor Bassan noted there is a uniform speed limit of 20 mph or lower on all or any trails and that would be included in the ordinance.

Director Kelly asked about the enforcement of people speeding.

Councilor Bassan said that they would be working with APD, metro security, or park rangers on that.

Mr. Casuga explained that the Alameda Trail and Paseo del Bosque Trail were covered under license agreements and JPAs, so those would not be in play without having a conversation with MRGCD, and that if there are any substantive changes to policies or rules regarding a JPA, MRGCD has a say in that.

Director Kelly asked if they were currently looking to revamp the JPA for the Rio Grande Valley State Park.

Mr. Casuga confirmed that is correct.

Director Baugh talked about a recent encounter with someone on an e-bike that almost ran over his child on a trail along the river. He said he would be interested to see revisions and what trails would allow for that. He noted he does not like signs along the trails saying to slow down, the idea of speed cameras, and does not want to have to worry if his child will get runover if they get five to six feet in front of him.

Mr. Casuga stated one thing he believes will be discussed under the JPA is the difference between an e-bike being on a paved trail on the levee versus entering the Bosque with much narrower trails.

Director Kelly asked when this will be up for action.

Councilor Bassan explained they will have a committee meeting on Wednesday to present this, but wanted to bring it to MRGCD's attention and assured them they will still be respecting and protecting the JPA. She added that she is also an advocate for widening trails, but it will take more time and money in the long run and does not want to penalize some people for using the environment and not penalize others.

Mr. Casuga recommended delegating this to the Urban Committee to discuss the matter and see if they need to form an opinion or have an opinion expressed in the JPA for the Rio Grande Valley State Park when it comes out. Madam Chair Russo Baca agreed.

Director Kelly expressed that no one opposes the bill as presented and values the relationship with the City of Albuquerque Parks and Rec Department on managing the Bosque.

AGENDA ITEM NO. 5 - ITEMS FROM THE FLOOR (Comments are limited to three (3) minutes)

Joan Hashimoto

Joan Hashimoto, stated she's the chairperson of the Corrales Bosque Advisory Commission and would be very opposed to allowing e-bikes on any dirt paths in the Corrales Bosque for many reasons:

- 1) horses, pedestrians, bicyclists and wildlife share those paths, which are often serpentine and have poor forward visibility;
- 2) e-bikes can go very fast, up to 30 mph, with little physical efforts, especially throttle ones, which are popular;
- 3) e-bikes are heavy and go fast which is a formula for danger as they are harder to control. It is well-documented that e-bikers have more serious injuries than traditional bicyclists have;
- 4) Corrales has no open-space personnel to monitor any possible (like 20 mph) speed limit;
- 5) the levee road would be an open invitation for e-bikers to zoom down and create their own paths and thereby damage and degrade the levee;
- 6) the inherent danger of e-bikes in the Corrales bosque to horse riders, pedestrians, bicyclists create significant liabilities to the MRGCD and municipality.

She felt not only e-bikes but also one-wheel skateboards, and e-unicycles should not be allowed, but did not mean e-wheelchairs.

AGENDA ITEM NO. 6 - REPORT(S) FROM THE WATER OPERATIONS AND DISTRIBUTION DIVISIONS

a. Report on Water Supply Conditions - Anne Marken, Water Ops Division Manager

Ms. Marken reported on the water supply conditions, stating the respite from the hot weather would be short-lived and the National Weather Service is forecasting it to be in triple digits by the end of the week. She said the middle valley agriculture and conveyance demand was 850 cubic feet per second this past week and available flows into the middle valley are currently about 1400 cubic feet per second of native Rio Grande water. She stated there is currently enough water in the system to meet agricultural and conveyance needs, but the high mountain snows are melting, and river flows are on the decline.

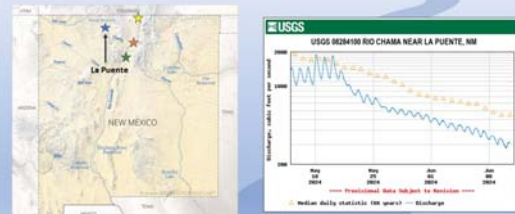
Ms. Marken reported on the river gauges, including the La Puente measuring 300 cubic feet per second and Otowi Index Gauge measuring 1500 cubic feet per second. She explained that once native inflows are not sufficient to meet agriculture and conveyance demand for the middle Rio Grande, MRGCD will have to start releasing from limited available water from storage and how long the water lasts will depend on summer rainstorms and how much MRGCD will need to supplement native Rio Grande flows. She predicted MRGCD to be out of San Juan Chama water by early to mid-July, at which point they would be a run of the river system. She noted there were chances for rain Thursday through Saturday, and the National Weather Service's seasonal outlook is showing above average temperatures and below average precipitation through August.

Water Supply Update

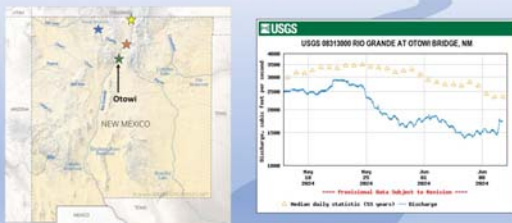
Middle Rio Grande Conservancy District Board of Directors Meeting
June 10th, 2024



USGS Rio Chama Near La Puente



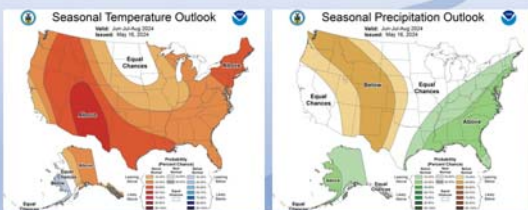
USGS Rio Grande at Otowi Bridge



National Weather NM Temperature and Precipitation Forecast Table

Location	Maximum Temperature						Probability of Precipitation					
	Mon 06/20	Tue 06/21	Wed 06/22	Thu 06/23	Fri 06/24	Sat 06/25	Mon 06/26	Tue 06/27	Wed 06/28	Thu 06/29	Fri 06/30	Sat 07/01
Albuquerque	77	80	84	87	87	87	40	0	0	10	10	0
Santa Fe	73	76	80	83	83	83	50	10	0	10	10	0
Farmington	86	88	89	89	89	89	20	0	0	10	20	0
Gallup	81	83	86	87	88	88	0	0	0	10	20	0
Grants	78	80	83	85	85	85	0	0	0	10	20	0
Clayton	72	74	77	79	80	80	10	20	10	0	20	0
Raton	72	73	76	78	78	78	10	20	10	0	20	0
Las Vegas	67	69	72	74	75	75	10	20	10	0	20	0
Alamogordo	74	76	79	81	81	81	10	0	0	10	10	0
Tucson	74	76	79	81	81	81	0	0	0	10	10	0
Casa	76	78	81	83	83	83	10	0	0	10	20	0
Roswell	80	82	85	87	87	87	10	0	0	10	20	0
Socorro	80	82	85	87	87	87	10	0	0	10	20	0
Chama	69	71	74	76	76	76	10	10	10	10	20	0
Tea	71	73	76	78	78	78	10	10	10	10	20	0
Angel Fire	64	66	69	71	71	71	10	10	10	10	20	0
Los Alamos	68	70	73	75	75	75	10	10	10	10	20	0
Blanco	70	72	75	77	77	77	10	10	10	10	20	0
Quemado	80	82	85	87	87	87	20	0	0	10	20	0

National Weather Service 90 Day Outlook



Questions?

b. Status Report on Water Distribution - Matt Martinez, Water Distribution Division Manager

Mr. Martinez presented a status report on Water Distribution. He explained they have been fortunate during spring runoff to have ample supply of water to meet irrigation demands without major issues or disruptions. He said the decline in river flows signal the impending need for releases from San Juan Chama, and their team is proactively communicating changing conditions to water users and adjusting diversions from lower flows and making concerted efforts to take advantage of the current supply while it lasts. He stated that water users must provide advanced notice of their needs and scheduling must be very organized and it is essential that water users be available to irrigate both day and night, seven days a week. Mr. Martinez commented that irrigation deliveries will be scheduled to avoid repeated opening and closing turnouts and check structures and close monitoring of farming and weather patterns will be imperative. He noted that our monsoon season is from June 15 to September 30 and could bring heavy rain and thunderstorms, which can present risks. He said the team is carefully monitoring river conditions, water use trends, and weather forecasts, and during water shortages, they will schedule irrigation deliveries on a rotational basis.

Director Kelly asked for an estimate on when rotational deliveries will begin.

Mr. Casuga answered that they expect within the next week or two they will transition to more of a rotation based delivery period verses demand based.

Director Kelly inquired if the motor for the second pump at Bernalillo Acequia was reinstalled.

Mr. Martinez stated it would be installed the next day.

Madam Chair Russo Baca mentioned that the hours to call ISOs (Irrigation Systems Operators) were not very clear or evident on the website.

Mr. Martinez said it is on there, but he will make sure it stands out a little more clearly. He added they have an infographic explaining the scheduling and delivery process and water order process, which explains the hours, which are Monday through Saturday, 7:00 a.m. to 11:00 a.m. and 4:00 p.m. to 6:00 p.m., with Sundays off except for urgent situations.

AGENDA ITEM NO. 7 - REPORT(S) FROM THE HUMAN RESOURCES DEPARTMENT - Christine L. Nardi, MBA

a. Introduction of MRGCD New Hires

Mr. Steve Kinberger, one of MRGCD's HR Generalists, addressed the board at today's meeting. He stated there was one promotion to an ISO in Bernalillo County adding that the vacancy rate is at 8.73%.

General Office

JOHN	ARMUO	IRRIGATION SYSTEMS OPERATOR	06/10/2024 PROMOTION
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AGENDA ITEM NO. 8 - REPORT(S) FROM THE CHIEF PROCUREMENT OFFICER - Richard DeLoia

a. Consideration/Approval of the Feeder No. 3 Pump Station Design - Richard DeLoia, CPO

Mr. DeLoia presented approval for the design of Feeder No. 3 Booster Station and Transmission Line Task Order 5. He said MRGCD is recommending award to Bohannon Huston Inc. (BHI) for \$411,551.60 with tax, awarded through the MRGCD on-call engineering contracts.

Director Kelly asked if they evaluated the use of turbine pumps since the last meeting.

Nathan Roberts, from BHI, said they did go back and evaluate using turbine pumps, and they have concerns with debris within the canal, and would not be a good solution when pulling from the riverside drain.

Director Kelly asked if wet well requirements would be different for the turbine versus submersible.

Mr. Roberts said that would all depend on taking a look at the pumps and their net positive suction head.

Director Kelly inquired on if they need to buy an additional pump to drop in the capital procurement in case of an emergency and one goes out.

Mr. Casuga explained they have a design process that is going to design the facility itself that will have redundancy, and they expect to get a grant from the Bureau of Reclamation they also want to leverage for other state funds and may be able to fully buy all the equipment upfront or phase buying.

Mr. Roberts added they anticipate as part of the design it to be a two plus one system.

Director Kelly made the **MOTION TO APPROVE FEEDER NO. 3 PUMP DESIGN WITH BOHANNAN HUSTON, INC.** Seconded by Director Baugh. The **MOTION CARRIED UNANIMOUSLY.**

b. Consideration/Approval for the General Counsel Recommendation - Richard DeLoia, CPO

Mr. DeLoia presented approval for the General Counsel request for proposal. He said MRGCD recommended award to Wiggins, Williams & Wiggins on a one-year contract with the option of three additional years to start on July 2, 2024.

Madam Chair Russo Baca made the **MOTION TO APPROVE THE GENERAL COUNSEL CONTRACT FOR WIGGINS, WILLIAMS & WIGGINS, PC.** Seconded by Director Baugh. The **MOTION CARRIED UNANIMOUSLY.**

c. Consideration/Approval of the Outfall Monitoring - Richard DeLoia

Mr. DeLoia presented approval for the Outfall Monitoring request for proposal. He stated MRGCD staff recommended award to SWCA Environmental Consultants to a one-year contract with the option of three additional years.

Director Kelly made the **MOTION TO APPROVE THE OUTFALL MONITORING BE AWARDED TO SWCA.** Seconded by Director Baugh. The **MOTION CARRIED UNANIMOUSLY.**

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

a. Consideration/Approval of the Department of Finance and Administration Infrastructure Capital Improvement Plan (ICIP) Resolution #M-06-10-24-208

Ms. Fanelli asked MRGCD for approval of Resolution #M-06-10-24-208, the Infrastructure Capital Improvement Plan, which they are required to submit in July.

Mr. Casuga reminded that items that we apply typically for Water Trust Board or for seeking any type of capital outlay money, those projects or that request has to be on the ICIP plan. He noted the significant increase in the amount of items they have on there were related to capital infrastructure.

Director Kelly made the **MOTION TO APPROVE RESOLUTION #M-06-10-24-208 APPROVING THE ICIP FOR TRANSMISSION.** Seconded by Director Baugh. The **MOTION CARRIED UNANIMOUSLY.**

b. Consideration/Approval of Adoption of Amended Budget for FY2024 (07-01-23 to 06-30-24) Grants Fund Resolution #BA-06-10-24-96

Ms. Fanelli asked for approval of Resolution #BA-06-10-24-96 to amend the revenue and expenditure to the Grants Fund related to the Interstate Stream Commission Bernalillo to Belen Levee Project. She explained that since it is a life to date fund, they need to make budget adjustments for each grant. She stated the resolution will increase revenues and expenditures by \$59,202.90, which was budgeted for FY25, but they want to send a portion of that to 2024.

Madam Chair Russo Baca made the **MOTION TO APPROVE RESOLUTION #BA-06-10-24-96.** Seconded by Director Kelly. The **MOTION CARRIED UNANIMOUSLY.**

Ms. Wiggins noted that once a quorum is attained, it continues until the meeting is adjourned, if anyone notices that we are not hearing from Director Jiron.

c. Consideration/Approval of Resolution M-06-10-24-209 for the Water Trust Board Project No. WPF-6297 Funding Offer; Water Storage, Conveyance and Delivery Project; Socorro Division Conveyance Project from the New Mexico Finance Authority

Ms. Fanelli asked for approval of Resolution #M-06-10-24-209, which accepts the Water Trust Board grant for the Socorro Canal Lining phase two. She noted the grant is \$9 million, the loan amount is \$1 million, and District match of \$2 million. She said they did get the award and now need to accept the award.

Director Baugh made the **MOTION TO APPROVE ACCEPTANCE OF THE AWARD.** Seconded by Chair Russo Baca. The **MOTION CARRIED UNANIMOUSLY.**

d. Report from the Finance Committee Meeting, June 10, 2024 - Director Kelly, Vice Chair Dunning and Chair Russo Baca

Madam Chair Russo Baca said the Finance Committee met right before the board meeting. She said she has been appointed for the selection of the Water Counsel proposals for that committee and they will review all of the proposals.

Director Kelly stated they discussed the insurance issue and plans of action. He said they did get a 60-day extension to find a new carrier. He noted that Mr. Casuga and Ms. Fanelli were also appointed to be on the Selection Advisory Committee. He said they will have a Selection Committee meeting prior to the July 12th board meeting.

e. Update on the Search for an Insurance Carrier for the MRGCD for the upcoming fiscal year.

Christine Nardi, the HR Director, informed the Board that their insurance carrier decided not to renew the insurance policies for FY25 for the general liability auto and excess liability. She said they have been given a 60-day extension to explore other options

AGENDA ITEM NO. 10 - REPORT(S) FROM THE PUBLIC INFORMATION OFFICER - Amanda Molina

a. Report on the Valle Vista Outdoor Acequia Classroom, May 31, 2024 - Amanda Molina, PIO and Director Baugh

Ms. Molina gave an update on the Valle Vista Outdoor Acequia Classroom. She expressed they had a soft launch that mostly focused on design, cleaning of the area, and getting spade ready for the summer so kids could start planting and maintaining the garden area. She displayed a video and pictures on their progress to the Board. She stated that much of the funding went towards materials. She said Director Baugh attended and spoke to the kids. She talked about next steps with HDR, including wrapping up the project with construction documents and identifying additional funding to build everything they have brainstormed so far.

Director Baugh commented that it was incredible and transformative. He thanked Ms. Molina and Mr. Ish.

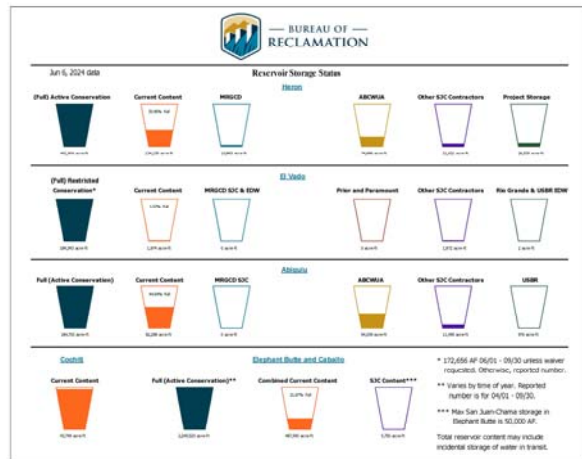
Madam Chair Russo Baca made the **MOTION TO APPROVE THE REPORT** Seconded by Director Kelly. The **MOTION CARRIED UNANIMOUSLY.**

AGENDA ITEM NO. 11 - REPORT(S) FROM THE DEPARTMENT OF THE INTERIOR

a. Bureau of Reclamation - Jennifer Faler, Area Manager

Jennifer Faler said they sat down with each pueblo and talked to them about the process. She stated there are numerous Indian Water Rights settlements throughout the state and several successful negotiations, but it would be a long haul with the six different pueblos in the middle valley. She discussed El Vado, stating she has heard the noises that were coming from the dam as they were grouting behind the faceplate from the excessive moment of the faceplate. She said they have numerous alternatives that the team worked on that have been fully vetted that they will take a look at, and the value planning study is under development. She noted they would be monitoring to figure out what is a safe level to maintain elevation from the reservoir. Ms. Faler commented they were negotiating for storage in Abiquiu, nailed down an agreement for storage of the prior and paramount water beyond this year, working on details for the middle Rio Grande farmer storage and state storing for the Compact.

Madam Chair Russo Baca asked if they would see an update to the buckets that are provided by USBR.



MRGCD BOARD MEETING (06-07-2024)

1. Heron Summary
Content: 134,500 ac-ft (6/7/24)
Asotex tunnel: 715 cfs
Total SIC inflow year-to-6/6/24: 45,537 ac-ft
Currently releasing: 100 cfs
Current MRGCD storage: 6,518 ac-ft
2. El Vado Summary
Total storage (all contractors and natural): 1,974 ac-ft (6/6/24)
Native in El Vado: 2 ac-ft
MRGCD's SIC storage in El Vado: 0 ac-ft
P & P: 0 ac-ft
Other SIC contractors: 1,972 ac-ft
Current release is 500 cfs RG inflow is 300-400 cfs
3. Storage in Abiquiu
Content: 82,298 ac-ft (6/7/24)
MRGCD's SIC storage: 0 ac-ft
P&P: 14,529 ac-ft

Total supplemental water released in 2024: 0 ac-ft

Storage Data as of 6/7/2024 (SWI % of median)

Rio Chama Basin	methed out
Upper Rio Grande Basin	2%
Sangre de Cristo Basin	100%
San Juan River Basin	3%

- The NRC's May forecast for streamflow on the Rio Grande at Otowi predicts 355,000 ac-ft from March to July and 197,000 ac-ft from May to July. Based on these forecasts, the call for storage for irrigation on the Prior and Paramount lands of the Six Middle Rio Grande Pueblos was 14,845 ac-ft and was met on May 4.
- Unanticipated conditions at El Vado Dam have paused construction and Reclamation is rethinking the best solution.

Ms. Faler answered they met with water ops and have seen a draft. She said she would push them to try to get a more user friendly version.

Director Baugh asked for a percentage they might be able to store at El Vado.

Ms. Faler said she would get back to him on that.

Ms. Casuga stated the grouting they achieved, if they find it safe to be able to fill up to the grouting would submerge the intake, which would make it more reliable for deliver and not expose it. He mentioned that he has gotten calls to speak on the issue and he has declined any calls about alternatives and are sending them their way.

Pacifica Casares-Chehy, Public Affairs Specialist with the Albuquerque Area Office, assured her she has returned each and every phone call.

Ms. Faler added the technical responses take a little more time.

Director Kelly asked if there were any materials on hand of value as they demode from the site.

Ms. Faler responded she would be happy to bring their field engineer to the next meeting to discuss that.

Director Kelly inquired if it was time to look at including a new outlet structure on the dam to potentially mix water and provide consistent water temperatures below in the Chama and less turbid water to enhance fishery.

Ms. Faler stated Safety of Dam programs do not consider complete rebuilds part of the program, so they would have to see about potentially finding other funding to get some design work done.

Note that Director Sandoval joined the meeting at this time virtually.

b. Bureau of Indian Affairs - Designated Engineer

Mr. Patrick Taber informed the Board he will be filling the role of designated engineer until they find a permanent replacement. He said he looked forward to working with MRGCD and hoped to keep communications going.

Minutes of Middle Rio Grande Conservancy Regular Board Meeting
June 10, 2024

AGENDA ITEM NO. 12 - REPORT(S) FROM THE CHIEF OPERATING OFFICER - Eric Zamora, PE

a. Consideration/Approval of Proposed Land Sale of the Harlan-Henderson Lateral to Mark Baca - Rhett Sander-Spencer, Right of Way Specialist

Rhett Sander-Spencer proposed approval of a land sale of the Harlan-Henderson Lateral to Mark Baca for \$13,000. He noted that upon full payment of all amounts due, the property sold shall be conveyed by quitclaim deed.

Director Kelly recommended proceeding with the sale at \$13,000 and take it through DFA for approval and provide a quitclaim deed.

Director Kelly made the **MOTION TO APPROVE THE LAND SALE OF THE HARLAN-HENDERSON LATERAL TO MARK BACA**. Seconded by Director Baugh. The **MOTION CARRIED UNANIMOUSLY**.

b. Report on the Homelessness Forum, May 29, 2024 - Eric Zamora, COO and Kim Ward, Right of Way Specialist

Mr. Zamora first stated this is a complex issue, and while they want to be diligent, they also want to be understanding of the situations they encounter.

Kim Ward reported on the Homelessness Forum, noting they attended to gain more information about services available in Valencia County because of the growing homeless encampments in the Bosque. She stated that MRGCD has now posted numerous no camping and no overnight parking signs, researched how other agencies handle similar issues, approved a notice to vacate when the time comes, actively coordinating with the Village of Los Lunas Open Space, and Los Lunas Department, and a collaborative operation to restore the Bosque. She commented that she would be joining Los Lunas tomorrow to visit the bosque and offer immediate assistance and offer options.

Director Baugh asked if they had a number of unhoused individuals in the Valencia County bosque.

Ms. Ward answered the Village of Los Lunas Open Space people do patrol and believe there to be about 80.

Mr. Casuga added that this is a growing problem up and down the valley. He said Bernalillo County's access to resources are substantially different, so they are attending meetings like this to understand the resources available to other counties.

AGENDA ITEM NO. 13 - REPORT(S) FROM THE CHIEF ENGINEER - Jason M. Casuga, PE

a. Presentation on the Potential Hydropower Production inside MRGCD Facilities - Lucas Harvey, Emrgy

Mr. Harvey introduced who Emrgy is and that his job as a project developer is to work with irrigation districts to help modernize and generate extra revenue for stakeholders. He explained they have a typical process that allows them to evaluate hydropower floating solar and lining potential that they can package into effective and beneficial energy projects to take full

advantage of grant funding and tax benefits. He said Emrgy calculated that MRGCD's water infrastructure could host 45 megawatts of hydropower and floating solar projects to deliver locally generated power to neighboring communities, conserve water via canal lining, and increase the strength of MRGCD's financial reserves for modernization projects. He said they are proposing to move forward with two projects, including a 150 kilowatt combined hydrokinetic turbine and floating solar project within the Angostura Diversion and a project involving lining a section of earth and canal on the Socorro Main Canal to install 500 kilowatts of MRG'S hydrokinetic turbines. Mr. Harvey also discussed power purchase agreement rate analysis and revenue, phasing out the projects, installing floating solar panels in phase one and relining and installing turbines in the Socorro Main Canal in phase two. He then talked about a site hosting agreement.

Mr. Casuga added that Ms. Wiggins has looked at the site hosting agreement thoroughly and the conversation will be scheduled to continue at the July Board meeting.

Director Kelly asked how floating solar works in the winter when they shut their system down and everything is dry and muddy.

Mr. Harvey stated they have a mooring system that allows you to have the floating solar to the side wall of the canal or panels that sit on the floor of the canal all off season.

Director Kelly inquired how this would work with the procurement code on making MRGCD's rights of way rights available to a single entity when the State Land Office puts out requests for proposals to invite people to give them a proposal for siting wind farms on state parcels.

Ms. Wiggins explained the procurement code provisions are appropriate when seeking this work, but they can look into that further.

Mr. Casuga added this is a pilot project type of atmosphere.

Director Kelly noted he was in support of the pilot project at these two locations and would like to see the site hosting agreement and learn more about it at the July meeting.

Director Baugh asked what evaporative loss they would see with the floating solar panel concept.

Mr. Harvey responded there are many studies with varying numbers, but they use per 200 kilowatts.

Director Baugh asked about contamination from the panels getting knocked into a canal.

Mr. Harvey explained there are regulations around the nature of the floats and solar panel sealant. He said they have a third party that they source the equipment from that they combine with their turbines. He would get more information and report back.



Emrgy Project Brief June 2024

"Transforming existing water infrastructure into new revenue streams"



emrgy

Confidential

Executive Summary

Emrgy has calculated that MRGCD's water infrastructure could host 45MW of hydropower and floating solar projects. These projects could deliver locally generated power to the neighboring community, conserve water via canal lining, and increase the strength of MRGCD's financial reserves for modernization projects.

Emrgy proposes to move forward with 2 projects in the near term:

- Project 1 is a 150 kW combined hydrokinetic turbine and floating solar project within the Angostura Diversion.
- Project 2 will involve lining a section of earthen canal, the Socorro Main Canal, to install 500+ kW of Emrgy's hydrokinetic turbines.

Emrgy wants to become a long term partner of MRGCD. This is the beginning of a greater opportunity to serve the local community.

Phased Project Approach

Emrgy wants to take a phased approach to project development with MRGCD:

Phase 1: Hydrokinetic Turbines and Floating Solar within existing facilities (2025)

Phase 2: Hydrokinetic Turbines and Floating Solar within existing and modernized facilities (2026)

Phase 3: Future technologies in existing and modernized facilities (2027+)

Phase 1: Angostura Diversion Project

Project Proposal:

- MRGCD Revenue Share: 15%
- Expected 30-Yr Revenue: \$144,800
- Expected O&M Payment: \$32,000

Emrgy expects to pay MRGCD \$176,800 in revenue royalties and O&M payments over a 30-year period.

This signifies only 0.3% of the expected project generation potential at MRGCD.



Phase 2: Socorro Main Canal Project

Project Proposal:

- MRGCD Revenue Share: 10-30%
- Conserved Water Benefits: ~10%

Emrgy will need to conduct a site survey in order to deliver indicative royalty payments.

Grant or alternate funding would be needed to support the project.

- E.g. WaterSmart, DOE, REAP, NM.
- E.g. 3rd party private sector investment.



Today's Agenda

- ❑ Executive Summary
- ❑ Timeline
- ❑ Diligence Conducted
- ❑ Phased Project Scope
- ❑ Site Hosting Agreement



Diligence Conducted

Emrgy has conducted the following activities to evaluate hydropower and floating solar potential:

1. Map survey
2. Hydropower assessments
3. Floating solar assessments
4. Interconnection pre-applications
5. Financial modelling
6. PPA rate analysis

Emrgy has evaluated 45MW of potential energy projects, ranging in technology from vertical axis turbines, spillway turbines, and floating solar.



Phase 1: Angostura Diversion Project

Emrgy proposes to develop a combined hydrokinetic turbine and floating solar project, totalling 150kW, and delivering new annual revenue to MRGCD.

- Projects Specs
 - Hydrokinetic Turbines: 6
 - Floating Solar Panels: 220
 - Total Capacity: 150kW
 - Interconnection: Available



Phase 2: Socorro Main Canal Project

Emrgy proposes to reline 6+ miles of the Socorro Main Canal, install 500+ kW of Emrgy's hydrokinetic turbines, and conserve water from MRGCD's regular seepage loss.

- Projects Specs
 - Canal lining: 6+ miles
 - Hydrokinetic Turbines: 40-80
 - Total Capacity: 500+ kW
 - Interconnection: Available
 - Conserved water: 10% of design



Phase 3: 43+ MW of alternative projects

Emrgy plans to deploy hydrokinetic turbines, spillway turbines, and floating solar into existing facilities, modernized facilities, and utilize the proximity to local businesses and residential communities.



Emrgy's Project Timeline

- **Diligence Period: 4 months**
 - Emrgy investigates hydrokinetic and floating solar potential.
 - Emrgy proposes a project scope.
- **Development Period: 0-3 years**
 - Site Hosting Agreement Signed.
 - Interconnection Application and other permits Filed.
- **Operational Period: 20-30+ years**
 - Project has been deployed and begins generating revenue.



Site Hosting Agreement

A Site Hosting Agreement or "SHA" is a legal document that allows Emrgy to continue the development of a project. The 20+ page document outlines the royalty payment Emrgy will make to MRGCD, as well as the terms for installing and maintaining the facility.

Emrgy would like to move forward with the two proposed projects, and ask the board to consider signing Site Hosting Agreements to continue the development process.

b. Report on the Department of Interior Funding Announcement for the Middle Rio Grande San Acacia Reach, May 16, 2024 - Jason M. Casuga

Mr. Casuga stated this was on the heels of Secretary Haaland coming in and announcing \$60 million to the Rio Grande for infrastructure and another \$10 million coming down to look at the San Acacia Reach to help BOR streamlining and speed up some of their realignment projects

c. Report on the Water Leaders Workshop, May 22-24, 2024 - Anne Marken, Water Ops Division Manager and Casey Ish, Conservation Program Supervisor, Jason M. Casuga, CE/CEO

Mr. Casuga stated he did not attend and handed it over to Casey Ish. Mr. Ish said it was a great conference held at Ghost Ranch and they had 40 different presentations in over two days. He mentioned the general theme of the workshop seemed to be resilience and the need to keep planning for water variability. He also said they closed with a nice float down a section of the Rio Chama. He felt it was worth the time and effort and great to have some District representation there.

d. Report on the Valencia County Farmers/Irrigators Informational Meeting, June 6, 2024 - Jason M. Casuga, CE/CEO, Eric Zamora, COO, Chair Russo Baca, and Directors Jiron and Baugh

Mr. Casuga expressed that they provided a short water update and let people ask questions. He said they received good feedback on how to do things differently the next time. He noted the goal is to create Frequently Asked Questions that came up during the summer farmers meeting. He stated they spend a lot of time answering questions about the Compact, water rights, and rotational scheduling. He mentioned having a wonderful showing from the Board of Directors there.

Madam Chair Russo Baca thanked those that helped organize the meeting and all who attended. She suggested maybe adding a little note card to leave at the end of the meetings.

Mr. Casuga added that a lot of criticism he has received was on his availability and accessibility and that is why he is open to format changes, so people can ask him questions.

Director Kelly asked what they should do different or better at the Bernalillo County Meeting and Corrales Meeting coming up.

Ms. Molina stated they are building attendance and have been using other ways to get out communication, but wanted to see how they can mobilize a text message system a little bit better. She said she did a poll at the meeting on how people learned about the meeting and got

several different answers, but word of mouth from neighbors and others was great. She added that she would like to hear more from some of the members of the District's staff, which she stated is also good and builds credibility.

Mr. Casuga said one of the questions he did get was about creating a meeting where the expectation is that the people answering questions are the Board of Directors.

Director Baugh applauded the effort from the District and Jason (Casuga) leading the way. He also echoed that there were questions on how the Board could engage. He commented that the more information they can get out there, the more support they can get, and felt the meeting was a huge success.

Director Kelly made the **MOTION TO APPROVE THE REPORT FOR THE BOARD MEMBERS AT THE MEETING**. Seconded by Madam Chair Russo Baca. The **MOTION CARRIED UNANIMOUSLY**.

e. Discussion on the Chief Water Counsel Process - Jason M. Casuga, CE/CEO

Discussion was had during the executive session.

f. Information on Upcoming Events

1. **Corrales Farmers/Irrigators Informational Meeting, June 12, 2024**
2. **El Vado Site Visit & Tour Safety of Dam Project, June 25-26, 2024**
3. **12th Annual Conference Tribal Water Law, September 9-10, 2024 - Santa Fe, NM**
4. **Coalition of Rio Grande Water Users 2024 Conference, October 1-3, 2024 - Santa Fe, NM**

Mr. Casuga discussed the El Vado tour early on; he said the Corrales and Farmer/Irrigators Information Meeting will be slightly different format to give an update on the Corrales Siphon and Wilson & Company will be present, and Sandoval County will be more of Q&A.

AGENDA ITEM NO. 14 - REPORT(S) FROM THE MRGCD ATTORNEY(S) - Chief Water Counsel or General Counsel

Neither attorney had anything for the regular session.

AGENDA ITEM NO. 15 REPORT(S) FROM THE BOARD

a. Report on the Farmers for Future Farmers Meeting, May 14, 2024 - Chair Russo Baca and Director Duggins

Refer to the Appendix for the Chair's written reports.

b. Report on the Conservation Advisory Committee Meeting, May 16, 2024 - Chair Russo Baca

Refer to the Appendix for the Chair's written reports.

c. Report on the Centennial Committee Meeting, May 20, 2024 - Chair Russo Baca, Vice Chair Dunning and Director Baugh

Refer to the Appendix for the Chair's written reports.

d. Report on the Isleta and MRGCD Annual Meeting, May 31, 2024 - Director Jiron

As Director Sandoval did not attend and in Director Jiron's absence, Mr. Casuga explained that Isleta reached out specifically and wanted to schedule this and talked about a wide range of topics. He said their relationship with Isleta Pueblo is strong and are working through items of priority. He said they do not agree on everything but agree working together is the best approach. They discussed maintenance, water delivery, and future projects.

Director Kelly made the **MOTION TO APPROVE THE REPORTS FROM THE BOARD.** Seconded by Madam Chair Russo Baca. The **MOTION CARRIED UNANIMOUSLY.**

Madam Chair Russo Baca requested a motion to go into the closed session at 5:15 pm.

Director Kelly made the **MOTION TO GO INTO EXECUTIVE SESSION.** Seconded by Director Baugh. Rollcall vote was administered with all attending members voting yes. The **MOTION CARRIED.**

Director Sandoval	Yes	Madam Chairwoman	Yes
Director Kelly	Yes	Director Baugh	Yes

AGENDA ITEM NO. 16 EXECUTIVE SESSION

a. NMSA 1978 Open Meetings Act, Section 10-15-1(H)2

1. Limited Personnel Matters

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

1. Threatened or Pending Litigation

Madam Chair Russo Baca requested a motion to go back into the regular session at 6:08 pm.

Director Kelly made the **MOTION TO RETURN TO REGULAR SESSION.** Seconded by Director Baugh. Rollcall vote was administered with all attending members voting yes. The **MOTION CARRIED.**

Director Sandoval	Yes	Madam Chairwoman	Yes
Director Kelly	Yes	Director Baugh	Yes

The chair stated during executive session no decisions were made and the Board instructed counsel to continue working with staff on the matter discussed. With no further comments, questions, or concerns, Madam Chair Russo Baca adjourned the meeting at 6:08 pm.

Approved to be the correct Minutes of the Board of Directors of June 10, 2024.

ATTESTED:

Pamela Fanelli, CMA, CGFM
Secretary-Treasurer/CFO

Stephanie Russo Baca, Madam Chair
MRGCD Board of Directors

"APPENDIX"

Stephanie Russo Baca Board Reports 6.10.24

Report on the Farmers for Future Farmers Meeting, May 14, 2024

This meeting took place at 4Daughter Land and Cattle. Discussions included membership dues, old business including the El Vado Reservoir status, the irrigation season, and the water outlook, as well as new business. There was a continuing discussion of bringing in farmers from all over the Middle Rio Grande Valley to join the organization.

Report on the Valencia County Farmers/ Irrigators Informational Meeting June 6, 2024

The board members present were Chair Russo Baca, Director Jiron, and Director Baugh. Mr. Casuga introduced himself and all of the MRGCD staff that were present. There were over 30 members of the public present. Mr. Casuga introduced Anne Marken, Water ops Division Manager. She gave a presentation on the current hydrological conditions and what to expect the rest of the season. After Ms. Marken presented, Mr. Casuga opened up for Q&A. There was a lot of great questions from the community.

Report on the Conservation Advisory Committee Meeting, May 16, 2024

Topics for Discussion

Current Hydrology Update – Casey Ish

Del Norte (S L Valley)– 305 (February) – 196 (March) – 1,040 (April) – 1,900 (May) Lobatos (NM/CO Line)– 310 (February) – 314 (March) – 203 (April) – 392 (May) La Puente (Chama)– 31 (February) – 70 (March) – 756 (April) – 1,385 (May) Below Abiquiu (Chama)– 56 (February) – 94 (March) – 756 (April) – 1,270 (May) Otowi (Main Stem)– 662 (February) – 748 (March) – 1,700 (April) – 2,540 (May) Below Cochiti –664 (February) – 856 (March) – 1,560 (April) – 2,480 (May) Bosque Farms–516 (February) – 431 (March) – 760 (April) – 1,910 (May) Narrows (Just above EB) –788 (February) – 652 (March) – 218 (April) – 2,090 (May)

On-Farm Program Updates – Ashley Veihl

- MRGCD staff will be drafting a proposal to NFWF for CY 2025 that contemplates an enrollment window for the OFP and the creation of a project review committee.
- There is a lot of demand for the program right now but we need to be careful about over-promising on resources. An enrollment window will help regulate the projects annually, and the review committee would provide some strong guidance and recommendations on projects to pursue.
- Proposal will be delivered to NFWF in draft form by July and will be provided to the CAC for review and comment.

2024 IDM-EWLP – Ashley Veihl

- Update on current acreage and inspection schedule.

Report on the Centennial Committee Meeting, May 20, 2024

MRGCD is celebrating the Centennial of the district's creation. One of the planning steps that Amanda Molina is working on is collecting all the upcoming events within the district and how MRGCD could join these events to highlight the district. She put together a timeline as well as events that fit within the time. There was extension discussion on which of these events to attend.