

2023

# Water Protection Advisory Board

## **ANNUAL REPORT FOR 2023**

SUBMITTED TO THE  
ALBUQUERQUE CITY COUNCIL  
BERNALILLO COUNTY COMMISSION  
AND THE  
ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY  
AUTHORITY GOVERNING BOARD

# Annual Report

2023

Prepared by the  
Albuquerque and Bernalillo County  
Water Protection Advisory Board

## Members:

Bart Faris, Chair  
Steve Glass, Vice Chair  
Darrell Kundargi  
Camilla Feibelman  
Caroline Scruggs, Ph.D.  
Jose Cerrato, Ph.D.  
Jonathan Gonzales

## Acronyms

Air Force	United States Air Force
AMAFCA	Albuquerque Metropolitan Arroyo Flood Control Authority
BFF	Bulk Fuels Facility
City	City of Albuquerque
COVID-19	disease caused by SARS-CoV-2
GPPAP	County Ground-Water Protection Policy and Action Plan
GWQB	Ground Water Quality Bureau
HWB	Hazardous Waste Bureau
KAFB	Kirtland Air Force Base
MRCOG	Mid-Region Council of Governments
MRG	Middle Rio Grande
MS4	Municipal Separate Storm Sewer System
MWL	Mixed Waste Landfill
NMBGMR	New Mexico Bureau of Geology and Mineral Resources
NMED	New Mexico Environment Department
NPDES	National Pollutant Discharge Elimination System
O&G	Oil and Gas
ONRT	Office of Natural Resources Trustee
OSE	Office of the State Engineer
PIC	Policy Implementation Committee
PPCP	Pharmaceuticals and Personal Care Products
PSTB	Petroleum Storage Tank Bureau
RAPP	Rivers and Aquifers Protection Plan
SNL	Sandia National Laboratories
UCMR4	Unregulated Contaminant Monitoring Rule
USGS	United States Geological Survey
WALH	Western Albuquerque Land Holdings
WPAB	Water Protection Advisory Board
WQPPAP	Water Quality Protection Policy and Action Plan

This report presents an overview of the Water Protection Advisory Board's (WPAB's) areas of focus, activities, and accomplishments during calendar year 2023. In addition to summarizing WPAB activities, this report offers a list of water quality concerns/topics in the basin in 2023 and a description of the WPAB's priorities for 2024.

## Background

Starting in 1988, the City of Albuquerque (City) and Bernalillo County (County) passed resolutions calling for action to clean up and protect the Middle Rio Grande's (MRG's) shared groundwater resources. After five years of planning and research, the Albuquerque/Bernalillo County Ground-Water Protection Policy and Action Plan (GPPAP) was adopted by the County in November 1993, by the City in August 1994, and subsequently by the Albuquerque Bernalillo County Water Utility Authority (Water Authority) after its creation in 2003.

GPPAP was updated and revised in 2009 to include surface water quality protection activities, resulting in a single Water Quality Protection Policy and Action Plan (WQPPAP). In 2018, the Water Authority began the process of completing updated source water assessments for both groundwater and surface water, as well as an update to the WQPPAP. The updated WQPPAP, renamed the Rivers and Aquifers Protection Plan (RAPP), was finalized by the Water Authority in February 2019. The RAPP, plus its groundwater and surface water assessments, serve as the Water Authority's source water protection plan.

The WPAB was established to oversee implementation of the RAPP with members of the community appointed to WPAB by the City, County and Water Authority. The WPAB as established by ordinance is to:

- Study and advise the Water Authority, City, and County on surface and groundwater protection concerns;
- Oversee implementation of the RAPP;
- Periodically review and evaluate the effectiveness of the RAPP and make recommendations for changes, as necessary;
- Promote consistency in Water Authority, City, and County actions to protect surface and groundwater quality; and
- Advocate for effective protection of surface and groundwater quality.

The WPAB consists of nine members: two appointed by the Water Authority; three appointed by the Mayor with the advice and consent of the City Council; and three appointed by the County Commission. One member is appointed jointly with the advice

and consent of the County Commission and the Mayor with the advice and consent of the City Council. A summary of the current members' qualifications is provided in **Appendix A**.

Additionally, the WPAB works with members of a Policy Implementation Committee (PIC). The PIC comprises members from the City, County, and Water Authority staff that are involved in environmental protection, compliance reporting, water quality monitoring, and source water protection activities. The Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) is also represented on the PIC. Core PIC entities and agencies that implement activities related to the RAPP, in addition to other environmental and public health services, include:

Albuquerque Bernalillo County Water Utility Authority

- Compliance Division
- Water Resources Division

Bernalillo County

- Natural Resource Services

City of Albuquerque

- Environmental Health Department
- Stormwater Management Section
- Solid Waste Management Department

Albuquerque Metropolitan Arroyo Flood Control Authority

- Stormwater Runoff and Quality

## Water Protection Advisory Board Activities for 2023

The WPAB is required to hold meetings at least once a quarter. In 2023, WPAB met seven times; the February, June, and August meetings were cancelled. By vote of the WPAB, all meetings were held virtually via the WebEx platform. The 2023 Work Plan was approved by WPAB at the January 13, 2023 meeting (**Appendix B**). In 2023, the WPAB meeting agenda topics included presentations in the following areas, consistent with the board's established priorities for the year:

- I. Protection of groundwater quality in the Albuquerque Basin;
- II. Protection of surface water quality and watershed health;
- III. Fostering intergovernmental coordination, cooperation, and communication; and
- IV. Diversity, Equity, and Inclusion (DEI).

Below is a summary of significant action items taken by the board and technical presentations heard by members during the 2023 calendar year. Meeting minutes for each meeting are included in **Appendix C** and include summaries of board discussions on agenda topics.

## **JANUARY**

### Board Actions:

Members elected Mr. Bart Faris as Chair and Mr. Steve Glass as Vice Chair for 2023.

Members unanimously voted to approve the 2023 WPAB Work Plan and the Open Meetings Resolution.

### Presentations:

- *Water Authority NPDES Pretreatment Program Policies and Enforcement Response Plan Update*  
Travis Peacock, Industrial Pretreatment Engineer, Water Authority,  
[tpeacock@abcwua.org](mailto:tpeacock@abcwua.org)  
[Link to Presentation](#)

### Public Comments:

None.

## **FEBRUARY**

Meeting cancelled.

## **MARCH**

### Board Actions:

Members reviewed and unanimously approved the 2022 WPAB Annual Report and Cover Letter.

[Link to 2022 WPAB Annual Report](#)

Members unanimously approved convening a subcommittee to draft a letter to the governing bodies of the City, County, and Water Authority regarding progress at the Kirtland Air Force Base Bulk Fuels Facility Jet Fuel Leak Site.

### Presentations:

- *Kirtland Air Force Base Bulk Fuels Facility Spill Update from Water Authority*, Kelsey Bicknell, Environmental Manager, Water Authority  
[Link to Presentation](#)

Public Comment:

None.

**APRIL**

Board Actions:

Members unanimously approved the Final Letter to the governing bodies of the City, County, and Water Authority regarding progress at the Kirtland Air Force Base Bulk Fuels Facility Jet Fuel Leak Site (**Appendix D**)

Presentations:

- *Middle Rio Grande Stormwater Team Update*  
Kali Bronson, Stormwater Compliance Program Lead, Bernalillo County,  
Shelli Eaton, P.E., Project Manager, City of Albuquerque,  
Patrick Chavez, P.E., Stormwater Quality Engineer, AMAFCA  
[Link to Presentation](#)

Public Comment:

None.

**MAY**

Board Actions:

None.

Presentations:

- *PFAS Overview*, Pat Longmire, Ph.D., retired Principal Aqueous Geochemist, Groundwater Quality Bureau, New Mexico Environment Department (NMED)  
[Link to Presentation](#)
- *New Mexico Water Reuse Regulations Development*, John Rhoderick, Water Protection Division Director, NMED

[Link to Presentation](#)

Public Comment:

Mr. Dave McCoy and Ms. Melissa Troutman signed up to provide public comment. Mr. McCoy shared [a letter](#) regarding concerns with the Sandia National Labs Mixed Waste Landfill. Ms. Troutman shared information about the use of PFAS chemicals in oil and gas production.

**JUNE**

Meeting cancelled.

**JULY**

No meeting.

**AUGUST**

Meeting cancelled.

**SEPTEMBER**

Board Actions:

Members unanimously approved convening a subcommittee to draft a letter to the governing bodies of the City, County, and Water Authority regarding the regulation of PFAS materials in groundwater and oil and gas.

Members unanimously approved the sending of Diversity, Equity, and Inclusion-themed questions to presenters ahead of their presentation to the WPAB.

Presentations:

- *New Mexico Environment Department: State-led Surface Water Quality Bureau*  
Shelly Lemon, Chief-Surface Water Quality Bureau, NMED  
[Link to Presentation](#)

Public Comment:

None.

**OCTOBER**

Board Actions:



Members unanimously approved drafting a letter to the governing bodies of the City, County, and Water Authority regarding the regulation of PFAS materials in groundwater and oil and gas.

Members unanimously approved the Final Letter to the governing bodies of the City, County, and Water Authority regarding the regulation of PFAS materials in groundwater and oil and gas (**Appendix D**).

Presentations:

- *South Valley Superfund Site Update*  
Sairam Appaji, EPA Region 6  
[Link to Presentation](#)

Public Comment:

None.

**NOVEMBER**

Board Actions:

None.

Presentations:

- *AT&SF Superfund Site Update*  
Brian Mueller, EPA Region 6  
[Link to Presentation](#)

Public Comment:

None.

**DECEMBER**

No meeting.

## Summary of Board Priority Activities for 2024

Based on the study and analysis of the topics and issues described above, WPAB identified four areas of focus as priorities for calendar year 2024 (**Appendix E, 2024 WPAB Work Plan**).

### ***PROTECT GROUNDWATER QUALITY***

WPAB will continue to monitor the progress of groundwater remediation and investigation projects in the MRG, including the KAFB BFF leak, and other contamination sites that threaten water supply. WPAB will also receive updates on other groundwater contamination sites in the State Cleanup Program within the City and County from the New Mexico Environment Department (NMED) Groundwater Quality Bureau. WPAB will receive regular updates on the KAFB Bulk Fuels Facility jet fuel leak project and environmental restoration sites managed by Sandia National Laboratories.

### ***PROTECT SURFACE WATER QUALITY AND WATERSHED HEALTH***

WPAB will monitor projects and progress on watershed health including National Pollutant Discharge Elimination System (NPDES) primacy efforts, MS4 permitting, and receive presentations on emerging contaminants of concern and the PIPE program to convert septic systems.

### ***FOSTER INTERGOVERNMENTAL COORDINATION, COOPERATION, AND COMMUNICATION***

The board intends to serve as a forum and advocate for communication among intergovernmental groups and will review how agencies coordinate regulatory efforts and resolve current and potential future threats to water quality in the basin. The board will encourage improved public outreach efforts by the relevant agencies and receive updates and feedback from the internal Diversity, Equity, and Inclusion (DEI) Committee. The Board will receive regular updates from the PIC, as well as quarterly reports from the Water Quality Control Commission on relevant topics and actions related to water quality. The board will additionally receive various updates from other governmental organizations including from the Water Authority on updates to the Surface and Groundwater Source Water Assessments from the Rivers and Aquifers Protection Plan (RAPP), and from NMED on neglected contamination sites (formerly referred to as orphan sites).

### ***DIVERSITY, EQUITY, AND INCLUSION***

The Board will maintain DEI as a standing agenda item for all meetings. Presenters will be provided with DEI questions in advance to address during presentations to the Board. The Board will advise appointing agencies (City, County, and Water Authority) on policy actions supporting NMED to address neglected contamination sites. The Board will receive a presentation from EPA Region 6 and NMED Superfund Oversight on environmental justice concerns for sites in the MRG.

## 2024 Topics of Significant Concern

Below is a table of the topics of significant concern to the WPAB that guide the 2024 Work Plan above.

<b>Area of Focus</b>	<b>Explanation</b>
Diversity, Equity, and Inclusion	WPAB has the responsibility to acknowledge racial and economic disparities and provide guidance, advice, and recommendations for corrective action to its constituent agencies regarding these matters and how they impact effective protection of surface and groundwater resources.
Kirtland Air Force Base (KAFB) Bulk Fuels Facility (BFF) Project	Water Authority supply wells are downgradient of the contamination plume and supply wells for the Veterans Administration Medical Complex and KAFB are in close proximity. The extent of contamination and corrective action activities should be actively monitored.
Groundwater Contamination Sites	Several groundwater contamination sites are being investigated/remediated in the City and County, including leaking underground storage sites, Superfund sites, and former industrial sites. These sites are regulated by the NMED under the Petroleum Storage Tank Bureau (PSTB), Ground Water Quality Bureau (GWQB), or the Hazardous Waste Bureau (HWB). The Board will monitor activities and progress of these sites to ensure the continued protection of groundwater supply wells.

<b>Area of Focus</b>	<b>Explanation</b>
Stormwater Quality	The Board will remain up to date on MS4, multi-sector general, pesticide general, and construction general permitting activities.
Watershed Health	The Board will be updated on efforts to preserve watershed health. Current efforts include the surface water quality protection measures outlined in the RAPP, the NPDES efforts, and developing processes for emerging contaminants.
Intergovernmental Collaboration	Improve public outreach by government agencies for water quality issues. The Board will advise appointing agencies (City, County, and Water Authority) on policy actions in support of NMED to address neglected contamination sites and other water quality concerns.

# Appendix A

MEMBER QUALIFICATIONS

## Bart Faris, Chair

County Appointment

- First Term – August 2021 to August 2024
- Bachelor of Science, Soil and Water Science; over 40 years in water resources, hydrology, environmental resource management and restoration, and community development.

## J. Steve Glass, Vice Chair

County appointment

- Fourth term – January 2022 to January 2025
- Master of Science, Environmental Science; 40 years of professional experience in environmental chemistry and biology applications in environmental science and regulation; 23 years employment with MRG local governments in water resource protection programs.

## Jonathan Gonzales

County appointment

- First Term – August 2022 to August 2024
- Central New Mexico Community College; over 10 years' experience as a federal employee with IT and analytical expertise; life experience in agriculture and the local acequia system.

## VACANT

County appointment

## Darrell Kundargi

City appointment

- Second term – July 2023 to August 2025
- Master of Water Resources; Bachelor's Degree in Environmental Studies; hydrologist and regional water rights coordinator for U.S. Fish and Wildlife Service for 15+ years.

## Camilla Feibelman

City appointment

- Second term – October 2021 to August 2024
- Master of Planning in Urban Planning; Bachelor of Arts in Environmental Biology; Director of Rio Grande Chapter of Sierra Club, experience in ecosystem protection and environmental justice communications.

## Caroline Scruggs, Ph.D., P.E.

Water Authority appointment

- Second Term – January 2022 to January 2025
- County appointment: October 2012 to October 2018
- Ph.D., Environment and Resources; over 20 years of experience in civil and environmental engineering and water resource planning.

### Jose Cerrato, Ph.D.

Water Authority appointment

- First Term – September 2021 to September 2024
- Ph.D. Civil Engineering; over 15 years of experience in environmental and chemical engineering with applications ranging from water treatment technology to heavy metal behavior in the environment.

### VACANT

City & County joint appointment

# Appendix B

2023 WORK PLAN



**WATER PROTECTION ADVISORY BOARD  
WORK PLAN FOR 2023**

- I. WPAB Officer Elections for 2023
- II. Open Meetings Resolution adoption
- III. 2022 Annual Report and Letter from the Chair
- IV. Protection of Groundwater Quality
  - Receive an update on HP/Digital Groundwater Contamination site
  - Receive an update from the New Mexico Environment Department (NMED) Ground Water Quality Bureau on groundwater contamination sites in the City of Albuquerque and Bernalillo County
  - Receive a presentation from the NMED on Voluntary Remediation and Brownfield programs and projects in Albuquerque and Bernalillo County
  - Receive regular updates on the Kirtland Air Force Base Bulk Fuels Facility jet fuel leak project
  - Receive an update from City of Albuquerque Environmental Health Department on remediation projects
- V. Protection of Surface Water Quality and Watershed Health
  - Stormwater update, including MS4 permitting and annual watershed-based permit public meeting
  - Receive an update on NMED Surface Water Quality Bureau National Pollutant Discharge Elimination System (NPDES) Primacy efforts
  - Receive presentations on PFAS and other emerging contaminants
- VI. Foster Intergovernmental Coordination, Cooperation and Communication
  - Regular Policy Implementation Committee (PIC) updates
  - Receive a presentation on the new Environmental Crimes Task Force
  - Receive an update on the Water Authority updates to the Surface and Groundwater Source Water Assessments in the Rivers and Aquifers Protection Plan
  - Receive an update on NMED efforts to establish Water Reuse Regulations
  - Receive update from New Mexico Environment Department on neglected contamination sites (formerly referred to as orphan sites)

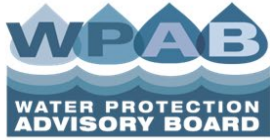
- Quarterly updates on agendas, topics, and actions of the Water Quality Control Commission that relate to water quality topics for WPAB
- Quarterly updates on agendas, topics, and actions of the Mid-Region Council of Government (MRCOG) Water Resources Board that relate to water quality
- Improve public outreach for water quality issues by governmental agencies

VII. Diversity, Equity, and Inclusion

- Regular updates from WPAB Diversity, Equity, and Inclusion Committee
- Complete Diversity, Equity, and Inclusion Work Plan by first quarter
- Identify biannual DEI training opportunities or presentations
- Provide presenters DEI questions in advance to address during presentations to WPAB
- Advise appointing agencies (City, County, and Water Authority) elected officials on policy actions in support of NMED to address neglected contamination sites

# Appendix C

2023 MEETING MINUTES



BART FARIS, CHAIR  
 STEVE GLASS, VICE CHAIR  
 JOSÉ CERRATO

DARRELL KUNDARGI    JOEL WOOLDRIDGE  
 CAMILLA FEIBELMAN    JONATHAN GONZALES  
 CAROLINE SCRUGGS

**January 13, 2022**

Location: Via video conference  
 Time: 9:00 a.m. to 11:00 a.m.

**Board Members Present:** Chair Steve Glass\*, Bart Faris, Camilla Feibelman, Vice-Chair Darrell Kundargi, Joel Wooldridge, Jonathan Gonzales, José Cerrato\*

\*joined after meeting began

A quorum was established before the meeting began.

**Board Members Absent (excused):** Alejandría Lyons, Caroline Scruggs.

**PIC Members Present:** Kelsey Bicknell (Water Authority), Cetan Christensen (Water Authority), Diane Agnew (Water Authority), Ken Ziegler (City of Albuquerque), Dan McGregor (Bernalillo County), Charles Barber (City of Albuquerque), Kathy Verhage (City of Albuquerque), Kalli Bronson (Bernalillo County)

**Guests:** Travis Peacock (Water Authority), Merat Zarreii (Water Authority), Mark Kelly (Water Authority), Jaren Peplinski (Urban Waters), Shellie Eaton (City of Albuquerque), Kathy Verhage (City of Albuquerque), Corbin Carsrud (Bernalillo County), Bobby Mullin (Bernalillo County), Danielle Shuryn (Water Authority), Patrick J Chavez (AMAFCA)

**Call to Order**

Vice Chair Darrell Kundargi called the meeting to order at 9:06 am.

**I. Approval of Agenda**

Mr. Bart Faris motioned to approve the agenda and Ms. Camilla Feibelman seconded the motion.

Unanimous vote to approve the January 13, 2023, meeting agenda:

Board member	Vote on Motion
Chair Steve Glass:	Not present
Vice-Chair Darrell Kundargi:	yes
Camilla Feibelman:	yes
José Cerrato:	Not present
Bart Faris:	Yes
Caroline Scruggs:	Not present
Joel Wooldridge:	yes
Johnathan Gonzales	Yes

**II. Review and Approval of Meeting Minutes**  
**a. November 10, 2022, Meeting Minutes**

Mr. Bart Faris made the motion to approve the November 10, 2022, meeting minutes, and Mr. Jonathan Gonzales seconded the motion.

Unanimous vote to approve the November 10, 2022, meeting minutes.

Mr. Bart Faris made motion to rescind the prior motion until corrections are made to the minutes and will move to approve at the next meeting, motion seconded by Steve Glass.

Corrections:

(1) Dioxin misspelling on Page 6.

(2) Question regarding background concentrations of Nitrate at the SNL site, unanswered.

Board member	Vote on Motion
Chair Steve Glass:	yes
Vice-Chair Darrell Kundargi:	yes
Camilla Feibelman:	yes
José Cerrato:	yes
Bart Faris:	Yes
Caroline Scruggs:	Not present
Joel Wooldridge:	Yes
Johnathan Gonzales	Yes

**III. Board Business**  
**a. Elect 2023 WPAB Officers**

The board confirmed that no individual can serve two consecutive terms in the same position – therefore a new chair will need to be elected.

Chair Steve Glass served for two years as chair and cannot serve again in that position.

Ms. Feibelman motioned to nominate Vice Chair Kundargi as Chair; Mr. Faris seconded the motion. Vice Chair Kundargi respectfully declined the nomination but expressed gratitude for the consideration.

After further board discussion of member seniority and availability to serve, Chair Glass moved to nominate Mr. Faris for WPAB Chair, and Ms. Feibelman seconded the motion.

Unanimous vote to approve Mr. Faris for WPAB Chair (hereafter referred to as Chair Faris).

Board member	Vote on Motion
Chair Bart Faris:	yes
Vice-Chair Darrell Kundargi:	yes
Camilla Feibelman:	yes
José Cerrato:	yes
Steve Glass:	Yes
Caroline Scruggs:	Not present
Joel Wooldridge:	Yes
Johnathan Gonzales	Yes

Chair Faris motioned to nominate Mr. Steve Glass as Vice Chair. Mr. Glass accepted the nomination and Mr. Gonzales seconded the motion for the nomination of Mr. Glass as Vice Chair.

Unanimous vote to approve Mr. Glass as WPAB Vice Chair (hereafter referred to as Vice Chair Glass).

Board member	Vote on Motion
Steve Glass:	yes
Darrell Kundargi:	yes
Camilla Feibelman:	yes
José Cerrato:	yes
Bart Faris:	Yes
Caroline Scruggs:	Not present
Joel Wooldridge:	Yes
Johnathan Gonzales	Yes

Ms. Feibelman asked the board to review the current membership. Ms. Bicknell informed the board that Ms. Alejandría Lyons (a city appointee) has not accepted another term. Mr. Joel Woolridge (joint city/county appointee) informed the Board that his term is ending and he is not accepting another term. Board members encouraged interested citizens to apply for appointment at <https://www.cabq.gov/clerk/boards-commissions>

Though he did not accept another term, Mr. Woolridge said he can continue in his position until it is filled. Ms. Bicknell informed the board that Ms. Lyons will not continue serving until her position is filled.

Ms. Feibelman noted that Mr. Roberto Roibal and Ms. Lyons represented grassroots organizations within the City and suggested the board members think about who to encourage to self-nominate through the application process. Ms. Feibelman suggested looking at individuals from similar grassroots organizations and suggested members think about different approaches to water protection (such as community advocacy). Ms. Feibelman asked board members to think about one person to encourage to apply.

Chair Faris encourage all board members to consider who would be good candidates but asked to table the discussion until the DEI portion of the meeting.

Mr. Kundargi asked the board to try and identify people who represent all members of the community, which is an important consideration for the board and in line with the board's DEI priorities.

Mr. Faris commented that the board is more than ever community based, academic based, and government based, and thinks the board is more representative of the community now than in prior years and it will be important to maintain this.

### **b. Approval of WPAB Open Meetings Resolution**

Prior to voting on the Resolution, the board discussed the advisability of continuing to use a virtual format for meetings, whether doing so would be in conflict with the Open Meetings Act, and whether the virtual format discourages public participation.

Vice Chair Glass followed the discussion with a motion to table the vote on the Open Meetings Resolution until legal review.

Mr. Ziegler suggested the board review the resolution from the City's American's with Disabilities Act Advisory Council (ADAAC) and noted their meetings are fully virtual.

<https://www.cabq.gov/civilrights/documents/2023-adaac-resolution.pdf>

Mr. Ziegler noted that on page 5 for ADAAC resolution regarding accessibility of meetings for any persons with disabilities. Mr. Ziegler suggested amending the language to reflect that of the ADAAC for meeting accessibility, and Ms. Bicknell agreed to make the suggested amendments.

Vice Chair Glass withdrew the motion to table the vote and moved to adopt the modifications and approve the Open Meetings Resolution as amended. Mr. Woolridge seconded the motion.

The Board voted unanimously to approve the Open Meetings Resolution with the modifications.

Board member	Vote on Motion
Steve Glass:	yes
Darrell Kundargi:	yes
Camilla Feibelman:	yes
José Cerrato:	yes
Bart Faris:	Yes
Caroline Scruggs:	Not present
Joel Wooldridge:	Yes
Johnathan Gonzales	Yes

### **c. Approval of 2023 WPAB Work Plan**

Chair Faris asked if there were any concerns, edits, or additions to the Work Plan for 2023. Vice Chair Glass observed that it was an ambitious and informative plan that outlined areas of focus for the board, including five DEI objectives.

Chair Faris suggested the board treat the work plan as a working document to be amended as needed and noted the board had already completed two items in the plan.

Vice Chair Glass made a motion to approve the 2023 WPAB Work Plan and Ms. Feibelman seconded.

Unanimous vote to approve the 2023 WPAB Work Plan.

Board member	Vote on Motion
Steve Glass:	yes
Darrell Kundargi:	yes
Camilla Feibelman:	yes
José Cerrato:	yes
Bart Faris:	Yes
Caroline Scruggs:	Not present
Joel Wooldridge:	Yes
Johnathan Gonzales	Yes

#### **d. Diversity, Equity, and Inclusion Subcommittee Report**

Ms. Feibelman asked to use this time to get organized for the year and asked who would be on the subcommittee for the coming year.

Ms. Feibelman, Vice Chair Glass, Mr. Cerrato, and Mr. Kundargi will continue to be on the committee.

Ms. Feibelman asked the subcommittee to set a regular meeting time for two weeks before the WPAB meetings on Fridays at 9 am, to be held virtually. The proposed meeting days and times were agreeable for all subcommittee members.

Ms. Feibelman will send subcommittee members an invitation for the meeting for the last Friday of January.

In the first subcommittee meeting the group plans to discuss publicity for meetings in the coming year and considerations for recording WPAB presenters. The subcommittee will continue to review the orphan site program and will review the DEI analysis for any needed updates as well as who may be good candidates for the Board for the 2023 service year.

Mr. Kundargi stated the DEI committee will plan to bring names of candidates for the meeting.



Ms. Bicknell stated that she will attend the meetings and that any interested PIC member was able to attend as well.

Chair Faris reminded the board that only the subcommittee members could participate in the meetings so as to not exceed four WPAB members.

#### **IV. Presentation**

Water Authority NPDES Pretreatment Program Policies and Enforcement Response Plan Update (10:00 – 10:50)

*Travis Peacock, Industrial Pretreatment Engineer, Water Authority,*  
[tpeacock@abcwua.org](mailto:tpeacock@abcwua.org)

Mr. Peacock presented to the board on the National Pollutant Discharge Elimination System (NPDES), an EPA permit for all point source pollution discharging to the waters of the United States. The Water Authority has specific permit requirements designed to protect collections systems, wastewater treatment plants, and receiving waters (e.g., the Rio Grande). The Water Authority pretreatment program monitors various industrial users to ensure downstream users are protected with public outreach, permits, and monitoring. The pre-treatment program includes permits for industrial users, commercial customers (focuses on the collection of fats, oils, grease, solids), dental facilities, and hauled waste. Additionally, the program provides pollution prevention education for new system users.

Updates to this program occur on a five-year cycle. The Water Authority has issued a new Sewer Use ordinance which was approved by the EPA in July 2021 and is now in the public comment period. Upcoming updates will include Pretreatment Program Operating Procedures; a new fats, oil, grease, and solids policy to match the sewer use ordinance and plumbing code; a new enforcement response plan to guide the application of any enforcement to this program; and lastly, a proposal to charge any non-compliance sampling to the polluters vs. rate payers.

This presentation is available to view on the [WPAB Information Portal](#).

#### ***Presentation Questions and Comments:***

Ms. Feibelman asked if food-based grease was typical in the pretreatment program. Mr. Peacock responded that food-based grease has high an affinity to solidify, but the program is also concerned with petroleum as a problem at the WWTP. Food-based greases are usually from restaurants, whereas petroleum can be from mechanic shops, and large laundry facilities.

Ms. Feibelman asked if disposal of contact lenses in the sewer is a significant source of plastic in the system. Ms. Feibelman suggested reaching out to optometrists to have them remind customers not to put these down the drain.

Related article: <https://www.theatlantic.com/health/archive/2018/08/contacts-down-the-drain/567850/>

Mr. Peacock responded that this could be investigated as another area of NPDES outreach, adding that he believed wastewater treatment facilities can appropriately manage these in the treatment process. He said he had heard similar concerns about disposal of glass lenses.

Vice Chair Steve Glass [in chat] asked if there was any coordination between the Pretreatment Program and the new NMED Environmental Crimes Task Force?

Mr. Peacock indicated he was not aware of this taskforce.

Ms. Kelsey Bicknell explained that this is a new NMED taskforce in partnership with federal, state, and local agencies, as well as the Navajo Nation Department of Justice to investigate environmental crimes in communities, falsifying compliance results, improper disposal of waste, and more. Ms. Bicknell stated partnership opportunities are still being explored by the taskforce.

Link to Environmental Crimes Task Force: <https://www.env.nm.gov/wp-content/uploads/2022/11/2022-11-09-COMMS-Environment-Crimes-Taskforce-Launched-Final.pdf>

Vice Chair Class [in chat] asked in regard to non-permitted users, if the objective of the program should be to get non-permitted customers to get permitted, rather than conducting repeated assessments?

Mr. Peacock responded that EPA defines the need to permit users under by category. For Industrial dischargers: the permittee would need to be discharging over 25 gallons per day. Smaller volume dischargers would be permitted if their discharge poses a potential risk to the system. Repeat violators are usually: (1) Unaware they are in violation; or (2) do not want to fix their problem. When this happens, the program has implemented a process for repeat violators to engage with the Pretreatment program.

Ms. Feibelman [in chat] asked about how food trucks were monitored in this program.

Mr. Peacock responded that food trucks are required to be associated with a brick-and-mortar restaurant with the required pre-treatment infrastructure in place to comply with the permitting program. Food preparation and disposal is done at locations with the ability to comply with the pre-treatment program.

## **I. Other Board Business**

Chair Faris noted the agenda did not have a place for PIC update but asked due to lack of time PIC updates will be skipped. Chair Glass asked if there was any response to the letter to the Legislature regarding support for funding.

Ms. Bicknell stated that the letters did go out, but that there has been no response from legislators.

Chair Faris thanked Vice Chair Steve Glass for active involvement in the board leadership and for Chair Glass's long tenure.

Vice Chair Glass recognized Mr. Kundargi's support as Vice-Chair in the 2022 term.

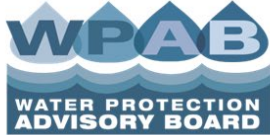
Next meeting will be 9 am Feb 10<sup>th</sup>, 2023

**II. Public Comment Period**

No public comments

**VII. Adjourn**

Chair Faris adjourned the meeting at 10:58 AM



BART FARIS, CHAIR  
 STEVE GLASS, VICE CHAIR  
 JOSÉ CERRATO

DARRELL KUNDARGI    JOEL WOOLDRIDGE  
 CAMILLA FEIBELMAN    JONATHAN GONZALES  
 CAROLINE SCRUGGS

**March 10, 2023**

Location: Webex Video Conference  
 Time: 9:00 a.m. to 11:00 p.m.

**Board Members Present:** Steve Glass, Bart Faris, Jonathan Gonzales, Darrell Kundargi, Camilla Feibelman

A quorum was established at 9:16 am after the meeting began at 9:08 am.

**Board Members Absent (excused):** Caroline Scruggs, José Cerrato, Joel Wooldridge

**PIC Members Present:** Kelsey Bicknell (Water Authority), Cetan Christensen (Water Authority), Diane Agnew (Water Authority), Jeff Pompeo (Water Authority), Ken Ziegler (City of Albuquerque), Dan McGregor (Bernalillo County), Kali Bronson (Bernalillo County), Kathy Verhage (City of Albuquerque), Byron Lueras (City of Albuquerque), Corbin Carsrud (Bernalillo County).

**Guests:** Mark Kelly (Water Authority), Jaren Peplinkski (Urban Waters), Bobby Mullin (Bernalillo County), Shellie Eaton (COA).

**Call to Order**

Chair Faris called the meeting to order at 9:08 am. PIC updates were moved to the top of the agenda until a quorum was established.

**I. Approval of Agenda**

Mr. Bart Faris motioned to approve the agenda and Ms. Caroline Scruggs seconded the motion.

Unanimous vote to approve the March 10, 2023, meeting agenda.

Board member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass:	Yes
Darrell Kundargi:	Yes
Camilla Feibelman:	Yes
José Cerrato:	Not Present
Caroline Scruggs:	Not Present
Joel Wooldridge:	Not present
Johnathan Gonzales	Yes

## II. Review and Approval of Meeting Minutes

### a. November, Meeting Minutes

Vice Chair Steve Glass motioned to approve the amended November meeting minutes. Mr. Johnathan Gonzales seconded the motion.

Unanimous vote to approve the November meeting minutes.

Board member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass:	Yes
Darrell Kundargi:	Yes
Camilla Feibelman:	Yes
José Cerrato:	Not Present
Caroline Scruggs:	Not present
Joel Wooldridge:	Not present
Johnathan Gonzales	Yes

### b. January, Meeting Minutes

Mr. Darrell Kundargi motioned to approve the January meeting minutes. Vice Chair Steve Glass seconded the motion.

Unanimous vote to approve the January meeting minutes.

Board member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass:	Abstain
Darrell Kundargi:	Yes
Camilla Feibelman:	Yes
José Cerrato:	Not Present
Caroline Scruggs:	Not present
Joel Wooldridge:	Not present
Johnathan Gonzales	Yes

## III. Board Business

### a. Approval of WPAB Open Meetings Resolution

Vice Chair Steve Glass motioned to approve the WPAB Open Meetings Resolution. Mr. Darrell Kundargi seconded the motion.

Unanimous vote to approve the WPAB Open Meetings Resolution.

Board member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass:	Yes
Darrell Kundargi:	Yes

Camilla Feibelman:	Yes
José Cerrato:	Not Present
Caroline Scruggs:	Not present
Joel Wooldridge:	Not present
Johnathan Gonzales	Yes

b. Approval of WPAB 2022 Annual Report and Cover Letter

Vice Chair Glass motioned to approve the WPAB 2022 Annual Report and Cover Letter. Mr. Darrell Kundargi seconded the motion.

Unanimous vote to approve the WPAB 2022 Annual Report and Cover Letter.

Board member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass:	Yes
Darrell Kundargi:	Yes
Camilla Feibelman:	Yes
José Cerrato:	Not Present
Caroline Scruggs:	Not present
Joel Wooldridge:	Not present
Johnathan Gonzales	Yes

c. **PIC Updates (9:08 am, moved to first item on the agenda prior to the establishment of a quorum)**

*City of Albuquerque, Environmental Health (City) – updates from Ms. Kathy Verhage and Byron Lueras*

- Ms. Verhage shared there were no Municipal Separate Storm Sewer System (MS4) updates.
- Ms. Verhage announced this is their last meeting as PIC member. Moving to the City’s Planning Hydrology department next month.
- Mr. Byron Lueras shared there were no updates.

*Bernalillo County (County)– Update from Mr. Dan McGregor, Natural Resource Services Manager*

- The Water Authority had a sewage line break near the South Valley Little League fields and has been coordinating with the County to remedy. The Water Authority is installing a temporary surface line to the Wastewater Treatment Plant and pressure washing the impacted area with a weak chlorine solution.
- 12 Jordanian journalists were here on cultural exchange focused on communication of environmental issues.

- A Storage Tank Replacement project was discharging without approval. Water samples showed trace amounts of contamination, the County will be performing continued sampling with New Mexico Environment Department (NMED). Another site may additionally exist with a possible sewer line break.
- The County attended the Land and Water Summit.
- The County has a new Hydrogeologist, Corbin Carsrud.
- The County will begin to revise ordinances, including revisions to a storm water quality ordinance to match technical development standards.
- GSI and LID projects are ongoing.

*Albuquerque Bernalillo County Water Utility Authority (Water Authority)-  
Update from Ms. Kelsey Bicknell, Environmental Manager*

- The Water Authority's Data gap well sampling will occur at the end of March with Bennet pump system. Passive Diffusion Bags (PDBs) being deployed March 10, 2023.
- A presentation will be given to the Water Authority board on the status of the Kirtland Air Force Base Bulk Fuels Facility spill on status March 22, 2023. Interested persons can join in-person or virtually on Gov TV.

## **V. Presentation**

*Kirtland Air Force Base Bulk Fuels Facility Spill Update from Water Authority*

*(09:26 – 10:15)*

*Kelsey Bicknell, Environmental Manager, Water Authority, [kbicknell@abcwua.org](mailto:kbicknell@abcwua.org)*

Ms. Kelsey Bicknell presented on the status of the Kirtland Air Force Base (KAFB) Bulk Fuels Facility (BFF) from the perspective of the Water Authority and key needs for site clean up to progress.

[Link to Presentation](#)

### **Questions and Comments:**

Vice Chair Glass commented that it is disappointing to see the federal government slowing down on remediation action and noted that the WPAB board has the responsibility to continue engaging with NMED and the Air Force to move forward site remediation. Vice Chair Glass emphasized the disappointment that the Air Force does not see the site as their responsibility and reiterated that water being unavailable for 100s of years is a huge impact.

Chair Faris asked how to respond to the actions and inactions of the Air Force as the WPAB.

Vice Chair Glass inquired whether a letter to the Air Force or to elected officials would be more effective. Chair Faris suggested drafting a letter to request action from the County Commission, the City Council, and the Water Authority Boards based on the requested actions of the Water Authority and other PIC members. Ms. Bicknell agreed that the strategy of directing requests for action to elected officials to engage and put pressure on the Air Force. Mr. McGregor noted that now is opportune time to send a letter to the County with two new County Commissioners who are peripherally oriented on this issue.

Chair Faris asked if he understood correctly that there have not been technical working group meetings since October 2021.

Ms. Kelsey Bicknell stated this is correct.

Mr. Ziegler commented that the main reason for delay in meetings between the technical working groups and the Air Force has been due to moving the regulatory oversight back to the Hazardous Waste Bureau at NMED. Mr. Ziegler added that the Hazardous Waste Bureau implemented rules stating that a technical working group meeting could only be requested after a document is submitted and approved by NMED. Ms. Agnew clarified that technical stakeholders worked with the NMED and Air Force to establish guidelines for requesting technical working group meetings, including NMED correspondence and document submittals. Ms. Agnew added that the Water Authority had requested meetings after the 2022 Notice of Disapproval from NMED and the Air Force. The request was still pending with both entities.

Mr. Ziegler shared that in the October 2021 working group meeting, an agreement was made to hold another meeting due to the limited time to address the agenda items. The focus of the October meeting was groundwater monitoring sampling methods.

Mr. Ziegler noted that passive sampling bags are not bad or inadequate, but not comparable to active sampling methods. Mr. Ziegler added that before implementing passive sampling, the Air Force should have established sampling goals and used these to determine the success of the sampling prior to implementing passive sampling at more monitoring wells without NMED approval.

Ms. Agnew added that NMED's position as stated in the November 8, 2022 Notice of Disapproval, is that the data from passive and active sampling are not comparable and cannot be used to assess the impacts to human health, or to select a remedy for the site. Ms. Agnew stated that the data collection and management of the Air Force site is not robust nor transparent. Ms. Agnew shared that the Air Force has submitted 16 extension requests between 2022 and 2023 for a site of contamination that is directly impacting a water supply source.



Chair Faris reiterated the need to send letters to the board members of the Water Authority, the County Commission, and the City Council.

Vice Chair Glass and Mr. Gonzales volunteered to help draft the letter.

Mr. Darrell Kundargi agreed that sending letter to the three entities is good course of action and inquired on how the board can reach out to the community impacted by this source of contamination. Mr. Kundargi noted that community pressure was helpful in initiating action from the Air Force previously and asked how to conduct community outreach to those directly affected by the inaction of the Air Force.

Chair Faris responded that the Air Force held multiple public meetings each year in the past, but that he has not seen notice of these for some time. The need to reinstate community meetings was suggested by Chair Faris as a fourth point in the letter requesting action to the WPAB entities' boards. Chair Faris noted that there is a Community Relations Plan, but he did not know if it was being implemented.

Mr. Kundargi agreed that the including community outreach in the letter was appropriate and asked for the board to emphasize the need for the Community Relations Plan to be followed. Mr. Kundargi requested an update, if permissible, to the impacted community even if the action falls outside the scope of the current community engagement plan.

Mr. Ziegler informed the board that the next Air Force public meeting will be held April 27<sup>th</sup>. Mr. Ziegler noted that there has not been a lot of community interaction at these recent meetings. Ms. Bicknell added that Air Force outreach and notification for the public meetings is poor.

Chair Faris asked if the current community outreach plan was being followed.

Mr. Ziegler stated the public outreach has minimum requirements of meeting twice a year. Ms. Agnew shared that there is a Public Involvement Plan from Congress for the site with language that invited more in terms of community outreach. Ms. Agnew stated in November, the Air Force argued public attendance at the meetings was limited and suggested holding public meetings less often due to the interpreted reduced public interest. Ms. Agnew noted that the lack of the public in attendance at these meetings can be attributed to the challenges with the interface used to hold virtual meetings and the lack of awareness from the public due to the limited outreach and advertising of the meetings. Ms. Agnew also noted that the Water Authority has been posting the information to these meetings on social media if given the meeting information ahead of time. Mr. Ziegler noted that when searching online for "Air Force public engagement," no recent information is pulled up. Mr. Ziegler noted that people must know what they are looking for to find the information, and he has only been able to find information by way of email due to being a public stakeholder.

Chair Faris, Vice Chair Glass and Mr. Gonzales proposed meeting to draft the letter to the County, City, and Water Authority boards prior to the next WPAB meeting. They requested PIC members, Ms. Agnew and Ms. Bicknell, draft the initial language for this.

Vice Chair Glass moved to convene a committee to draft the letter with support from the members of the PIC. The motion was seconded by Mr. Gonzales.

Board member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass:	Yes
Darrell Kundargi:	Yes
Camilla Feibelman:	No vote cast
José Cerrato:	Not Present
Caroline Scruggs:	Not present
Joel Wooldridge:	Not present
Johnathan Gonzales	Yes

- a. Related Item: Technical Customer Advisory Committee (TCAC) Letter to the Water Authority Board – regarding presentation. Provided in meeting materials. Provided for reference as related item to the presentation. Voted and passed in the TCAC meeting.

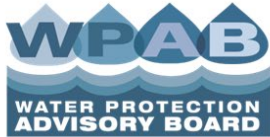
**VI. Other Board Business (10:19– 10:25)**

No other Board business.

**VII. Public Comment Period (10:25 – 10:30)**

No requests to participate in the Public Comment Period.

**VIII. Adjourn at 10:26 am**



BART FARIS, CHAIR  
 STEVE GLASS, VICE CHAIR  
 JOSÉ CERRATO

DARRELL KUNDARGI    JOEL WOOLDRIDGE  
 CAMILLA FEIBELMAN    JONATHAN GONZALES  
 CAROLINE SCRUGGS

**April 14, 2023**

Location: Webex Video Conference

Time: 9:00 a.m. to 11:00 p.m.

**Board Members Present:** Steve Glass, Bart Faris, Camilla Feibelman, Joel Wooldridge, Jonathan Gonzales, José Cerrato, Caroline Scruggs

**Board Members Absent (excused):** Darrell Kundargi

**PIC Members Present:** Kelsey Bicknell (Water Authority), Cetan Christensen (Water Authority), Diane Agnew (Water Authority), Jeff Pompeo (Water Authority), Ken Ziegler (City of Albuquerque), Dan McGregor (Bernalillo County), Kali Bronson (Bernalillo County), Corbin Carsrud (Bernalillo County), Patrick Chavez (AMAFCA).

**Guests:** Mark Kelly (Water Authority), Jaren Peplinski (Urban Waters), Bobby Mullin (Bernalillo County), Shellie Eaton (COA)

**Call to Order**

Chair Faris called the meeting to order at 9:03 am.

**I. Approval of Agenda**

Mr. Steve Glass moved to approve the agenda and Mr. Joel Woolridge seconded the motion.

Unanimous vote to approve the April 14, 2023, meeting agenda.

Board member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass:	Yes
Darrell Kundargi:	Not Present
Camilla Feibelman:	Yes
José Cerrato:	Yes
Caroline Scruggs:	Yes
Joel Wooldridge:	Yes
Johnathan Gonzales	Yes

**II. Review and Approval of Meeting Minutes**

**a. March, Meeting Minutes**

Mr. Steve Glass moved to approve the March 10, 2023 meeting minutes, and Mr. Jonathan Gonzales seconded the motion.

Unanimous vote to approve the March meeting minutes.

Board member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass:	Yes
Darrell Kundargi:	Not present
Camilla Feibelman:	Yes
José Cerrato:	Yes
Caroline Scruggs:	Abstain
Joel Wooldridge:	Yes
Johnathan Gonzales	Yes

### III. PIC Updates

#### *Albuquerque Bernalillo County Water Utility Authority (Water Authority)- Update from Ms. Kelsey Bicknell, Environmental Manager*

- The Water Authority met with the New Mexico Environment Department (NMED) last week regarding the Kirtland Air Force Base (KAFB) Bulk Fuels Facility (BFF), reports that NMED is working to return to Resource Conservation Recovery Act (RCRA) process after managing the site through the Secretary’s office. NMED is concerned with the lack of fuel (LNAPL) characterization in source area at the site, informed by a well drilled in the source area during a pilot test in which 11 feet of fuel was found in the well. This information was reported as non-detect in the table associated with the pilot test report.
- The semi-annual meeting to review environmental issues for the Department of Energy (DOE) and Department of Defense (DOD) will be held in person on April 18<sup>th</sup>, 2023, from 6PM – 8PM at the New Mexico Veterans Memorial. These will include the KAFB and Sandia National Labs (SNL) public meetings. SNL will present on the mixed waste land fill. WPAB has historically participated in this meeting.
  - Link to meeting information:  
<https://www.sandia.gov/about/environment/environmental-management-system/public-meetings/>
- The KAFB will hold a hybrid public meeting on the BFF on Thursday, April 27<sup>th</sup>, 2023, 5:30PM - 8PM, at the New Mexico Veterans Memorial.

#### *Bernalillo County (County)– Update from Mr. Dan McGregor, Natural Resource Services Manager*

- The subdivision ordinance and technical standards for green stormwater infrastructure (GSI) was passed and adopted.
- Jemez Springs had a wastewater spill associated with flooding from increased run-off. Do not know if spill made to the Rio Grande. Link to article: <https://www.abqjournal.com/2590196/wastewater-overflows-into-jemez-river-during-rapid-snow-melt.html>

- Isleta Pueblo requested from the County the microbial source study on E. coli conducted by the USGS. Link to USGS study: <https://pubs.er.usgs.gov/publication/sir20235019>
- The County is developing stormwater guidance for solar array projects. This will go for public review by the end of May.

*City of Albuquerque, Environmental Health (City) – updates from Mr. Ken Ziegler*

- KAFB sent a survey regarding the development of the restoration advisory board (RAB).
  - Link to EPA information on RAB: <https://www.epa.gov/fedfac/restoration-advisory-board-rab-implementation-guidelines>
  - Link to RAB survey: <https://forms.office.com/r/MxBwhkyc3g>
- The City performed annual sampling for the Los Angeles Landfill.
- The City was contacted by the contractor supporting the Laun-Dry site monitoring to use City groundwater monitoring wells for additional sampling.
- City was contacted by the South Valley Superfund Site contractor requesting access to City owned groundwater monitoring wells to expand sampling network east of I-25. Contractor will also be sampling for 1-4 dioxane.
- The City installed the soil vapor extraction (SVE) system at the Urban Biology facility at Montessa Park. The City is working to get the SVE system online.

*Questions and Comments:*

- Mr. Bart Faris asked what the RAB was. Mr. Ken Zeigler responded that for KAFB's RCRA permit, they must gage public interest for a RAB. A survey is being circulated by the KAFB for this purpose. Ms. Kelsey Bicknell noted this action is required every 3 years to evaluate if the public would like all KAFB restoration sites (20 +) integrated into one group, including the BFF site. Ms. Bicknell added that if a RAB was formed the BFF site would receive less attention and discussion, and the Water Authority is only in favor of a RAB if BFF remains an independent site of concern for discussion and reporting.
- Mr. Ken Zeigler doesn't know who received the survey for the RAB, but the questionnaire seems to target specific neighborhoods. Mr. Zeigler not being part of the neighborhoods, doesn't know if they are part of the intended survey group. Ms. Diane Agnew has asked KAFB in the past how they form their distribution lists for public input. The response was that KAFB Public Affairs office uses the same distribution list as their predecessors plus those who sign up at public meetings, but Water Authority staff who have attended public meetings and signed up for the

distribution list in the past have not received the survey. The WPAB should not assume all parties of interest are on the distribution list. Mr. Dan McGregor inquired if it is possible to have NMED require the KAFB to have a public information plan.

- Mr. Mark Kelly noted the Water Authority's concern is that the development of the RAB would make BFF part of the same process as some of the smaller restoration sites and BFF would not be given sufficient priority. Ms. Diane Agnew shared the concern and noted that the KAFB has acknowledged that it does not have enough resources for a RAB and a separate public stakeholders meeting for BFF. Due to this, if a RAB formed, KAFB would only present on the BFF site every one or two years.
- Mr. Bart Faris commented that KAFB has tried to develop a RAB in the past and suggested discussing the history and a path forward in more detail at the next WPAB meeting.
- Mr. Mark Kelly inquired about when the RAB comments were due. Ms. Bicknell responded that no due date was included in the survey.
- Ms. Caroline Scruggs commented that the Board should support BFF remaining its own site and suggested involving Senator Heinrich and others. Ms. Scruggs also suggested the board discuss and elevate the need for a dedicated pool of federal money to address the BFF site.

*Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) – updates from Mr. Patrick J. Chavez*

- Current projects for AMAFCA include the Central New Mexico Community College (CNM) grade control structure south of campus, where a cost share with CNM paid for a pedestrian bridge to the solar array on campus; and a project at the Bar Spur at Valle de Oro, where waterline work for the Water Authority is being done to relocate a sewer line.

#### **IV. Board Business**

- a. Approval of Letter to Albuquerque City Council, Bernalillo County Commission, and Water Authority Board regarding the Kirtland Air Force Base Bulk Fuels Facility Site cleanup

Chair Bart Faris reached out to Commissioner Barboa prior to the WPAB meeting to discuss the letter and an appropriate approach to involve other political entities on this matter.

The Board discussed the language in the letter used to describe the area impacted and the standards used to determine water usability by the public. The Board clarified in the letter that a significant percentage of the community's water supply would be unavailable if drinking water standards are not met, and that funding needs to be made available for remediation at the site.

The Board and PIC members discussed if the letter should be used to support a request for the KAFB to resume Technical Working Groups (TWG). PIC members provided the Board with background information on the TWG and TWG meeting outcomes. Based on this information, the Board agreed that TWG have not operated as intended and to not request TWG at this time.

The Board and PIC members all agreed that community involvement at the BFF site was an area of concern. Ms. Kali Bronson, County PIC member, shared that she resides within the community directly impacted by the KAFB BFF site, and that the community does not receive any communication from the KAFB regarding public meetings or surveys.

The Board noted that the letter addresses the concerns of the PIC members for this site but does not provide specific approaches for action for all concerns. The PIC members came to an agreement that following the letter’s distribution, they would meet to coordinate specific guidance and appropriate actions for each Board to consider and implement.

Ms. Diane Agnew said the letter distribution was appropriately timed to reach elected officials ahead of the visit from Deputy Assistant Secretary of the Air Force for Environment, Safety and Infrastructure, who will be arriving in June. The letter will be useful to support discussions about cleanup of the BFF site.

Mr. Jonathan Gonzales motioned to approve the edits to the letter and send to delegates, and Ms. Caroline Scruggs seconded the motion.

Unanimous vote to approve.

Board member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass:	Yes
Darrell Kundargi:	Not present
Camilla Feibelman:	Yes
José Cerrato:	Not Present* left at 10:03 am
Caroline Scruggs:	Yes
Joel Wooldridge:	Yes
Johnathan Gonzales	Yes

**V. Diversity, Equity, and Inclusion Subcommittee Report, Camilla Feibelman**

The Diversity, Equity, and Inclusion (DEI) subcommittee will meet April 28<sup>th</sup> to explore how work on the WPAB can lead to action. DEI will report on this at the May WPAB meeting.

The DEI subcommittee requests that meeting materials for presentations include a short summary with meeting sign-on information, so this can be easily forwarded to various stakeholders.

## **VI. Presentation**

Middle Rio Grande Stormwater Team Update

*Kali Bronson, Stormwater Compliance Program Lead, Bernalillo County,*  
[kbronson@bernco.gov](mailto:kbronson@bernco.gov)

*Shellie Eaton, P.E., Project Manager, City of Albuquerque,* [seaton@cabq.gov](mailto:seaton@cabq.gov)

*Patrick Chavez, P.E., Stormwater Quality Engineer, AMAFCA,*  
[pchavez@amafca.org](mailto:pchavez@amafca.org)

Ms. Kali Bronson from Bernalillo County, and Mr. Patrick Chavez from AMAFCA presented on water quality data and actions taken to satisfy their MS4 permits.

[Link to Presentations](#)

*Questions and Comments:*

Ms. Caroline Scruggs commented that they recently attended a Net Zero Workshop and asked if the Green Stormwater Infrastructure (GSI) being developed by the County is perceived as storage of water and if this creates any issues related to water rights.

Ms. Kali Bronson responded that since the captured stormwater cannot be put to beneficial use, the only option for the water is to infiltrate into the ground. The County has worked within NMED and OSE on this and the County is permitted to detain water in GSI facilities for a 96-hour period. If the water has not infiltrated after 96 hours, it has to go to the river.

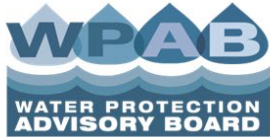
## **VI. Other Board Business (11:00)**

No other Board business.

## **VII. Public Comment Period**

## **VIII. Adjourn at 11:03 am**





BART FARIS, CHAIR  
 STEVE GLASS, VICE CHAIR  
 JOSÉ CERRATO

DARRELL KUNDARGI    JOEL WOOLDRIDGE  
 CAMILLA FEIBELMAN    JONATHAN GONZALES  
 CAROLINE SCRUGGS

**May 12, 2023**

Location: Webex Video Conference

Time: 9:00 a.m. to 11:00 p.m.

**Board Members Present:** Steve Glass, Camilla Feibelman, Bart Faris, José Cerrato, Caroline Scruggs, Jonathan Gonzales, Darrell Kundargi, Joel Wooldridge

**Board Members Absent (excused):**

**PIC Members Present:** Kelsey Bicknell (Water Authority), Cetan Christensen (Water Authority), Corbin Carsrud (Bernalillo County), Charles Barber (City of Albuquerque), Jeff Pompeo (Water Authority), Danielle Shuryn (Water Authority), Dan McGregor (Bernalillo County), Patrick Chavez (AMAFCA), Kali Bronson (Bernalillo County), Diane Agnew (Water Authority).

**Guests:** Maycee Hurd (Bernalillo County), Jaren Peplinski (Urban Waters), Bobby Mullin (Bernalillo County), Shellie Eaton (City of Albuquerque), Andy Otto (Santa Fe Watershed Association), Melissa Troutman (Wild Earth Guardians), John Rhoderick (New Mexico Environment Department (NMED)), David McCoy (Citizen Action New Mexico), Patrick Longmire (NMED, former).

**Call to Order**

Chair Faris called the meeting to order at 9:02 am.

**I. Approval of Agenda**

Vice-Chair Glass motioned to approve the agenda with suggested edits; Mr. Gonzales seconded the motion.

Board member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass:	Yes
Darrell Kundargi:	Not Present
Camilla Feibelman:	Yes
José Cerrato:	Yes
Caroline Scruggs:	Yes
Joel Wooldridge:	No vote
Jonathan Gonzales	Yes

**II. Review and Approval of Meeting Minutes**

**a. April, Meeting Minutes**

Vice-Chair Glass moved to approve the corrected April Meeting Minutes; Ms. Scruggs Seconded the motion.

Board member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass:	Yes
Darrell Kundargi:	Not Present
Camilla Feibelman:	Yes
José Cerrato:	Yes
Caroline Scruggs:	Yes
Joel Wooldridge:	No vote
Jonathan Gonzales	Yes

### III. PIC Updates

*Albuquerque Bernalillo County Water Utility Authority (Water Authority)- Update from Ms. Kelsey Bicknell, Environmental Manager*

- HP Digital: NMED has issued a letter requiring the installation of more monitoring wells at the HP/Digital site to characterize 1,4-Dioxane and perform a one-time sampling event for PFAS.
- Sandia National Labs (SNL): The SNL Site Wide Environmental Impact Statement (SWEIS) is in the public scoping process and accepting public comments to consider during the reevaluation of impacts from the site until June 5th. More information on how to submit comments can be found using this link: <https://www.sandia.gov/about/environment/sweis/>
- KAFB- BFF: The letter from the WPAB to City and County elected officials regarding engagement on the BFF site was received and acknowledged by its recipients. NMED issued a letter stating if Air Force fails to submit workplans by July 31, they will be out of compliance with their RCRA permit. The Bernalillo County Board of Commissioners on May 9<sup>th</sup> received a presentation on BFF from Water Authority staff. The Water Authority provided comment against the Restoration Advisory Board (RAB). Members from WPAB can submit comments online using this link: <https://forms.office.com/r/MxBwhkyc3g>
- The Water Authority's Data Gap Well will be sampled for EDB May 31<sup>st</sup>.

*Bernalillo County (County)– Update from Mr. Dan McGregor, Natural Resource Services Manager*

- The County has a new intern, Maycee Hurd from University of New Mexico (UNM) who will be working on compound migration issues, including Polychlorinated biphenyl (PCB) and Per- and Polyfluoroalkyl substances (PFAS) in sediment transport.

- County has released stormwater Best Management Practices (BMPs) for solar arrays – the proposal is in a 30-day public comment period.
- Ciudad Tijeras Creek watershed project has received approval for funding and contract.
- An 8,500-gallon gas tanker rolled over at Broadway and Desert in the South Valley in April. Approximately 2,000 gallons of petroleum spilled. Little has been done to clean the spill.
- The County's water conservation incentive program will no longer pay for installations of low-flow toilets due to costs of labor. The program will instead provide rebate coupons.
- The County is looking into the installation of geothermal units.
- The County has an interest in an economic impact study with UNM investigating the effect on property values when a home switches from well to hauled water.

*Questions and Comments:*

Ms. Caroline Scruggs commented that the research objective sounded like an interesting question across the Southwest and suggested Dr. Jenny Chairmack or Dr. Jingjing Wang from UNM could be potential collaborators. Ms. Scruggs requested an email from County staff with a statement of the research objective to circulate on campus.

Ms. Camilla Feibelman asked what impacts to water are expected from large scale solar projects. Mr. Dan McGregor responded that there is increased potential for erosion below the drip line of panels, and similar effects from any development, such as disruption to soils and root systems due to clearing that occurs over large areas of land. The County is developing BMPs to improve practices for proposed developments.

Mr. Jose Cerrato expressed interest in a collaborative research effort with the County and asked if they have historic data on the interactions of other organics of concerns and PFAS. Mr. Dan McGregor responded that the impetus for their concerns are PCB detections with no known source. The county hypothesizes that PCBs are attached to sediments and have the potential for more widespread distribution if attached to microplastics. This may explain source in sediment basins (PCB is on the microplastics), but not much data is available. PFAS in firefighting foams presents issues when discharged to stormwater handling ponds. PFAS releases need to be considered as part of the MS4 permit because when a contaminant is identified the permit holder must find the source of contamination.

*City of Albuquerque, Environmental Health (City) – updates from Shellie Eaton*

- Region 6 EPA will be in Albuquerque May 22 - May 26<sup>th</sup> as a follow-up to the City's self-assessment. The EPA will visit examples of facilities with "good housekeeping" operated by the City.
- Kathy Verhage is no longer with the City, and Shellie Eaton replaces her as the City's contact.

*Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) – updates from Mr. Patrick J. Chavez*

- The erosion control structure 2 at Calabacillas Arroyo is completed.
- AMAFCA tested for the listed constituents in Appendix J of the NM Water Quality Standards for irrigation water and stored irrigation water on February 10<sup>th</sup>, all results came in below the standards listed.
- AMAFCA's Bear Canyon Arroyo goes through the HP/Digital contamination site. AMAFCA reached out to NMED to support additional monitoring wells, and offered AMAFCA property for well locations, due to concerns contaminants are being mobilized below the AMAFCA channel. They have not heard back from NMED on installing sampling wells on AMAFCA property.
- AMAFCA is looking at contaminant transport via sediment, specifically, regrowth of Escherichia coli (E.coli) in sediments in the Rio Grande corridor.

Questions and Comments:

Mr. Jose Cerrato commented he is surprised by how big a problem E. coli regrowth is and asked if there is communication with the State on this topic. Mr. Chavez responded that the Pueblo of Isleta received a presentation from USGS on microbial source tracking in the Rio Grande recently and proof of regrowth was not observed. Mr. Cerrato said it is encouraging to this topic is being investigated.

**IV. Board Business**

**a. WPAB vacancies**

The City and City-County joint member position have vacancies. Mr. Joel Woolridge has advised the City and County joint member selection be informed by the DEI work WPAB has completed.

Ms. Feibelman requested an email to send to interested candidates describing the board and how to apply. Ms. Bicknell will write up a general description and the County and City will provide specific information on how to apply.

**V. Diversity, Equity, and Inclusion (DEI) Subcommittee Report, Camilla Feibelman**

DEI subcommittee continues to disseminate WPAB meeting information. Ms. Feibelman suggested having meetings recorded and posted on the website. DEI subcommittee has established a meeting time and place – the subcommittee will begin reviewing concerns and appropriate actions for different areas of the city.

## **VI. Presentation**

### **a. PFAS Overview (09:45 – 10:15)**

*Pat Longmire, Ph.D., retired Principal Aqueous Geochemist, Groundwater Quality Bureau, New Mexico Environment Department (NMED),*  
[longmire@cybermesa.com](mailto:longmire@cybermesa.com)

Mr. Longmire presented on Fate and Transport of Per- and polyfluoroalkyl Substances (PFAS) in the Environment. Including detailing the detections of PFAS at Clovis, NM.

The presentation can be accessed with the following [LINK](#).

### *Questions and Comments:*

Ms. Caroline Scruggs commented that it is outrageous that there is this class of chemicals that is not safe at any concentrations but the burden to remove them is placed on water utilities instead of regulation of chemical generators. Ms. Scruggs asked if there was any work on regulating PFAS from sources federally. Mr. Longmire responded that there is movement for regulation on a state level. New York has PFAS groundwater contamination limits at 10 nano grams/L; and California is developing groundwater standards for PFAS. New Mexico proposed limits must go to the Water Quality Control Committee to pass and be adopted. Ms. Scruggs suggested looking at this from a source control perspective, and possibly write a short piece in *Science* about regulating PFAS chemicals as a class. Ms. Scruggs asked what the biggest concern for exposure for PFAS is. Mr. Longmire responded that the ITRC (Interstate Technology and Regulatory Council) has composed exposure data on firefighters and teachers and mentioned fast food and firefighting foams are also sources of exposure. Mr. Longmire added that environmental exposure to PFAS is a key driver for cancers.

### **b. New Mexico Water Reuse Regulations Development (10:15 – 10:45)**

*John Rhoderick, Water Protection Division Director, NMED,*  
[john.rhoderick@env.nm.gov](mailto:john.rhoderick@env.nm.gov)

Mr. Rhoderick presented on Water Reuse Regulation Development, as part of the 2019 Produced Water Act, under the authority of the Water Quality Control Commission.

The presentation can be accessed with the following [LINK](#).

### *Questions and Comments:*

Ms. Teresa Seamster used the chat to ask who are the main third-party contractors that are helping with reuse development and regulations. Mr. Rhoderick responded that NMED is waiting for the new fiscal year to continue this work, but that up to this point they have contracted INTERA.

Mr. Dan McGregor used the chat to ask if the rulemaking was looking at domestic reuse, or if it was to address produced water and/or municipal wastewater treatment reuse. Mr. Rhoderick responded that they were looking at all options for reuse.

Ms. Feibelman commented that previous conversations regarding produced water from oil and gas concluded that this water was not to be used off the oil and gas fields until there was evidence regarding its safety. Ms. Feibelman commented that the presentation suggested a reconfiguring of thinking in water reuse to use produced water off oil and gas fields, which had not been the commitment to stakeholders in previous conversations. Ms. Feibelman added that the brackish water bill did not pass, and the use of produced water is not acceptable outside of oil fields, and there is need for an unbiased scientific approach to if reused produced water is safe. Mr. Rhoderick responded that NMED's stance on the use of treated and produced water has not changed. Mr. Rhoderick added that the portion of rulemaking going forward will prohibit treated and produced water from oil and gas for any purpose, but they need to move forward with the pilot projects and develop science on the topic. Mr. Rhoderick stated that NMED has restructured the MOU (memorandum of understanding) with the New Mexico Produced Water Research Consortium so their only responsibility will be to oversee the science and present their findings to NMED and added that NMED wants the science to move forward. Ms. Feibelman asked if NMED was still moving forward with Phase I prohibition. Mr. Rhoderick responded that this would be going forward as part of this, and that NMED does not want to develop a produced water section in the reuse regulations because it has no use outside of the oil and gas industry. Mr. Rhoderick emphasized that NMED wants the science to be able to move forward, but they will prohibit discharge.

Ms. Caroline Scruggs used the chat to ask if NMED would be creating potable water reuse regulations. Mr. Rhoderick responded that communities in northern New Mexico affected by fires are currently exploring direct and indirect reuse for potable water.

### **VII. Public Comment Period**

Mr. Dave McCoy and Ms. Melissa Troutman signed up for public comment.

Mr. Dave McCoy shared with Board Members a letter regarding the SNL mixed waste landfill. The Mixed Waste Landfill Letter can be accessed with the following [LINK](#).

Ms. Melissa Troutman, Climate and Energy advocate for WildEarth Guardians, provided public comment on use of PFAS in oil and gas production in NM, and encouraged an update to oil and gas chemical disclosure rules. Ms. Troutman encouraged the Board to review the resources from Physicians for Social Responsibility, specifically the policy recommendations, and encouraged any Board members to contact her if they wish to be more involved.

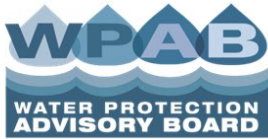
Resource: Physicians for Social Responsibility released a New Mexico PFAS report in April, drawing attention to a sector that is exempt from laws where PFAS regulations are developing -- Fracking with "Forever Chemicals" in New Mexico - <https://psr.org/resources/fracking-with-forever-chemicals-in-new-mexico/>

Contact information: Melissa Troutman (she/her) Climate & Energy Advocate, Wild Earth Guardians, [mtroutman@wildearthguardians.org](mailto:mtroutman@wildearthguardians.org)

#### **VI. Other Board Business (11:00)**

No other Board business.

#### **VIII. Adjourn at 11:06 am**



BART FARIS, CHAIR  
 STEVE GLASS, VICE CHAIR  
 JOSÉ CERRATO

DARRELL KUNDARGI    JONATHAN GONZALES  
 CAMILLA FEIBELMAN    VACANT  
 CAROLINE SCRUGGS    VACANT

**September 8<sup>th</sup>, 2023**

Location:        Via WebEx video conference

Time:             9:00 a.m. to 11:00 a.m.

**Board Members Present:** Steve Glass, Camilla Feibelman, Bart Faris, Caroline Scruggs, Jonathan Gonzales, Darrell Kundargi

**Board Members Absent (excused):** José Cerrato

**PIC Members Present:** Kelsey Bicknell (Water Authority), Rowan Hannan (Water Authority), Kali Bronson, Ken Ziegler (City of Albuquerque (COA)), Patrick J Chavez (AMAFCA), Danielle Shuryn (Water Authority), Dan McGregor (Bernalillo County), Jeff L. Pompeo (Water Authority)

**Guests Present:** Diane Agnew (Water Authority), Bobby Mullin (Bernalillo County NRS), Cetan Christensen (Water Authority), Collin Suttles (New Mexico Environment Department (NMED)), Corbin Carsrud (Bernalillo County), Jaren Peplinski (Urban Waters), Mark Kelly (Water Authority), Maycee Hurd (Bernalillo County), Wesley J Noe (UNM Student), Pam Homer (NMED), Rachell Conn (Amigos Bravos), Shellie Eaton (COA), Shelly Lemon (NMED), Susan A. Lucas Kamat (NMED), Andy Otto (Santa Fe Watershed Association), Dacia Tucholke (NM Recycling), Corinne Toczykowski (Albuquerque Sunport – Sustainability), Debbie Hughes (NM Association of Conservation Districts).

**Call to Order**

Chair Faris called the meeting to order at 9:03AM when quorum was established.

**I.        Approval of Agenda (9:00 – 09:05)**

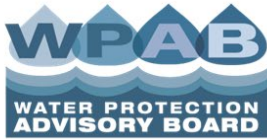
Vice-Chair Glass moved to approve the agenda with suggested edits; Ms. Scruggs seconded the motion.

<b>Board Member</b>	<b>Vote on Motion</b>
Chair Bart Faris	Yes
Vice Chair Steve Glass	Yes
Darrell Kundargi	Yes
Camilla Feibelman	Yes
José Cerrato	Not Present
Caroline Scruggs	Yes
Jonathan Gonzalez	Yes

**II.       Review and Approval Meeting Minutes (09:05 – 09:10)**

**a.    May 12, 2023 Meeting Minutes**





BART FARIS, CHAIR  
 STEVE GLASS, VICE CHAIR  
 JOSÉ CERRATO

DARRELL KUNDARGI  
 CAMILLA FEIBELMAN  
 CAROLINE SCRUGGS

JONATHAN GONZALES  
 VACANT  
 VACANT

Amended a spelling of "Jonathan." Vice-Chair Glass moved to approve the corrected May Meeting Minutes; Ms. Scruggs seconded the motion

Board Member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass	Yes
Darrell Kundargi	Yes
Camilla Feibelman	Yes
José Cerrato	Not Present
Caroline Scruggs	Yes
Jonathan Gonzalez	Yes

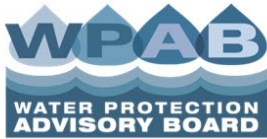
### III. PIC Updates (09:10– 09:20)

*Bernalillo County – Update from Mr. Dan McGregor, Natural Resources Service Manager*

- Tijeras Creek Restoration Grant:
  - i. Held a community meeting and received a good response from those in attendance.
  - ii. Working with consultants to create a baseline vegetation survey for the Tijeras Creek Restoration; removal of invasive species may begin as early as October.
  - iii. Ongoing work with a geomorphologist to update the grading and drainage plan with more green infrastructure features and functions.
- Municipal Separate Storm Sewer System (MS4) Reporting Season: All MS4 permittees will be included and the report from the county will be available for public review on October 16<sup>th</sup>, 2023. A copy will be provided to WPAB to review.
- The county replaced petroleum storage tanks at a fueling facility on S. Broadway. Some soil samples are showing high diesel concentration. This is currently under investigation by the County and Petroleum Storage Tank Bureau.

*Albuquerque Bernalillo County Water Utility Authority (Water Authority) – Update from Ms. Kelsey Bicknell & Ms. Danielle Shurn*

- Kirtland Air Force Base Bulk Fuels Facility (KAFB-BFF): NMED required three work plans of the Air Force by July 31<sup>st</sup>, 2023. The Air Force did not meet the deadline for the Groundwater Monitoring work plan and chose to not submit it, detailed in a letter sent ahead of the deadline. The Air Force and NMED recently presented to the New Mexico Legislature’s Veterans & Military Affairs Committee on the status of the site. These presentations are available on NMED’s website. Additionally, NMED has employed a third-party contractor to review historic data and information on KAFB-BFF.
- Hewlett-Packard (HP) Digital: NMED will be requiring more monitoring wells to be installed at the site. Following installation and investigation, HP will be required to submit a groundwater remediation plan to treat 1-4 dioxane at the site. Previously, HP Digital had been using a Monitored Natural Attenuation strategy at the site.
- Per- & Polyfluoroalkyl Substances (PFAS): In March 2023, the Environmental Protection Agency (EPA) proposed the regulation of PFAS in drinking water. Out of the many



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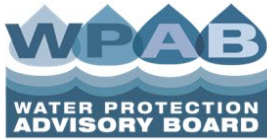
compounds that constitute PFAS, the EPA has proposed to regulate six of them. The EPA approved lab methods (2 parts per trillion (ppt)) and proposed a Maximum Contaminant Level (MCL, 4 ppt), that currently provides small margins for error. The Water Authority is scheduled to complete its Unregulated Contaminant Monitoring Rule (UCMR)-5 testing in June 2024. UCMR data nationwide will be used to determine the best MCL values for PFAS compounds.

Questions and Comments:

- Ms. Caroline Scruggs asked if the Water Authority was needing to provide additional measures or treatment for PFAS and inquired to whether the Water Authority would be able to access any settlement money to fund this work.  
Ms. Danielle Shuryn answered that very few detections of PFAS have been seen in the Water Authority's system. Ms. Shuryn explained that the Water Authority has detected tiny amounts in the raw water intake from the river, and in a single well, and explained that the current data doesn't support the need for improved PFAS treatment.
- Ms. Camilla Feibelman asked what the drought status was for the Albuquerque service area according to the Water Authority, and asked what conditions trigger a drought. Ms. Feibelman also asked if the quantity of water available adversely affects the quality of that water.  
Mark Kelly responded that the drought index shows conditions for a Stage 1 drought. Regarding quality – the Water Authority has the ability to serve quality drinking water from either the Surface Water Treatment Plant or from wells that draw from the aquifer. Diane Agnew added that the Water Authority has a [drought management plan](#) that has metrics to determine which stage of drought the service area is in. Ms. Agnew added that the Water Authority has permit requirements for water quantity, and compliance requirements for water quality that must be met regardless of availability of surface water.

*City of Albuquerque – Update from Mr. Kenneth Ziegler & Ms. Shellie Eaton*

- Los Angeles Landfill: Currently being prepped for RV parking spots for Balloon Fiesta.
- Gibson Health Hub: Some mercury was found in effluent from the health hub. Working on mercury pre-treatment with Travis Peacock (Water Authority). Previous owners had a permit, but current owners do not. Mr. Ziegler is working with the hub to get them permitted, and to determine the source of the contamination – because mercury is no longer used at this location, it is likely leaking from older pipes.
- The City plans to post their Draft MS4 Annual Report to City website by October 1<sup>st</sup>.
- Plastics Facility Fire Update: No AFFF foam was used to put out the fire. COA does not use any PFAS-containing foam. KAFB did not respond to the fire and will not respond to any calls outside of their flight lines. All foams used on airport properties contain PFAS but that was not the case for this fire. All flows from the plastic fire were retained in private



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ponds and did not migrate to arroyos. There is some staining in private ponds, so the plastic supplier will be completing remediation.

- Interstate Technology and Regulatory Council (ITRC): ITRC is a training group and offers an introductory course on PFAS, which will be offered online September 14<sup>th</sup>.
- New Mexico Recycling and Solid Waste Conference: September 19<sup>th</sup>-20<sup>th</sup>.
- Working with Ryan Wortman at KAFB to get access to previously installed COA monitoring wells on the KAFB property.
- Bi-annual groundwater sampling using hydro-sleeves will be done on the 12<sup>th</sup> and 13<sup>th</sup> of September.
- The revised definition of Waters of the United States (WOTUS) is now posted and goes into effect today, September 8<sup>th</sup>.

*Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) – Update from Mr. Patrick J. Chavez*

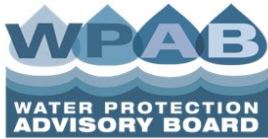
- Annual MS4 report: in preparation now and expected to be finished between October 1<sup>st</sup>-16<sup>th</sup>.
- AMAFCA was asked by Water Research Foundation to take part in a survey that aims to study receiving waters that have a Total Maximum Daily Load (TMDL). The survey is focused on how weather affects TMDL exceedances.
- Last October (wet season) MS4 sampling results are back: results from the Rio Grande between Alameda Bridge and Isleta Pueblo were below the waste load allocation. The sample results indicate that outreach and messaging by the eleven entities with a combined waste load allocation is reaching the public.

#### IV. Board Business (09:20 – 09:35)

##### a. Discussion – Letter of Support for PFAS ban in Oil and Gas Industry.

At WPAB's May meeting, Mr. Patrick Longmire from NMED presented on Fate and Transport of Per- and Polyfluoroalkyl Substances (PFAS) in the Environment. Standards for PFAS detection and regulation are being established by certain states and are therefore being considered by the EPA.

A subcommittee was established to draft a letter in support of developing PFAS standards through the Water Quality Control Commission (WQCC), to address the risk to water supplies. The subcommittee is comprised of Chair Faris, Ms. Camilla Feibelman, & Ms. Caroline Scruggs.



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## V. Diversity, Equity, and Inclusion Subcommittee Report (09:35 – 09:45)

### a. Review and Approval – WPAB Diversity, Equity, & Inclusion Questions for Presenters

Mayor Keller has formed a Justice40 committee tasked with distributing funds to disadvantaged communities to comply with the Inflation Reduction Act. Ms. Feibelman suggested inviting a Justice40 Co-chair to speak with WPAB, to ensure PIC members are aware of these pathways for federal funding.

Ms. Feibelman stressed the importance of working to recruit new board members that represent a cross-section of the area the WPAB serves, and should aim to properly represent community demographics. Board members should be ready to replace themselves through mentorship and recruitment.

The DEI committee met and finalized DEI questions for presenters to WPAB (questions are found [HERE](#)). The Board discussed the DEI questions, and clarified language.

Vice-Chair Glass moved to approve the DEI questions for presenters with suggested amendments Mr. Kundargi seconded the motion.

Board Member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass	Yes
Darrell Kundargi	Yes
Camilla Feibelman	Yes
José Cerrato	Not Present
Caroline Scruggs	Yes
Jonathan Gonzalez	Yes

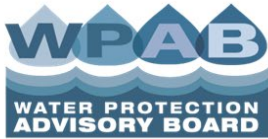
## VI. New Mexico Environment Department: State-led Surface Water Quality Bureau Shelly Lemon, Chief of Surface Water Quality Bureau, New Mexico Environment Department (NMED) (09:45 – 10:45)

Attendees received presentation in advance, and it can be found [HERE](#).

### Questions and Comments:

Ms. Feibelman asked whether NMED currently has enough money to implement the new permitting program on the proposed timeline of 7-10 years. Additionally, Ms. Feibelman asked if the program is part of the department’s general Joint Funding Agreement request to the Legislature.

Ms. Lemon replied that NMED has special appropriations from FY22 and FY23 that will be used to support the development of the surface water permitting program. NMED does not have the



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funding in-house and is relying on legislative support and funding to continue the program. NMED is moving forward with program development because they have appropriated funds for outreach and development.

Chair Faris noted that long-term funding and acceptance of a new state program will be the largest hurdles. Chair Faris asked how current political attitudes portend funding of this project.

Ms. Lemon answered that there is some legislative support in the coming session intended to partially fund this program. While they hope achieve bipartisan support, 7-10 years is still a tight timeline, and may require amendments to the Clean Water Act and Oil and Gas Act. However, program implementation may begin as early as year four or five.

Ms. Feibelman inquired if there are interim protections that can be implemented for waters that are no longer protected under WOTUS.

Ms. Lemon responded that NMED does have water quality protections in place that can prevent unlawful discharge, but the current system is reactive as opposed to proactive. The difficulty in proactivity is the necessity get authorization to issue permits.

Debbie Hughes used the chat to ask how NMED plans to work with private landowners and agricultural producers. Ms. Hughes added that 40 percent of NM land is currently private.

Ms. Lemon answered that private waters on private lands that do not interact with other waters or groundwater are not protected by CWA or the State's water quality act. Ms. Lemon added that the scope and applicability of the program will need to consider this.

Chair Faris asked how current permits will be impacted given the change in definition to WOTUS.

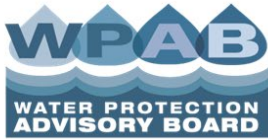
Ms. Lemon explained that most individual permits will stay in place and remain unchanged. Additionally, it is predicted that the Rio Grande will remain WOTUS (mostly because it facilitates interstate commerce). Many other waters such as the Pecos, San Juan, and Gila rivers will likely remain WOTUS. The general permits for stormwater, construction, and dredge-and-fill are most affected and are more likely to be impacted because they may cross intermittent streams and arroyos.

Mr. Kundargi asked if NMED is initiating a policy to notify permittees that if their National Pollutant Discharge Elimination System (NPDES) permits were discontinued, that they may be required to apply for a new permit type or be subject to new permit requirements.

Ms. Lemon explained that there are exemptions for holders of active NPDES permits, though losing a permit may impose different requirements under different authorities.

Mr. Kundargi followed up by asking whether exemptions will apply to facilities applying for new NPDES permits.

Ms. Lemon explained that new dischargers need to submit a Notice of Intent to NMED and describe the discharge. If it affects groundwater, they will be required to apply for groundwater discharge permit. If it also affects surface water, that will be included in the groundwater



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discharge permit. There needs to be groundwater impact or association with surface streams to require a discharge permit for surface water impacts.

Kali Bronson used the chat to ask: if the MS4 permit is an administrative continuance, where do we stand with Rio Grande discharge issues.

Ms. Lemon recommended asking EPA. Ms. Lemon said she assumes that MS4 will continue and requirements will remain the same unless they are revoked or terminated by the EPA.

Susan Lucas Kamat provided contact information for an EPA representative in the chat:

*Brent Larsen  
Supervisor, NPDES Permitting and Wetlands Section (6WDPE)  
EPA Region 6, Water Division  
1201 Elm St., Suite 500  
Dallas, TX 75270  
214-665-7523  
larsen.brent@epa.gov*

Chair Faris asked if there anything the board can do to support NMED's efforts at present.

Ms. Lemon requested support for NMED's by speaking with WPAB membership, and constituency, WPABs support with legislative efforts, and assistance with public outreach.

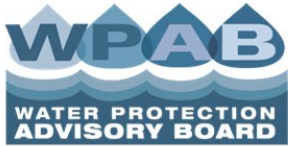
## VII. Other Board Business (10:45– 10:50)

Chair Faris implored members to reach out to members of WPAB's constituency who may be interested in a board position or regular membership. The board has a long history, and those who have held positions have come from various careers including students, neighborhood association presidents, technical positions, lawyers, and consultants.

## VIII. Public Comment Period (10:50 – 11:00)

Chair Faris solicited any comments from the public. There were no responses.

## IX. Adjourn at 10:44AM



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**October 13<sup>th</sup>, 2023**

Location:        Via WebEx video conference

Time:            9:00 a.m. to 11:00 a.m.

**Board Members Present:** Steve Glass, Camilla Feibelman, Bart Faris, Jonathan Gonzales, José Cerrato

**Board Members Absent (excused):** Caroline Scruggs, Darrell Kundargi

**PIC Members Present:** Kelsey Bicknell (Water Authority), Rowan Hannan (Water Authority), Kali Bronson (Bernalillo County), Shellie Eaton (City of Albuquerque), Jeff L. Pompeo (Water Authority)

**Guests Present:** Danielle Shuryn (Water Authority), Diane Agnew (Water Authority), Bobby Mullin (Bernalillo County), Maycee Hurd (Bernalillo County), Sairam Appaji (Environmental Protection Agency (EPA) Region 6), Mark Purcell (EPA Region 6), Kyle O’Malley (City of Albuquerque), Albert Palma (UNM Student)

**Call to Order**

Chair Faris called the meeting to order at 9:03AM when quorum was established.

**I.      Approval of Agenda (9:00 – 09:05)**

Vice-Chair Glass moved to approve the agenda with suggested edits; Mr. Cerrato seconded the motion.

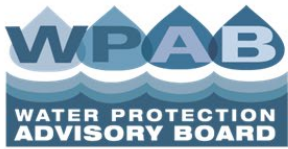
<b>Board Member</b>	<b>Vote on Motion</b>
Chair Bart Faris	Yes
Vice Chair Steve Glass	Yes
Darrell Kundargi	Not Present
Camilla Feibelman	Yes
José Cerrato	Yes
Caroline Scruggs	Not Present
Jonathan Gonzalez	Yes

**II.     Review and Approval Meeting Minutes (09:05 – 09:10)**

**a.    September 8, 2023 Meeting Minutes**

Minor revisions were made to the meeting minutes during Board discussion. Vice-Chair Glass moved to approve the corrected September Meeting Minutes; Mr. Gonzalez seconded the motion.





BART FARIS, CHAIR

STEVE GLASS, VICE CHAIR

JOSÉ CERRATO

DARRELL KUNDARGI

CAMILLA FEIBELMAN

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Board Member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass	Yes
Darrell Kundargi	Not Present
Camilla Feibelman	Yes
José Cerrato	Yes
Caroline Scruggs	Not Present
Jonathan Gonzalez	Yes

III. Board Business (09:10 – 09:40)

a. PFAS Subcommittee Update – PFAS regulations in New Mexico

Board discussed the regulatory environment of PFAS. Mr. Cerrato emphasized the challenge posed by the EPA-proposed Maximum Contaminant Level (MCL) of 4 parts per trillion. He explained that even the most advanced laboratory equipment has a clarity of only 2 parts per trillion, and there are likely few or no facilities in New Mexico capable of achieving this level of precision. Therefore, proposed regulations need to consider the accessibility of measuring PFAS, including the required equipment, expertise, and funding. The board acknowledged the challenges of measuring PFAS and agreed that these challenges could be addressed as part of the rulemaking process.

Chair Faris called for a motion to draft the letter, and Ms. Feibelman motioned with Vice Chair Glass seconding.

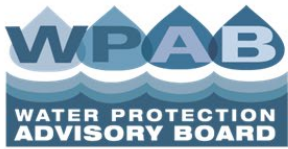
b. Board Approval – consider draft letter to Albuquerque City Council, Bernalillo County Commission, and the Water Authority Board regarding PFAS regulations in New Mexico

Board Member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass	Yes
Darrell Kundargi	Not Present
Camilla Feibelman	Yes
José Cerrato	Yes
Caroline Scruggs	Not Present
Jonathan Gonzalez	Yes

c. Board Review & Approval – Final letter to Albuquerque City Council, Bernalillo County Commission, and the Water Authority Board regarding PFAS regulations in New Mexico

Mr. Cerrato raised concerns that PFAS contamination extends beyond the oil and gas industry, with packaging and items used in the food industry being major sources. He emphasized the comprehensive nature of the problem, suggesting that its impact should be assessed more broadly than just water quality standards. Chair Faris explained that the letter





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is a direct response to Patrick Longmire's May presentation, aiming to address the regulatory gap in water quality through the Water Quality Control Commission (WQCC). The process of establishing standards through the WQCC can be lengthy, and the concerns about monitoring and ubiquity will be considered.

Ms. Feibelman agreed and clarified that the letter only seeks to acknowledge the merit of rulemaking and the widespread concern regarding PFAS.

Chair Faris and Mr. Cerrato added a sentence clarifying that adequate funding will be necessary to enforce PFAS regulation.

Chair Faris asked whether there was a benefit to requesting a resolution instead of a memorandum, and Vice Chair Glass explained that a resolution carries more weight and is generally more difficult to pass than a memorandum.

Vice Chair Glass noted an additional challenge is that the WQCC's authority is limited to enforcing standards for groundwater and can only set targets for surface water. The responsibility of enforcing PFAS regulations in surface water falls on the Environmental Protection Agency (EPA).

Ms. Feibelman motioned to adopt and send the PFAS letter, and Vice Chair Glass seconded.

Board Member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass	Yes
Darrell Kundargi	Not Present
Camilla Feibelman	Yes
José Cerrato	Yes
Caroline Scruggs	Not Present
Jonathan Gonzalez	Yes

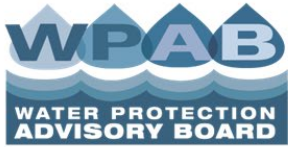
IV. PIC Updates (09:40– 10:00)

*Bernalillo County – Update from Ms. Kali Bronson, Stormwater Compliance Program Manager*

Ms. Bronson reported that the county's FY23 annual Municipal Separate Storm Sewer Systems (MS4) Report is now available [HERE](#). Bernalillo County welcomed comments and questions from the board. The MS4 Report is open for public comment until November 22nd, 2023.

*Albuquerque Bernalillo County Water Utility Authority (Water Authority) – Update from Ms. Kelsey Bicknell, Environmental Manager*

- Kirtland Air Force Base (KAFB) Bulk Fuels Project: KAFB presented to the Radioactive and Hazardous Waste Committee of the New Mexico Legislature.



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- The Rocky Mountain section of American Water Works Association (AWWA) will host a tour of the KAFB Groundwater Treatment Facility, which will be followed by technical presentations by KAFB staff and consultants.
- Sandia National Laboratories (Department of Energy) and the Kirtland Air Force Base (Department of Defense) host semi-annual public meetings to provide updates on ongoing environmental remediation projects. The next Public Meeting will be held virtually using Microsoft Teams on October 26, 2023, at 6:00 pm.
- HP/Digital Site: additional monitoring wells are being drilled to further characterize the 1,4-dioxane plume at the site. Two of 5 monitoring wells are complete.

*City of Albuquerque – Update from Ms. Shellie Eaton, Senior Engineer*

The City of Albuquerque’s FY23 annual Municipal Separate Storm Sewer Systems (MS4) Report is now available for review [HERE](#); and will be distributed to WPAB through email. The MS4 Report is open for public comment until November 17th, 2023.

V. South Valley Superfund Site Update (10:00 – 10:45)

*Sairam Appaji, EPA Region 6, [appaji.sairam@epa.gov](mailto:appaji.sairam@epa.gov)*

Mr. Sairam Appaji of the Environmental Protection Agency Region 6 provided an update on the South Valley Superfund Site. He explained the remedial process, actions being taken at the site, and successes in the remediation efforts. A copy of the presentation can be found [HERE](#). Mr. Appaji also provided a fact sheet that was distributed to WPAB following this meeting.

*Questions and Comments:*

Mr. Cerrato asked if the current treatments consisted of air stripping and soil vapor extraction. Mr. Appaji responded that there had been no vapor extraction, but air stripping had been done. Currently, they are extracting water and treating it via a granular activated carbon system.

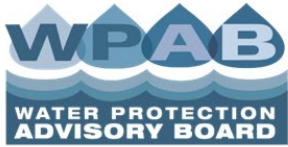
Mr. Cerrato also inquired about the occurrences of other contaminants of concern such as chromium or other heavy metals. Mr. Appaji explained that during the remedial investigation, they looked at all contaminants, including VOCs, metals, and other possible contaminants. They were not found above their Maximum Contaminant Level (MCL). However, at that time, PFAS and 1,4-dioxane were not tested for. Chair Faris added that iron and manganese had been an issue at the site, but chromium was never detected in high quantities.

Chair Faris asked if the San Jose Neighborhood Association attended the public meeting in June. Mr. Appaji replied that people from this neighborhood did not attend.

VI. Other Board Business (10:45– 10:55)

a. New Mexico Water Reuse Regulation Development

County Commissioner Adriann Barboa, a member of the Water Authority Board, reached out to the WPAB about the ongoing developments in water reuse regulation in the state in response to a stakeholder engagement request from NMED. Commissioner Barboa specifically inquired about



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the reuse of oil and gas produced water outside of the oil and gas industry. Mr. Faris additionally informed the WPAB that the State has established working groups to address the issue of produced water reuse.

Diane Agnew, representing the Water Authority, mentioned the Water Authority's active participation in the development of water reuse regulations. NMED has invited stakeholders to participate in this process. The Water Authority is committed to ensuring that municipal water users across the state can weigh in. Ms. Agnew also noted that the Water Authority has led the establishment of a New Mexico Section of WaterReuse, which is a state section within the national WaterReuse Association. The section brings together information on water reuse from across the nation, including implementation in water systems, research on reuse and emerging contaminants, and regulatory development.

Chair Faris inquired about how the WPAB could support the Water Authority's efforts in water reuse. Ms. Agnew responded that there is currently no specific way for the board to assist, but the Water Authority will keep WPAB informed as the process progresses.

#### VII. Public Comment Period (10:55 – 11:00)

There were no comments from the public.

#### VIII. Adjourn at 10:40 AM



BART FARIS, CHAIR  
 STEVE GLASS, VICE CHAIR  
 JOSÉ CERRATO

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**November 17<sup>th</sup>, 2023**

Location: Via WebEx video conference

Time: 9:00 a.m. to 11:00 a.m.

**Board Members Present:** Darrell Kundargi, Steve Glass, Bart Faris, Jonathan Gonzales, Caroline Scruggs, José Cerrato

**Board Members Absent (excused):** Camilla Feibelman

**PIC Members Present:** Kelsey Bicknell (Water Authority), Rowan Hannan (Water Authority), Jeff L. Pompeo (Water Authority), Dan McGregor (Bernalillo County), Kali Bronson (Bernalillo County), Patrick J Chavez (AMAFCA), Danielle Shuryn (Water Authority), Shellie Eaton (City of Albuquerque), Ken Ziegler (City of Albuquerque)

**Guests Present:** Brian Mueller (Environmental Protection Agency), Mark Kelly (Water Authority), Corbin Carsrud (Bernalillo County), Adriann Barboa (Bernalillo County Commissioner)

**Call to Order**

Chair Faris called the meeting to order at 9:03AM when quorum was established.

I. **Approval of Agenda (9:00 – 09:05)**

Vice-Chair Glass motioned to approve the meeting agenda; Mr. Gonzales seconded. The agenda was approved as follows:

Board Member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass	Yes
Darrell Kundargi	Yes
Camilla Feibelman	Not Present
José Cerrato	Yes
Caroline Scruggs	Yes
Jonathan Gonzalez	Yes

II. **Review and Approval Meeting Minutes (09:05 – 09:10)**

**October 13<sup>th</sup>, 2023 Meeting Minutes**

Mr. Gonzales motioned to approve the October 13th meeting minutes; Mr. Kundargi seconded. The minutes were approved as follows:



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 JOSÉ CERRATO

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Board Member	Vote on Motion
Chair Bart Faris	Yes
Vice Chair Steve Glass	Yes
Darrell Kundargi	Yes
Camilla Feibelman	Not Present
José Cerrato	Yes
Caroline Scruggs	Abstained
Jonathan Gonzalez	Yes

III. PIC Updates (09:10 – 09:30)

*Bernalillo County – Update from Ms. Kali Bronson, Stormwater Compliance Program Manager*

- **Partners in Improving & Protecting the Environment (PIPE) program:** The County and Water Authority provides financial assistance for low-income individuals to connect to water and sewer (the PIPE program) and to address septic tank problems. The County recently sent ~837 mailers to Carnuel residents, many of whom primarily use domestic wells and septic systems.
- **Groundwater Program:** The County conducted 3 focus groups to discuss updates to the groundwater monitoring program. The monitoring program is implemented in the East Mountains, an area experiencing significant annual groundwater level declines. The County is currently revamping the existing program to continue water level measurements where needed, and to be able to better advise area residents about current conditions. Information on the program and a participation application are available [HERE](#).
- **Annual Municipal Separate Storm Sewer System (MS4) Report:** The County's final report will be submitted on December 1st, 2023.
- **Tijeras Creek Watershed Restoration Project:** This project, funded through the River Stewardship Grant, will commence site work in early December.
- **Land and Water Summit:** This conference, hosted by the Ciudad Soil & Water Conservation District, aims to be an educational resource for issues related to land and water conservation. The conference is scheduled to take place from March 6th to 8th, 2024.
- Bernalillo County is considering an application from Dr. Kerry Howe for the Water Protection Advisory Board.

*Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) – Update from Mr. Patrick Chavez*



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AMAFCA will submit its annual MS4 report on December 1st. The opportunity for public comment will close on November 22nd, 2023. Any comments received will be incorporated into the final report.

*Albuquerque Bernalillo County Water Utility Authority (Water Authority) – Update from Ms. Kelsey Bicknell, Environmental Manager*

- **Kirtland Air Force Base Bulk Fuels Facility (KAFB BFF) Site Tour:** The Water Authority conducted a tour of the BFF spill for Eric Olivas, County Commissioner for District 5 and Chair of the Water Authority's Governing Board. The tour included a drive along the length of the Ethylene Dibromide (EDB) plume, providing an overview of the site's history. The second half of the tour took place on Kirtland Air Force Base and was conducted by Air Force personnel, featuring a tour of their Groundwater Treatment System.
- **KAFB BFF Public Meeting:** Public meetings providing updates on the KAFB BFF site are held biannually by the Air Force. The most recent meeting was held on November 16th, 2023. Ms. Bicknell reported that there was some public comment in support of source treatment as an interim measure.

*City of Albuquerque – Update from Mr. Ken Ziegler, Senior Environmental Health Scientist*

- The City of Albuquerque recently lent a well camera to Bernalillo County to aid in their data collection for the aforementioned groundwater monitoring program. Mr. Ziegler emphasized the importance of cooperation between agencies when tackling water issues.
- **Groundwater Sampling:** The City is finishing its groundwater sampling for 2023, with only a few wells left to sample.
- **Integrated Development Ordinance (IDO):** In the 2023 update to the IDO, there is a proposed change to exempt landfills closed within the last 30 years from needing a landfill buffer zone. This change would effectively exempt all landfills in Albuquerque, except those currently active, from needing to receive a Landfill Gas Mitigation Approval from Environmental Health for development near the landfill. The proposed changes to the IDO will be heard on December 14th, 2023 at 8:45AM via Zoom. There will be opportunity for public comment in the 48 hours prior to this hearing. Mr. Ziegler's department, Environmental Health, will be developing a document that explains the rationale behind the existing zoning requirements.
  - Ms. Scruggs suggested writing a letter to the Environmental Planning Commission (EPC) voicing their concerns regarding the proposed



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change. Ms. Agnew also noted precedence in the Board providing its feedback on urgent matters directly to a City or County department, rather than the respective City or County boards. Mr. Ziegler also suggested contacting City Division Manager Charles Barber with any questions or concerns.

- Ms. Agnew inquired about the possibility of a regulatory conflict for sites impacted by the proposed ordinance. Mr. Ziegler responded by stating that the New Mexico Environmental Department (NMED) was consulted, and it was determined that after a landfill enters post-closure status, there are minimal regulations concerning land development within its buffer zone.

#### IV. Board Business (10:00 – 10:45)

##### a. WPAB Vacancies – Status Update

Ms. Bicknell explained that there are currently two vacancies on the WPAB: the City & County joint seat, and the City seat.

#### V. AT&SF Superfund Site Update (9:50 – 10:40)

*Brian Mueller, EPA Region 6, [mueller.brian@epa.gov](mailto:mueller.brian@epa.gov)*

Mr. Brian Mueller of the Environmental Protection Agency Region 6 provided an update on the AT&SF Superfund Site. He explained the remedial process, actions being taken at the site, and successes in the remediation efforts. A copy of the presentation can be found [HERE](#).

##### *Questions and Comments:*

Mr. Kundargi requested that Mr. Mueller provide more specific information regarding community engagement related to this site, considering the significant concerns expressed by the surrounding communities. In response, Mr. Mueller explained that the EPA has a dedicated Environmental Justice office responsible for community engagement. However, the staff from this office did not attend the community meeting for this site. Mr. Mueller suggested reaching out to Thomas Ruiz (Community Involvement, EPA Region 6) for further discussion on these matters - Chair Faris agreed to contact him and arrange a conversation to address how the EPA will engage with local communities facing environmental challenges.

Mr. Cerrato inquired about the current extent of Dense Non-Aqueous Phase Liquid (DNAPL) contamination at the site and whether there is ongoing and measurable success in remediation efforts. In response, Mr. Mueller stated that soil





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contamination from zinc and creosote has been addressed. Additionally, the Burlington Northern and Santa Fe Railway (BNSF) is the current successor to the site and will be conducting continuous groundwater monitoring under EPA oversight. The EPA will also continue to conduct 5-year reviews in perpetuity. The system originally designed for groundwater contaminant recovery is now deemed unsuitable. Therefore, studies are currently being conducted to determine the most appropriate remediation technology for the site.

Chair Faris inquired about the possibility of site closure in this case. In response, Mr. Mueller stated that closure is not currently being considered due to the ongoing presence of DNAPL. According to New Mexico state statutes, the removal of DNAPL is necessary prior to closure.

#### VI. Other Board Business (10:40– 10:50)

##### a. Next WPAB Meeting – January 12, 2024 @ 9:00 AM

###### i. *Chair and Vice-Chair election*

Each position is for a two-year term, and both seats will be up for election.

###### ii. *Approval of the 2024 Work Plan*

Mr. Kundargi proposed adding a presentation by the EPA to the work plan. The presentation would focus on the agency's efforts to improve environmental justice and involve community members, especially in heavily contaminated areas. Both Mr. Kundargi and Chair Faris agreed that the presentation should provide an overview of the entire region rather than focusing on individual sites.

The 2024 work plan will be further discussed and subsequently approved in the January 2024 WPAB meeting.

Commissioner Barboa expressed her intention to attend future WPAB meetings and seek the advice of the board regarding water-related issues. She also provided her contact information as [District3@bernco.gov](mailto:District3@bernco.gov) and [commission@bernco.gov](mailto:commission@bernco.gov); the latter can be used to reach all commissioners and their assistants.

#### VII. Public Comment Period (10:50 – 11:00)

There were no comments from the public.

#### VIII. Adjourn at 10:53 AM



# Appendix D

BOARD CORRESPONDENCE & RESOLUTIONS

# WATER PROTECTION ADVISORY BOARD

## RESOLUTION WPR-2024-01

### DETERMINING REASONABLE NOTICE OF PUBLIC MEETINGS OF THE WATER PROTECTION ADVISORY BOARD.

WHEREAS, the City of Albuquerque, the County of Bernalillo, and the Albuquerque Bernalillo County Water Utility Authority jointly adopted an ordinance establishing the Water Protection Advisory Board (WPAB); and

WHEREAS, the WPAB meets in regular session virtually; and

WHEREAS, the WPAB follows the Open Meetings Act as provided in the board's three formation ordinances, Bernalillo County Ordinance No. 2007-2 § 1,1-9-07, City of Albuquerque Ordinance § 2-6-8-1 ROA 1994, and Water Authority Ordinance § 5-1-1;

WHEREAS, any meetings at which the discussion or adoption of any proposed ordinance, resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the WPAB to determine at least annually what constitutes reasonable notice of its public meetings.

#### BE IT RESOLVED BY THE WPAB:

Section 1. Meetings of the WPAB shall normally be held via video conference using a means by which all in attendance can be clearly heard and video conference attendance information will be provided with the pertinent meeting announcement.

Section 2. Regular meetings will normally be held on the second Friday of each month, but at a minimum of once a quarter. The agenda will normally be available on the Albuquerque Bernalillo County Water Utility Authority and the Bernalillo County website three (3) days prior to the meeting and/or shall be available at the offices of the Water Authority twenty-four (24) hours before the meeting.

Section 3. Special meetings may be called by the Chair of the WPAB upon seventy-two (72) hours' notice. The notice shall include information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public at least seventy-two (72) hours before any special meeting.

1 Section 4. Emergency meetings will be called only under circumstances when  
2 an unexpected occurrence or condition, or the state resulting therefrom requires  
3 immediate consideration or action to protect the health, safety and property of  
4 citizens or to protect the public body from substantial financial loss. The WPAB will  
5 avoid emergency meetings whenever possible. Emergency meetings may be called  
6 by the Chair of the WPAB upon twenty-four (24) hours' notice. The notice for all  
7 emergency meetings shall include an agenda for the meeting or information on how  
8 the public may obtain a copy of the agenda.

9 Section 5. For the purpose of meetings described in Section 2 of this  
10 resolution, notice requirements are met if notice of the date, time and place is  
11 published on the Water Authority website at [www.abcwua.org](http://www.abcwua.org) at least five (5) days  
12 prior to the meeting and posted in the lobby electronic bulletin board of the  
13 Albuquerque City Hall. WPAB staff shall also provide copies of the above  
14 information as well as copies of the agendas to those broadcast stations licensed by  
15 the Federal Communications Committee and newspapers of general circulation in  
16 Albuquerque, which entities have made a written request for notice of public  
17 meetings.

18 Section 6. For the purpose of special meetings and emergency meetings  
19 described in Sections 3 and 4 of this resolution, notice requirements shall be met by  
20 posting notice of the date, time, place and agenda in the lobby of the Albuquerque  
21 City Hall. WPAB staff shall also provide telephone notice to those broadcast  
22 stations licensed by the Federal Communications Committee and newspapers of  
23 general circulation in Albuquerque that have made a written request for notice of  
24 public meetings.

25 Section 7. In addition to the information specified above, all notices shall  
26 include the following language, except the last sentence applies only to full WPAB  
27 meetings:  
28 "NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and require  
29 special assistance to participate in this meeting, please contact the City of  
30 Albuquerque at 505-768-4595 or [civilrights@cabq.gov](mailto:civilrights@cabq.gov). Please request any  
31 accommodation necessary at least 72 hours prior to the meeting.

1 Section 8. Cancellations and different meeting times and places may be  
2 announced at prior meetings of the full WPAB. Weather, lack of quorum and other  
3 related issues may cause the cancellation of a meeting.

4 Section 9. Action summary minutes shall be made of all open meetings with the  
5 following minimal information:

6 A. Date, time, and place of meeting

7 B. Names of staff in attendance and a list of members present

8 C. A general statement of each discussion topic and of how each member voted  
9 on any motion before the WPAB. A draft copy of the minutes shall be available within  
10 three (3) working days prior to the next meeting. Minutes become official when  
11 approved by the WPAB at a subsequent meeting and will be filed with the City and  
12 County Clerks' offices within 10 days of approval.

13 Section 10. Closed meetings shall not be held except as provided in Open  
14 Meetings Act.

15 Section 11. All or any part of this resolution may be amended or modified by the  
16 WPAB from time to time.

ADOPTED, APPROVED AND SIGNED THIS 12 DAY OF January 2024.

A handwritten signature in cursive script that reads "Bart Jarvis".

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WPAB Chair



BART FARIS, CHAIR  
STEVE GLASS, VICE CHAIR  
JOSÉ CERRATO

DARRELL KUNDARGI    JOEL WOOLDRIDGE  
CAMILLA FEIBELMAN    JONATHAN GONZALES  
CAROLINE SCRUGGS    VACANT

4/18/2023

Barbara Baca, District 1 Commissioner  
Bernalillo County Board of Commissioners  
415 Silver SW, 8th Floor  
Albuquerque, NM 87102

**Subject: Water Protection Advisory Board Recommendations for Stakeholder Engagement at the Kirtland Air Force Base Bulk Fuels Facility Jet Fuel Leak Project**

Dear Commissioner Baca,

The Water Protection Advisory Board (WPAB) is tasked by ordinance to study and advise the City of Albuquerque Council (City), Bernalillo County Commission (County), and Albuquerque Bernalillo County Water Utility Authority Board (Water Authority) on the protection of surface and groundwater quality and resources.

The Kirtland Air Force Base (KAFB) Bulk Fuels Facility (BFF) jet fuel leak was discovered in 1999 and has significantly impacted groundwater quality in the aquifer. The WPAB receives regular updates on the progress of the site investigation and cleanup activities from the Air Force, New Mexico Environment Department (NMED), and the Water Authority. The WPAB is deeply concerned with the Air Force's technical deficiencies in site methodology and the slowing progress to clean up the BFF site and recommends that leadership from the City, County and Water Authority take appropriate and necessary action in three key areas of concern:

**Community Outreach and Involvement**

Public engagement in the BFF site management decisions is crucial to ensure the site is cleaned up quickly so groundwater is protected. Engagement has been successful in the past and was instrumental in the Air Force installing the interim measure groundwater treatment system in 2015. The WPAB recommends elected officials call for



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the Air Force to clearly advertise opportunities for public engagement and transparently communicate site information to ensure the community remains aware of this critical issue.

### **Source Area Cleanup**

The area where fuel first entered the subsurface remains uncharacterized and is lacking cleanup. In fact, the only treatment in place to address contamination in the subsurface was shut down in 2015 and later decommissioned with no plans for replacement. Additional efforts by the Air Force to implement measures to enhance the natural removal of contaminants have failed and have been rejected by NMED as viable options for final site clean up. Groundwater impacts will persist if fuel remains untreated in the subsurface and fuel removal will become more difficult and costly the longer cleanup is delayed. Modeling results presented to the WPAB revealed the community's groundwater supply in the area impacted by the site would be unavailable for over 100 years if source treatment is not implemented.

### **Support NMED Oversight**

As the state regulatory agency, NMED has been tasked with ensuring site characterization and remediation is conducted in a way that is protective of human health and the environment. The Air Force has consistently ignored requirements by the NMED to address technical deficiencies in site work plans despite many opportunities to engage with technical staff from NMED and stakeholder agencies. NMED has issued ten disapprovals on documents submitted by the Air Force since 2020, yet the Air Force continues to collect data and operate the site in ways the NMED has explicitly stated will not be accepted.

The WPAB respectfully requests that the City Council, County Commission and Water Authority Board take immediate actions deemed appropriate and necessary to address these concerns, to hold the Air Force accountable for their actions and to elicit improved cooperation from the Air Force.



BART FARIS, CHAIR  
STEVE GLASS, VICE CHAIR  
JOSÉ CERRATO

DARRELL KUNDARGI    JOEL WOOLDRIDGE  
CAMILLA FEIBELMAN    JONATHAN GONZALES  
CAROLINE SCRUGGS    VACANT

Respectfully,

A handwritten signature in black ink that reads 'Bart Faris' in a cursive script.

Bart Faris, Chair  
Water Protection Advisory Board

Cc:    Councilor Louie Sanchez, District 1  
      Councilor Isaac Benton, District 2  
      Councilor Klarissa Peña, District 3  
      Councilor Brook Bassan, District 4  
      Councilor Dan Lewis, District 5  
      Councilor Pat Davis, District 6  
      Councilor Tammy Fiebelkorn, District 7  
      Councilor Trudy Jones, District 8  
      Councilor Renée Grout, District 9  
      Commissioner Barbara Baca, District 1  
      Commissioner Steven Michael Quezada, District 2  
      Commissioner Adriann Barboa, District 3  
      Commissioner Walt Benson, District 4  
      Commissioner Eric Olivas, District 5  
      Mayor Timothy Keller  
      Mark Sanchez, Executive Director, Albuquerque Bernalillo County Water Utility  
      Authority  
      Julie Morgas Baca, County Manager, Bernalillo County





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4/18/2023

Pat Davis, District 6 Councilor

City of Albuquerque

P.O. Box 1293

Albuquerque, NM 87102

**Subject: Water Protection Advisory Board Recommendations for Stakeholder Engagement at the Kirtland Air Force Base Bulk Fuels Facility Jet Fuel Leak Project**

Dear Councilor Davis,

The Water Protection Advisory Board (WPAB) is tasked by ordinance to study and advise the City of Albuquerque Council (City), Bernalillo County Commission (County), and Albuquerque Bernalillo County Water Utility Authority Board (Water Authority) on the protection of surface and groundwater quality and resources.

The Kirtland Air Force Base (KAFB) Bulk Fuels Facility (BFF) jet fuel leak was discovered in 1999 and has significantly impacted groundwater quality in the aquifer. The WPAB receives regular updates on the progress of the site investigation and cleanup activities from the Air Force, New Mexico Environment Department (NMED), and the Water Authority. The WPAB is deeply concerned with the Air Force's technical deficiencies in site methodology and the slowing progress to clean up the BFF site and recommends that leadership from the City, County and Water Authority take appropriate and necessary action in three key areas of concern:

**Community Outreach and Involvement**

Public engagement in the BFF site management decisions is crucial to ensure the site is cleaned up quickly so groundwater is protected. Engagement has been successful in the past and was instrumental in the Air Force installing the interim measure groundwater treatment system in 2015. The WPAB recommends elected officials call for



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the Air Force to clearly advertise opportunities for public engagement and transparently communicate site information to ensure the community remains aware of this critical issue.

### **Source Area Cleanup**

The area where fuel first entered the subsurface remains uncharacterized and is lacking cleanup. In fact, the only treatment in place to address contamination in the subsurface was shut down in 2015 and later decommissioned with no plans for replacement. Additional efforts by the Air Force to implement measures to enhance the natural removal of contaminants have failed and have been rejected by NMED as viable options for final site clean up. Groundwater impacts will persist if fuel remains untreated in the subsurface and fuel removal will become more difficult and costly the longer cleanup is delayed. Modeling results presented to the WPAB revealed the community's groundwater supply in the area impacted by the site would be unavailable for over 100 years if source treatment is not implemented.

### **Support NMED Oversight**

As the state regulatory agency, NMED has been tasked with ensuring site characterization and remediation is conducted in a way that is protective of human health and the environment. The Air Force has consistently ignored requirements by the NMED to address technical deficiencies in site work plans despite many opportunities to engage with technical staff from NMED and stakeholder agencies. NMED has issued ten disapprovals on documents submitted by the Air Force since 2020, yet the Air Force continues to collect data and operate the site in ways the NMED has explicitly stated will not be accepted.

The WPAB respectfully requests that the City Council, County Commission and Water Authority Board take immediate actions deemed appropriate and necessary to address these concerns, to hold the Air Force accountable for their actions and to elicit improved cooperation from the Air Force.



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Bart Faris, Chair  
Water Protection Advisory Board

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October 13, 2023

Barbara Baca, District 1 Commissioner  
Bernalillo County Board of Commissioners  
415 Silver SW, 8th Floor  
Albuquerque, NM 87102

**Subject: Perfluoroalkyl and Polyfluoroalkyl Substances Regulatory Standards**

Dear Commissioner Baca,

The Water Protection Advisory Board (WPAB) is tasked by ordinance to study and advise the City of Albuquerque Council (City), Bernalillo County Commission (County), and Albuquerque Bernalillo County Water Utility Authority Board (Water Authority) on the protection of surface and groundwater quality and resources.

Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are a group of synthetic chemicals that have been used for many purposes and are found globally in people, animals, and ground and surface water. The health effects of these emerging contaminants are still being studied, but according to NMED, some PFAS may affect reproductive health, increase the risk of some cancers, affect childhood development, increase cholesterol levels, compromise the immune system, and interfere with the body's hormones (see NMED PFAS in New Mexico, <https://www.env.nm.gov/pfas/>).

The WPAB is concerned that water quality standards for PFAS have not been established by the New Mexico Water Quality Control Commission (WQCC). Furthermore, WPAB recommends that the City Council, County Commission and Water Authority Board support the hearing on rulemaking in front of the New Mexico Oil and Gas Commission (OGC) to determine the allowable extent of PFAS use in oil and gas drilling operations. That hearing is scheduled for February and March 2024.

The WPAB respectfully requests that the City Council, County Commission and Water Authority Board adopt a resolution requesting that the WQCC establish water quality standards for PFAS and support OGC's hearings regarding the use of PFAS in drilling operations with appropriate funding.

Respectfully,

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Bart Faris, Chair  
Water Protection Advisory Board

Cc:

Bernalillo County Board of Commissioners

Bernalillo County Manager, Julie Morgas Baca

Albuquerque Bernalillo County Water Utility Authority Governing Board

Albuquerque Bernalillo county Water Utility Authority Executive Director, Mark Sanchez

Albuquerque City Council

City of Albuquerque Mayor, Timothy Keller



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October 13, 2023

Pat Davis, District 6 Councilor  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87102

**Subject: Perfluoroalkyl and Polyfluoroalkyl Substances Regulatory Standards**

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Bart Faris, Chair  
Water Protection Advisory Board

Cc:

Bernalillo County Board of Commissioners

Bernalillo County Manager, Julie Morgas Baca

Albuquerque Bernalillo County Water Utility Authority Governing Board

Albuquerque Bernalillo county Water Utility Authority Executive Director, Mark Sanchez

Albuquerque City Council

City of Albuquerque Mayor, Timothy Keller

# Appendix E

2024 WORK PLAN



**WATER PROTECTION ADVISORY BOARD  
WORK PLAN FOR 2024**

- I. WPAB Officer Elections for 2024
- II. Open Meetings Resolution adoption
- III. 2023 Annual Report and Letter from the Chair
- IV. Protection of Groundwater Quality
  - Receive updates from the New Mexico Environment Department (NMED) Ground Water Quality Bureau on groundwater contamination sites in the City of Albuquerque and Bernalillo County
  - Receive an update on the Carlisle Village Cleaner Contamination Site
  - Receive regular updates on the Kirtland Air Force Base Bulk Fuels Facility jet fuel leak project
  - Receive an update on Sandia National Laboratories Environmental Restoration activities, including the Tijeras Arroyo Groundwater Area of Concern (AOC), Technical Area V Groundwater AOC, and Mixed Waste Landfill
- V. Protection of Surface Water Quality and Watershed Health
  - Stormwater update, including MS4 permitting and annual watershed-based permit public meeting
  - Receive an update on NMED Surface Water Quality Bureau State-led Water Quality Permit Program development
  - Receive update on PIPE program, specific to septic system conversions
- VI. Foster Intergovernmental Coordination, Cooperation and Communication
  - Regular Policy Implementation Committee (PIC) updates
  - Receive an update on the Water Authority updates to the Surface and Groundwater Source Water Assessments in the Rivers and Aquifers Protection Plan
  - Receive update from New Mexico Environment Department on neglected contamination sites (formerly referred to as orphan sites)
  - Participate in a discussion with a panel of experts on PFASs in the environment
  - Quarterly updates on agendas, topics, and actions of the Water Quality Control Commission that relate to water quality topics for WPAB
  - Receive an update on the water quality implications of the Water Security Planning Act from the New Mexico Interstate Stream Commission (NMISC)
- VII. Diversity, Equity, and Inclusion
  - Regular updates from WPAB Diversity, Equity, and Inclusion Committee
  - Provide presenters DEI questions in advance to address during presentations to WPAB

- Receive a presentation from EPA Region 6 and NMED Superfund Oversight Division on environmental justice concerns for sites in Albuquerque and Bernalillo County

# Appendix F

DIVERSITY, EQUITY, & INCLUSION STATEMENT

The Water Protection Advisory Board (WPAB) was established by joint ordinance to study issues related to the quality of our water supply, and to advise the City of Albuquerque, Water Utility Authority, and Bernalillo County to help ensure the effective protection of surface and groundwater quality so that public health, quality of life, and economic vitality of this and future generations are not diminished.

WPAB recognizes that systemic racism has meant that many communities have not been able to ensure their drinking water supply is adequately protected or remediated. As evidence of this, low income and communities of color in our geographical area have experienced significantly greater impacts from contaminated water. Furthermore, WPAB recognizes that our Board cannot be insulated from pervasive systemic racism in our society, and that it is critical for our Board to acknowledge systemic racism and strive to address it directly and continually in fulfilling our mission to protect water quality for all communities. As an appointed advisory board we have a responsibility to acknowledge these disparities and provide guidance, advice, and recommendations for corrective action to our constituent agencies regarding these matters and how they impact effective protection of surface and groundwater resources.

WPAB commits to identify and address systemic racism within our Board's structures and to dismantle and seek change to overcome such influence in the future. We recognize such work is constant and ongoing, and that it must be a priority if the WPAB is to adequately champion diversity, equity, and inclusion to protect the surface and groundwater resources that comprise our shared drinking water supply for every community.

WPAB is committed to continuing our work of examining threats to water quality; reviewing reports and studies regarding remediation of existing contamination which may impact water quality; and providing guidance, advice and advocacy for the continued protection of our surface and groundwater, while fostering diversity, equity, and inclusion in our work. Toward that end, we encourage our constituent agencies, when making appointments to WPAB, to consider candidates who not only possess the requisite expertise to provide sound advice about threats to our water supply, but who are representative of the cultural diversity of our community.