

# San Juan Water Commission

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MEMBERS:  
City of Aztec  
City of Bloomfield  
City of Farmington  
San Juan County

S.J. County Rural Water Users Association

## OCTOBER 5, 2016 - FINAL APPROVED MINUTES

### SAN JUAN WATER COMMISSION REGULAR MEETING MINUTES SEPTEMBER 7, 2016

The San Juan Water Commission met in a Regular Meeting pursuant to due Notice, Wednesday, September 7, 2016 at 9:00 A.M. in the San Juan Water Commission's Conference Room in the San Juan Water Commission Office Building, 7450 East Main Street, Farmington, New Mexico.

#### CALL TO ORDER

Chairman K. Johns called the regular meeting of the San Juan Water Commission (SJWC) to order at 9:00 A.M.

#### Members Present

City of Aztec

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City of Bloomfield

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City of Farmington

Jay Burnham - Alternate Commissioner

San Juan County

Keith Johns - Commissioner

S.J. Rural Water Users Assoc.

Jim Dunlap - Commissioner

Keith Lee - Alternate Commissioner

#### Members Absent

City of Aztec

Josh Ray - Commissioner

Austin Randall - Alternate Commissioner

City of Bloomfield

Elwin Roark – Commissioner

Eric Strahl - Alternate Commissioner

City of Farmington

Cy Cooper - Commissioner

San Juan County

Margaret McDaniel - Alternate Commissioner

#### Legal Present

Doug Echols – San Juan County/SJWC

#### Staff Present

Aaron Chavez

Shaun Bishop

Jacqueline Allcorn

Gordon Miller

Jimmy Hodges

#### Visitors: (2)

In the absence of Commissioner E. Roark, and Alternate Commissioner E. Strahl there was no voting member for the City of Bloomfield. In the absence of Commissioner J. Ray, and Alternate Commissioner A. Randall there was no voting member for the City of Aztec. In the absence of Commissioner C. Cooper, Alternate J. Burnham was the voting member for the City of Farmington.

### **APPROVAL OF AGENDA**

Chairman K. Johns called for approval of the Final Agenda. Motion was made by J. Dunlap and seconded by J. Burnham to approve the Final Agenda as written, and upon voice vote the motion carried unanimously (J. Burnham, J. Dunlap, and K. Johns all voted yes).

### **CONSIDERATION OF APPROVAL OF THE AUGUST 3, 2016 REGULAR MEETING MINUTES**

Motion was made by J. Dunlap, and seconded by J. Burnham to approve the August 3, 2016 regular meeting minutes, and upon voice vote the motion carried unanimously (J. Burnham, J. Dunlap, and K. Johns all voted yes).

### **COMMENTS FROM THE PUBLIC**

There were no comments from the public.

### **DISCUSSION OF PIPELINE FROM THE ANIMAS-LA PLATA PROJECT TO NEW MEXICO**

A. Chaves began the discussion of the Pipeline from the Animas-La Plata Project to New Mexico by saying that August 5, 2016 marked the one-year anniversary of the Gold King Mine spill. A. Chavez said the spill caused great concern to our community for farmers, ranchers, business owners and municipal and industrial water suppliers. A. Chavez added that since the spill, the state of New Mexico along with our community and its leaders have spent endless hours and resources addressing the issues and concerns from the spill, including, a law suit against EPA, mine owners and the state of Colorado. A. Chavez added that there has been a request to have the Bonita Mine District classified as a Superfund Site.

A. Chaves said there has been outreach to the public in the form of the Gold King Mine Advisory Committee. A. Chavez noted that the emphasis of the WRRRI spring conference at San Juan College was "Environmental Conditions of the Animas and San Juan Watersheds with Emphasis on Gold King Mine and Other Mine Waste Issues". A. Chavez said that on August 9, 2016, Congressman Lujan convened a Roundtable Discussion on what has happened over the past year in response to the spill and what still needs to be accomplished. A. Chavez added that during many of the outreach events local leaders have continually mention the need to have a clean and reliable water supply. Many leaders from the County to the City of Farmington view the Animas-La Plata Project, mainly Lake Nighthorse, as a source of clean and reliable water. In order to tap into that resource many of our local leaders suggest the need of a pipeline from Lake Nighthorse to New Mexico. The City of Farmington has listed the idea of a pipeline in the recent 2016 Update to the San Juan Basin Regional Water Plan under Section 8, "Policy, Programs and Procedures", which may make it a candidate for potential funding from the NM Water Trust Board.

A. Chavez said that staff wants to reiterate, the purpose of the ALP Project is a water supply storage project, ensuring the every citizen in San Juan County, NM has a reliable water supply. The intent of the ALP Project is to provide reliable water supply to all member entities of the San Juan Water Commission and the reservoir was built for times of drought or shortage. A. Chavez noted the idea of a pipeline from Lake Nighthorse to New Mexico has become more of a discussion item because it could possibly be a solution to clean water rather than just a pipe dream. Other issues the Commission needs to consider along with water quality is water quantity - this can include the issues of quagga mussels, top water storage, endangered species, etc. A. Chavez commented that although the topic of a pipeline is not staff's idea, he believes it is SJWC's obligation to investigate alternatives to address concerns or ideas brought forth by its member entities. A. Chavez said that there is a need to discuss the idea of a pipeline from Lake Nighthorse to the SJWC's member entities and get the Commission's input on the topic.

K. Johns commented that today's discussion is to get a better idea of what is needed to start the process of looking into a pipeline with regard to costs of any studies, report or issues surrounding this initial investigation. A. Chavez said he spoke with the Commission's staff engineer and was informed that the process will be a two-step process; step one would produce a conceptual design for the pipeline that would range in cost from \$10,000 to \$15,000 dollars; A. Chavez added that step two would be an in-depth study that would range in cost from \$200,000 to \$250,000 thousand dollars. A. Chavez suggested the Commission hold a

workshop to enable the member entities meet to express their ideas and concerns in addressing the possibility of a pipeline.

J. Burnham expressed that a workshop is a good first step, and noted that he would need to inquire as to the City of Farmington's position regarding said pipeline. J. Dunlap commented that he agreed with what A. Chavez said, and noted that in his opinion, the pipeline would be extremely expensive. J. Dunlap added that the pipeline should not be piped to a single San Juan Water Commission member, but be shared by all member entities via their water treatment systems. J. Dunlap suggested A. Chavez direct staff to create a map of the treatment plant systems and their source of supply to be shared with the staff engineer. Following a brief discussion, A. Chavez was asked to send notice to all members of the San Juan Water Commission regarding the October 5, 2016 San Juan Water Commission regular meeting where a workshop will be held to discuss the possibility of a pipeline from the Animas-La Plata Project to New Mexico.

## **REGIONAL WATER PLANNING UPDATE**

S. Bishop presented the 2016 Update to the San Juan Basin Regional Water Plan to the Commissioners by saying the ISC facilitated its final meeting on May 24, 2016. S. Bishop remarked that at the meeting, the Steering Committee added some more items to Section 8.2 - Programs, Policies and Procedures. S. Bishop said the City of Farmington asked that the pipeline from the Animas-La Plata Project to New Mexico be added and Melissa May with the Soil and Water Conservation District asked for numerous watershed projects to be added. S. Bishop said she had not seen the final draft and did not know if the changes that were requested have been included.

S. Bishop said as far as Section 2, Public Participation goes - while it does meet the guideline established for the updated plan, the language concerning the public's participation does not truly represent the low participation level the update process had in the San Juan Basin. S. Bishop said the Steering Committee chose to have two more meetings to prepare its presentation to the ISC. S. Bishop added that the Steering Committee met on August 3, 2016 to discuss items to include in its presentation to the ISC, and noted that there were only five people in attendance so the development of a statement was minimal at best. S. Bishop said she emailed the members of the Steering Committee after the August 3, 2016 meeting and asked them to forward any language that they wanted included in the Regions presentation but, to date she had received no responses.

S. Bishop said that the Steering Committee will meet again this afternoon from 1:00-4:00 pm to tackle the development of the Committees presentation to the ISC. S. Bishop noted that the Steering Committee had recently received the guidelines from the ISC regarding what should be included in their presentation and further noted that the guidelines were included in the Commissioners meeting packet. S. Bishop added that the Steering Committee should be receiving the final draft of their Updated Plan in the next day or two along with the memo from the ISC relating to the Steering Committee' technical comments and noted that it will help with the direction the presentation will take.

S. Bishop remarked that it was obvious by the declining attendance and the weak to "no response at all" that this Region's Steering Committee has no "ownership" in the Updated Plan or the process in general. Still, the Steering Committee is continuing to participate in the update process and they have selected Jason John representing the Navajo Nation and me to make this Region's presentation to the ISC on September 21, 2016 in Albuquerque and both Jason and I agreed to take on this task.

## **CLOSED EXECUTIVE SESSION**

Motion was made by J. Burnham and seconded by J. Dunlap to go into a Closed Executive Session pursuant to Sections 10-15-1(H) (7), and (8) NMSA 1978, under the attorney-client privilege to discuss matters pertaining to threatened or pending litigation in which the public body is or may become a participant and the acquisition or disposal of water rights - a.) *Discussion of potential lease of SJWC'S water to BP.* (J. Burnham, J. Dunlap, and K. Johns all voted yes).

Chairman K. Johns closed the meeting at 9:20 A.M.

Motion was made by J. Dunlap, seconded by J. Burnham to reopen the meeting and upon voice vote the motion carried unanimously (J. Burnham, J. Dunlap, and K. Johns all voted yes).

Chairman K. Johns reopened the meeting at 9:38 A.M.

J. Burnham stated that no discussion, other than that [discussion] pertaining to threatened or pending litigation in which the public body is or may be a participant and the acquisition or disposal of water rights and a.) *Discussion of potential lease of SJWC'S water to BP*, took place during the Closed Executive Session.

**COMMENTS FROM THE COMMISSIONERS, ALTERNATES, AND STAFF**

J. Dunlap requested an update of the requested changes that were to be made to the draft *GIS Data Collection Agreement between the San Juan Water Commission and Southside Mutual Domestic Water Association*. A. Chavez said that he made the requested changes and mailed the agreement to Rick Mitchell at Southside Mutual Domestic Water Association. A. Chavez added that he was informed by Rick Mitchell that the President of Southside Mutual Domestic Water Association would review and sign the agreement.

A. Chavez said the Interstate Water Supply Alliance contract is due to expire on September 30, 2016. A. Chavez said if he heard no objections that he is going to re-sign the Interstate Water Supply Alliance contract for an additional year, and there were no objections.

**ADJOURNMENT**

Chairman K. Johns called for a motion to adjourn. Motion was made by J. Dunlap, and seconded by J. Burnham to adjourn and upon voice vote the motion carried unanimously (J. Burnham, J. Dunlap, and K. Johns all voted yes).

There being no further business, Chairman K. Johns adjourned the meeting at 9:42 A.M.

**APPROVED THIS 5<sup>TH</sup> DAY OF OCTOBER, 2016  
SAN JUAN WATER COMMISSION:**

Signature on File  
**Keith Johns, Chairman**