

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

Final Approved Minutes **SAN JUAN WATER COMMISSION** **REGULAR MEETING MINUTES** **APRIL 5, 2017**

The San Juan Water Commission met in a Regular Meeting pursuant to due notice, Wednesday, April 5, 2017 at 9:00 A.M. in the San Juan Water Commission's conference area in the San Juan Water Commission Office Building, 7450 East Main Street, Farmington, New Mexico.

CALL TO ORDER

Vice-Chairman John Beckstead called the regular meeting of the San Juan Water Commission (SJWC) to order at 9:02 A.M.

Members Present

City of Aztec	---
City of Bloomfield	Eric Strahl - Alternate Commissioner
City of Farmington	Jay Burnham - Alternate Commissioner
San Juan County	John T. Beckstead - Commissioner Margaret McDaniel - Alternate Commissioner
S.J. Rural Water Users Assoc.	Jim Dunlap - Commissioner

Members Absent

City of Aztec	Josh Ray - Commissioner Austin Randall - Alternate Commissioner
City of Bloomfield	Elwin Roark - Commissioner
City of Farmington	Cy Cooper - Commissioner
S.J. Rural Water Users Assoc.	Keith Lee - Alternate Commissioner

Legal Present

Doug Echols
Liz Taylor – via conference call

Staff Present

Aaron Chavez
Shaun Bishop
Jacqueline Allcorn
Jimmy Hodges
Gordon Miller

Visitors:

(4)

In the absence of Chairman C. Cooper, Vice Chairman J. Beckstead conducted the meeting. In the absence of Commissioner E. Roark, Alternate Commissioner E. Strahl was the voting member for the City of Bloomfield.

In the absence of Commissioner C. Cooper, Alternate Commissioner J. Burnham was the voting member for the City of Farmington. There were no voting members for the City of Aztec.

APPROVAL OF AGENDA

Vice-Chairman J. Beckstead called for approval of the Final Agenda. A. Chavez asked that the Agenda be amended to show that Item 6 should read Gold King Mine and not Gold Key Mine. Motion was made by J. Dunlap and seconded by E. Strahl to approve the Final Agenda as amended, and upon voice vote the motion carried unanimously (J. Beckstead, J. Burnham, J. Dunlap, and E. Strahl all voted yes).

CONSIDERATION OF APPROVAL OF THE MARCH 1, 2017 REGULAR MEETING MINUTES

Motion was made by J. Dunlap, and seconded by E. Strahl to approve the March 1, 2017 regular meeting minutes, and upon voice vote the motion carried unanimously (J. Beckstead, J. Burnham, J. Dunlap, and E. Strahl all voted yes).

COMMENTS FROM THE PUBLIC

There were no comments from the public.

ANIMAS-LA PLATA PROJECT UPDATE

Russ Howard, General Manager ALP OM&R Association updated the Commission on the status of the Project at this time. R. Howard stated that no pumping occurred in 2016 primarily due to the Gold King Mine spill but that pumping would commence in 2017. R. Howard said the pumping plant has been down for two-years so he brought in the manufacturer of the pump units, Teco Westinghouse, for a full inspection and with the exception of some issues with the pulse sync modules in two smaller units and one of the gate control modules that all the units were in good shape. R. Howard said even though the warranty had long expired on the units that his staff would work with Teco Westinghouse to get the repairs completed. R. Howard said a compromise was reached to get the repair work done after the warranty period and that the ALP OM&R Association would pay airfare and labor for the Teco Westinghouse's repair and maintenance people to come and work on the units. R. Howard said during the 2017 pumping season that they would be running every pump in the plant, one at a time, and that the cost is projected to be \$72,000 or \$12 af.

R. Howard said during the two-year pumping hiatus they had taken water and sediment samples to establish a baseline (no water had been pumped into the plant during the Gold King Mine episode). R. Howard said they would be collecting water quality data in "real-time" during the pumping season and after the pumping season they would again do sediment sampling to see if there was any impact to the reservoir that resulted from the Gold King Mine spill. R. Howard said because they had not pumped in two-years that the reservoir was down by about 4,500 af from evaporation and seepage. R. Howard said during the 2017 pumping season that they would pump approximately 6,000 af over 50 days.

R. Howard said the City of Durango and the BOR had signed the Recreational Management Agreement. R. Howard said there is still a lot of work to be done, i.e., boat docks and additional parking area(s) need to be installed, etc., before the area is opened to the public by the projected Spring of 2018.

R. Howard went over other issues regarding the plant including; fire suppression upgrades, replacement of boilers that provide heat to the plant, and the replacement of the large overhead garage doors.

In addition, R. Howard said the ALP OM&R Association's Chairmanship would change in May 2017 and that the chair position would rotate to the SJWC.

NEW MEXICO ENVIRONMENTAL DEPARTMENT (NMED) – GOLD KING MINE SPILL UPDATE

Dennis McQuillan, Chief Scientist for the New Mexico Environment Department (NMED) presented an update on the work performed by the team of multi-jurisdictional agencies appointed by Governor Martinez, along with top science and engineering experts recruited within the State, to investigate the short and long-term effects on New Mexico's water quality as a result of the Gold King Mine spill (GKM). J. Dunlap asked why the EPA did not try to "plug" the leak and D. McQuillan said EPA's response was a deficient effort, that EPA did not have an adequate emergency response policy in place and that the EPA needed more "boots on the ground" to handle the after-effects of the spill, which has not been forthcoming. D. McQuillan expressed the state's frustration with the EPA's handling of the GKM spill throughout his presentation. D. McQuillan went over the monitoring progress made by the team in 2016, which included, alluvial aquifer mapping and well sampling, river-water and sediment sampling, the installation of multi-parameter sondes in rivers, X-Ray fluorescence (XRF) survey of metals in sediment, solids analysis for minerals, crop tissue survey (crops are totally safe), fish tissue and benthic macroinvertebrate surveys (not much mercury in the spill), lead-contaminated aquifer

sediment within the City of Aztec investigated, and biomonitoring of metals in urine and well water (on a seasonal basis water levels measured in 80 wells and water quality sampling collected in 20 wells because that is all the budget will allow at this time). D. McQuillan said the USGS installed sondes in the river to measure flow rate, turbidity, pH, specific conductance, and temperature and that real-time sonde data is published on the USGS website <http://nm.water.usgs.gov/projects/gold.king.mine/>. D. McQuillan said samples are taken from sonde locations for metals and general chemistry laboratory analysis. D. McQuillan gave an overview of a Jarosite solids analysis. D. McQuillan said Jarosite grains contain aluminum, lead, zinc, and other metals that can be released as Jarosite becomes unstable at higher pH. Jarosites are stable in acidic conditions but when the pH goes up they become unstable. D. McQuillan went over some of the results produced from monitoring efforts including, heavy metal concentrations in river water are safe for both irrigation and livestock watering, high flow continues to stir up metals in the Animas River creating treatment concerns for public water systems, alluvial aquifer contained high iron and manganese before the GKM spill heavy, that there is no evidence that GKM spill contaminated water wells, sediment survey from GKM into Navajo Nation shows high metals still in Colorado-decreasing downstream, no unusual livestock or wildlife distress, illness, or mortality observed, and crop and fish tissue testing shows no high metals. D. McQuillan said while the NM team showed evidence that surface water contaminates entered groundwater near the river, that the EPA rejected those results. D. McQuillan went over some of the public outreach progress that had been made since the GKM spill. D. McQuillan said a Citizen's Advisory Committee had been established and citizen "eyes and ears" sediment sampling kits were being distributed to the public, a Spring Runoff Preparedness Plan was developed (this Plan will need to be revisited and a new plan reissued for the 2017 run off season), first responder training, an Animas and San Juan Exposure and Risk Dashboard was established, the First Annual Conference on Animas and San Juan Watersheds was held with over 130 participants in attendance, and the long-term impact team members published 2 papers and 19 conference abstracts that specifically addressed the GKM spill. D. McQuillan went on to summarize some of the monitoring priorities for 2017 – characterization of solids, riverbed and shallow alluvium interactions, investigation of the City of Aztec water-table mineralization, targeted sampling of well water and crops in the area north of Aztec and east of the Animas River, continue testing surface during high-flow events, and conduct independent transport and fate analysis of metals in the watershed. D. McQuillan answered questions freely throughout his presentation and his knowledge of the spill and its impact were quite evident. D. McQuillan said we don't know if metals from upstream mines are still flowing into the watershed. D. McQuillan said the EPA had no intention of holding public meetings in New Mexico to discuss this issue until a congressional delegation demanded that the EPA treat New Mexico as a downstream stakeholder - [now] the EPA will hold public meetings in New Mexico as well as Durango and Ignacio, CO. D. McQuillan said the EPA has declared that the Angel Peak District in Colorado is a Super Fund site and they will be holding a public meeting in New Mexico (Farmington) to discuss this issue. D. McQuillan ended his presentation by complimenting the City of Aztec, City of Farmington, the Rural Water Association, and San Juan County for "stepping-up-to-the-plate" during the spill. Vice Chairman J. Beckstead thanked D. McQuillan for his presentation.

DISCUSSION RELATING TO ARCHIVING AND DIGITIZING SJWC DOCUMENTS

A. Chavez stated the Chairman C. Cooper had inquired about the status of the Commission's digitizing project. A. Chavez said the project, which was originally approved and begun in 2014, had been put on hold but that it was critical for the Commission to begin the process of capturing our documents in digital form and placing them in "cloud" storage. A. Chavez said we are outgrowing our current storage facilities and if a fire occurred we would potentially lose all our historical documents and documents that we work with everyday. A. Chavez explained that the Commission already has a relationship with a cloud based system - Net Documents (NetDocs) - at a cost of \$2,460/year. A. Chavez said staff needs to be trained on how to efficiently digitize documents and place them on the 'cloud' for easy retrieval and that Net Documents had recommended a company called ADV as a training resource. ADV charges approximately \$200/per hour and the training would be held via the internet using "Go-To-Meeting" so no travel would be required. J. Burnham asked if there was money in the current budget and next year's budget for training and A. Chavez said yes. J. Dunlap asked staff to investigate other systems used by governmental entities such as the City of Farmington's system, Opti-View, as offered by J. Burnham. A. Chavez said he would have staff investigate other systems and have a report ready for the next meeting.

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.) *Colorado Water Court Case 17CW3002* and upon roll call vote, as called for by J. Dunlap, the motion carried unanimously (J. Beckstead – yes, J. Burnham - yes, J. Dunlap - yes, and E. Strahl - yes).

Vice-Chairman J. Beckstead closed the meeting at 10:45 A.M.

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

Vice-Chairman J. Beckstead reopened the meeting at 10:50 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.) *Colorado Water Court Case 17CW3002*, took place during the Closed Executive Session.

COMMENTS FROM THE COMMISSIONERS, ALTERNATES, AND STAFF

J. Dunlap extended his thanks to A. Chavez for holding the multiple orientations meetings with the SJWC entity members. J. Dunlap said the orientation meetings hadn't been done in the past but that they are important in educating new representatives of our member entities on the role and purposes of the Commission.

ADJOURNMENT

There being no further business, Vice-Chairman J. Beckstead adjourned the meeting at 10:52 A.M.

**APPROVED THIS 2ND DAY OF AUGUST, 2017
SAN JUAN WATER COMMISSION:**

Signature on File

John Beckstead, SJWC Vice-Chairman