City of Santa Fe
New Mexico

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AGENDA

THE CITY OF SANTA FE
And
SANTA FE COUNTY

BUCKMAN DIRECT DIVERSION BOARD MEETING

THURSDAY, JANUARY 6, 2011
4:00 PM
CITY HALL
CITY COUNCIL CHAMBERS
200 Lincoln Avenue

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES FOR THE NOVEMBER 4, 2010 BUCKMAN DIRECT DIVERSION BOARD MEETING**
5. **APPROVAL OF CONSENT AGENDA**
6. **MATTERS FROM STAFF**
7. **FISCAL SERVICES AND AUDIT COMMITTEE REPORT**

CONSENT AGENDA

8. Project Manager's Monthly Project Exception Report. (Rick Carpenter)
9. Update by Rick Carpenter on Financial Status of Contracts. (Rick Carpenter)
10. Project Manager's Report on Staffing and Training Program Progress. (Rick Carpenter)
11. BDD Relations Report for November and December 2010. (Lynn Komer)

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DISCUSSION AND ACTION ITEMS

12. Summary Review of BDD Project Proactive Diligence to Assure Safe Drinking Water and Request for BDD Board Acceptance of Independent Peer Review Conclusions That There Will Be No Health Risk to People Drinking BDD Project Tap Water. (Rick Carpenter and Norman Gaume)

13. Discussion and Possible Action on Dedication Plaque for BDD Project. (Rick Carpenter and Norm Gaume)

14. Request for Approval of FY 2011/2012 OMR&R Budget Request and Five-Year OMR&R Projection, Including Approval of the Emergency Fund and the Major Equipment Repair and Replacement Fund, Working Capital and Billing Policy and Associated Procedures. (Robert Mulvey)

15. Request for Approval of Amendment 2 to the DB Contract Between the Buckman Direct Diversion Board and CH2MHill/Western Summit Constructors Joint Venture for the Amount of $0.00. (Rick Carpenter and Nancy Long)

16. Discussion and Possible Action Regarding the PNM Substation Issue. (Rick Carpenter) **VERBAL**

17. Request for Approval of Expenditure for BDD Vehicles and Equipment Pursuant to the Approved BDD Project Capital Budget. (Rick Carpenter and Steve Hoffman)

18. Request for Approval of Amendment No. 4 to the Professional Services Agreement Between the Buckman Direct Diversion Board and Meyners and Company LLC for the Amount of $37,055.00 Plus $3,033.87 (NMGRT) for the Total Amount of $40,088.87. (Rick Carpenter)

19. Consideration and Possible Action on Resolution No. 2012-1, Determining Reasonable Notice for Public Meetings of the Buckman Direct Diversion Board. (Nancy Long)

20. Election of the Chair and Vice-Chair of the Buckman Direct Diversion Board. (Nancy Long) **NO PACKET MATERIAL**

INFORMATION ITEMS

21. Update on Start-Up Plan and Schedule of Completion, Check-Out and Testing for the DB Contractor to Start Potable Water Treatment and Deliveries in January. (Rick Carpenter and Robert Mulvey)

22. Update on the ACE Solar Facility Installation. (Dale Lyons)

FAX(505)986-3695 12/15/11 THU 15:41

23. Update on the CH2MHill/Western Summit Constructors Joint Venture Community Project. (Rick Carpenter) **HANDOUT AT MEETING**

EXECUTIVE SESSION:

Review and Consideration of Issues in the Following PRC Proceeding: In the Matter of the Application of Public Service Company of New Mexico for Revision of its Retail Electric Rates, Case No. 10-00086-UT Pursuant to NMSA 1978, Section 10-15-1(H)(7). (Rick Carpenter and Nancy Long)

END OF EXECUTIVE SESSION

MATTERS FROM THE PUBLIC

MATTERS FROM THE BOARD

NEXT MEETING: THURSDAY, FEBRUARY 3, 2011 @ 4:00 P.M.

ADJOURN

PERSONS WITH DISABILITIES IN NEED OF ACCOMODATIONS, CONTACT THE CITY CLERK'S OFFICE AT 505-955-6520, FIVE (5) WORKING DAYS PRIOR TO THE MEETING DATE.

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MINUTES OF THE

THE CITY OF SANTA FE & SANTA FE COUNTY

BUCKMAN DIRECT DIVERSION BOARD MEETING

January 6, 2011

This meeting of the Santa Fe County/City Buckman Direct Diversion Board was called to order by Vice Chair Rebecca Wurzburger at approximately 4:07 p.m. in the Santa Fe City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico.

Roll was called and the following members were present:

BDD Members Present:
Councilor Rebecca Wurzburger
Councilor Chris Calvert
Ms. Conci Bokum
Commissioner Liz Stefanics
Commissioner Vigil [4:30 arrival]

Member(s) Excused:
None

Other Elected Officials:
David Coss, City of Santa Fe Mayor
Danny Mayfied, Santa Fe County Commissioner

Others Present:
Rick Carpenter, BDD Project Manager
Nancy Long, BDDB Contract Attorney
Kyle Harwood, BDDB Contract Attorney
Norm Gaume, BDDB Contract Engineer
Stephanie Lopez, City Public Utilities Division
Teresa Martinez, County Finance Director
Phil George, Santa Fe County
Bob Muvey, BDD Facility Manager
Gary Durant, BDD
Dale Lyons, City of Santa Fe Water Planning
Randy Sugure, BDD
Lynn Komer, PR Team
Erin Pitcher, PR Team
Mark Ryan, CDM

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Others Present: (con't)
Sam Elliot, CDM
Ray Mulvey, CH2MH
Mike Sanderson, Las Campanas
Phil Nolan, Las Campanas
Neva Van Peski, League of Women Voters
Joni Arends, CCNS
Michael Crawford, Citizen
Anna Hansen, Citizen
Elana Sue St. Pierre, Citizen
Donald Hatton, Citizen

APPROVAL OF AGENDA

[Exhibit 1: Agenda]

Rick Carpenter, BDD Project Manager, requested that the information and executive session items to following consent items and prior to the action items.

Upon motion by Councilor Calvert and second by Ms. Bokum the agenda was unanimously approved as amended. [Commissioner Vigil was not present for this action.]

Commissioner Stefanics advised the Board that Commissioner Montoya has completed his term and Commissioner Danny Mayfield may be appointed the County's BDD Board alternate.

APPROVAL OF MINUTES: November 4, 2010

Commissioner Stefanics moved for approval of the minutes as published and Councilor Calvert seconded. The motion carried unanimously. [Commissioner Vigil was not present for this action.]

APPROVAL OF CONSENT CALENDAR

COUNCILOR WURZBURGER: Does anyone want to make any changes to the Consent?

COMMISSIONER STEFANICS: Madam Chair, I would like to remove, and I'm not sure it's really accurate to remove number nine but I have a general question about finances. So, because the director's report is there and update on the contract I thought I should remove that.

COUNCILOR WURZBURGER: Okay, we'll remove 9. May I have a motion to approve the consent agenda as amended?

Upon motion by Councilor Calvert and second by Board Member Bokum, the consent agenda as amended was unanimously approved. [Commissioner Vigil was not present for this action.]

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MATTERS FROM STAFF

MR.CARPENTER: There are none, Madam Chair.

FISCAL SERVICES AND AUDIT COMMITTEE REPORT

MR. CARPENTER: Yes, thank you, Madam Chair and I will be brief. The last Fiscal Services and Audit Committee meeting was held in December in advance of the December Board meeting which was subsequently cancelled. We did not have a January Fiscal Services and Audit Committee meeting. However, in the December meeting most of the time was spent discussing the operational budget which is on your agenda today to be presented by Mr. Bob Mulvey.

COUNCILOR WURZBURGER: Thank you. Would any of the members of the committee care to add something?

COMMISSIONER STEFANICS: Yes, well, Madam Chair, I understand from our County Finance Manager that there are some issues and concerns at the County and I'm not sure if Commissioner Vigil will agree with me or not but at the County we are not prepared to accept and approve the budget because there are still some outstanding questions and I understand that staff is going to be meeting with our County staff tomorrow about this. So in relation to the Fiscal Service and Audit Committee I just wanted to identify that there were some outstanding issues and if we're looking to vote on something we are not settled at the County.

COUNCILOR WURZBURGER: Okay, so that's item 14. What I'm going to ask Commissioner is that we leave the agenda as is and you can raise that under 14 and probably not spend much time on and deal with it later.

Any other questions or comments?

CONSENT AGENDA

8 Project Manager's Monthly Project Exception Report
9. Update by Rick Carpenter on financial Status of Contracts
10. Project Manager's Report on Staffing and Training program progress
11. BDD Relations Report for November and December 2010 on Financial Status of Miscellaneous BDD Contracts

9. Update by Rick Carpenter on financial Status of Contracts

COMMISSIONER STEFANICS: Madam Chair, I just have a couple of questions. In relation to the contracts and our entire budget to-date, not our new budget, but our entire budget; are we over or under?

MR. CARPENTER: Commissioner Stefanics, if you're referring to the capital budget –

COMMISSIONER STEFANICS: Yes.

MR. CARPENTER: We are in the black. We have not spent more than we should have spent.

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COMMISSIONER STEFANICS: Okay. In terms of operating?

MR. CARPENTER: We're in the first year of operating. We've spent some portion of that, a few hundred thousand dollars, I don't have any indication that we've spent more ahead of schedule than we should have spent.

COMMISSIONER STEFANICS: Madam Chair, the reason I'm asking is as we look at any amendments, amendment just for change of purpose or financial, I'd like to make sure that we all are clear about what that does to our bottom line. So as we have any further discussions if you would just refer to what impact that would have I really appreciate it. And thank you very much for your work on this.

COUNCILOR WURZBURGER: Thank you. May we have a motion?

Commissioner Stefanics moved to approve item 9 and Councilor Calvert seconded. The motion passed by unanimous [4-0] voice vote. [Commissioner Vigil was not present for this action.]

INFORMATION ITEMS

21. Update on Start-up Plan and Schedule of Completion, Check-out and Testing for the DB Contractor to Start Potable Water Treatment and Deliveries in January

MR. CARPENTER: Thank you, Madam Chair. There's a memo in your packet on this item and our Chief Operating Officer Mr. Mulvey will be glad to make a presentation on this, a brief one.

COUNCILOR WURZBURGER: Welcome.

ROBERT MULVEY: Thank you. Chair, members of the Board, you may be aware that the Buckman Direct Diversion Project has begun treating water and delivering it to the distribution system so this is a very important day for us. We're very proud to be at this point in the project. We just want to give you a brief presentation on the status of the start –up.

On December 30th the New Mexico Environmental Department gave the green light to produce and deliver a fourth source of safe, reliable, sustainable drinking water to the community that will meet or exceed federal standards. The treated drinking water will be gradually distributed through the City and County's water distribution systems and we have been preparing for this phase for the last two years as we began the construction and the initiation of the project.

I'd like to introduce Mr. Mark Ryan of CDM to elaborate on what I've told you.

MARK RYAN: Thank you, it's an honor to be in front of you. This has been an exciting week. We finally have the plant on line, operating and sending water out into the system. I just want to give you an update on that. Just to let you know there's many online analyzers throughout the treatment that continually monitor the process and the water that is going out. Not only that, but there's in-house lab tests being done and also samples being sent out to certified labs, New Mexico Environment Department certified labs for compliance. So testing is an ongoing thing that we do all the time. It's computerized and we have our fingers on the pulse of the plant at all times.

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All the plants processes from the membranes on down have been disinfected. All the pipelines have been disinfected and water is flowing.

Just to elaborate a little further, this is professionally being operated. The BDD staff that has been hired under Mr. Mulvey is very expert staff that is being trained and is going through a lot of training through Santa Fe Community College, presentations by the Board engineer and the design/build contractor. So there are thousands of hours that are being put in on training.

Also, the plan is currently being operated by the DB contractor's staff and this is a set of really experienced operators that they have brought in to operate the plant. It's not the lower grades; this is very senior staff that they have operating the plant right now. I'm really pleased to see them there. They're doing a great job.

Also to let you know that the early notification system at LANL that hooks up to the BDD plant is on-line, it's operational. It's set so that if we get indication of flows at a certain rate we get an alarm. If there's a little bit higher flow coming out of the canyon it goes into an automatic shut-down and Mr. Mulvey and the chief operator are the only ones that have authority to over ride that. And they would only do so if they figure out that that's a mistake on the alarm part or the computer system. There are lots of ways to check that. We have samplers that are sampling in the river if we see a high rate of change in how muddy the water is then that's a good indication and that can shut down the plant automatically also. If the river is just too muddy we'll be shutting down anyway because we don't pump mud up into the pipelines.

If there's any questions, I'd be happy to entertain them.

COUNCILOR WURZBURGER: Any questions from the committee? I have one myself.

COMMISSIONER STEFANICS: Madam Chair, could you let us know, are we fully staffed or do we still have some vacancies in terms of training or management?

MR. CARPENTER: Madam Chair, Commissioner Stefanics, we are staffed to the point where we are comfortable. There are still a couple of vacancies that we have advertisements out for currently and we'll be bringing them on board as quickly as we can. Mr. Durant is here as well as Mr. Mulvey if they would like to elaborate on that further.

COMMISSIONER STEFANICS: So, Madam Chair, the staff that are being advertised for are those positions that need to go through the training or we're looking for experience or they're generalist, or what are they?

MR. CARPENTER: There a couple of different levels of operators. Operator I and advance treatment operators, but everybody has to go through the specialized training for this project because it's so unique. So when they're hired they'll have the necessary expertise that we would expect in general, but they would still have to go through the specific training that the current operators are going through right now.

COMMISSIONER STEFANICS: Well, Madam Chair, the reason I bring this up is I know that our community is very concerned about jobs and the economic situation and I just wanted to make clear to the public that we have some opportunities for individuals to apply and I'd like to have us keep that updated at every meeting if we're full in terms of our workforce or if we still have some opportunities. Thank you very much, Madam Chair.

EXHIBIT 3 PAGES

COUNCILOR WURZBURGER: I have one question on the testing. You reference that tests were being taken today and sent to the lab; did I hear you correctly?

MR. RYAN: We have online monitors that are looking at the water today. We did testing prior the water going out of the treatment plant.

COUNCILOR WURZBURGER: So the online monitoring that occurs today, when will we have an answer on the evaluation of the water which was in the system today or is it right there?

MR. RYAN: It's right there.

COUNCILOR WURZBURGER: It's instant. That may not be clear to everyone.

MR. RYAN: Not all the parameters are being tested. The ones that are most important to be looking at as water is going out are being tested. Yes.

COUNCILOR WURZBURGER: All right. Thank you very much.

22. Update of the ACE Solar Facility Installation

[*Exhibit 2: Installation photos*]

DALE LYONS (City of Santa Fe Water Resource Projects Coordinator): Good afternoon, Board members. It's been a month exactly since I wrote the memo describing the progress to related to that and a lot has happened since then on-site, unfortunately not as much as we would have hoped. At this point it looks like the contractor is – they're telling us they are two weeks behind schedule. We conservatively expect that they're three maybe four weeks behind schedule. The items that have been completed to date are obviously all the survey post installation as you can see from the photos beginning on the bottom left and working counter clockwise, all the upright poles and horizontal bars and gear drives and connector bars have been installed. And then following that on 12/29 you can see photos of trenching and conduit installation and then on 1/5 which was a photo yesterday which is the photo of the entire array from the BDD Water Treatment site doesn't show any solar panel installation or modular installation; that began today. It's proceeding. They originally, the beginning of this week anticipated being done with half of the modular installation this week but it looks like that will probably be pushed back till next week. Once that's complete the DC wire needs to be pulled through the conduit, inverter boxes and forming for the foundations for those need to be installed in both Area A and B and those are areas further and closer to the water treatment plant. We do expect that they'll be done either at the end of this month or early in February.

Other developments: the three PNM agreements for the project, the REC-purchase agreement, the billing and metering agreement and the interconnection agreement have been finalized by the Board and PNM, and the Board has signed those and they are now with PNM awaiting project completion so the project can be accepted and then interconnected. Those agreements won't be executed until the project is done.

There was a secondary supplemental review that was done, that was required to be done by PNM because the contractor, American Capitol, made a change to their transformer so PNM had to spend a little more time at the expense of the contractor to do another review of that change. And, that review is now done and we got a confirmation this week and we'll be receiving their approval next week in a report form.

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COUNCILOR WURZBURGER: Questions?

COUNCILOR CALVERT: Yes. Dale, the fact that the contractor is behind schedule is that going to have any effect on the agreements we have with PNM? It seems like I recall some several meetings ago it would be done this year and that sticks in my mind; is that anything?

MR. LYONS: Yes, we had mentioned once before they are in the final order by the PRC and in the grandfathering request or the award as a result of our grandfathering request, there was no specification of when the project had to be done. Our assumption is that project completion in late January or early February won't cause any problems with securing the REC that was granted to us for this project.

COUNCILOR CALVERT: And I'm sorry, when I said this year I meant –

MR. LYONS: Right, 2010.

COUNCILOR WURZBURGER: Which on these pictures and Councilor Calvert caught this, says 1/6/11 not 10; right?

MR. LYONS: Right, yes, you're right.

COUNCILOR WURZBURGER: Anything else Board members? Thank you Dale, I appreciate your work on this. It's very exciting.

COMMISSIONER STEFANICS: I'm sorry, Madam Chair. The photo is 1/6/10 –

COUNCILOR WURZBURGER: It's suppose to be 11.

COMMISSIONER STEFANICS: It is suppose to be 11?

COUNCILOR WURZBURGER: Uh-huh.

MR. LYONS: Yes.

COUNCILOR WURZBURGER: That could be tricky.

COMMISSIONER STEFANICS: That's why I was wondering if that was a sample.

COUNCILOR WURZBURGER: Before we go into executive session I would like to acknowledge and welcome Commissioner Danny Mayfield. Please stand.

COMMISSIONER MAYFIELD: Thank you.

COUNCILOR WURZBURGER: Welcome and congratulations.

NANCY LONG (Board Counsel): Madam Chair, there is one more informational item before executive session.

COUNCILOR WURZBURGER: Oh, thank you.

23. Update on the CH2MHill/Western Summit Construction Joint Venture Community Project [*Exhibit 3: BMX bike park photos*]

MR. CARPENTER: Thank you, Madam Chair. There are a couple of black and white photos that you have at your desk that were handouts. These are a little bit dated because work has progressed well beyond the day that these photos were taken. But the contractor throughout this project has selected various community projects in the Santa Fe area as a way to show their appreciation back to the community. They have picked up trash and done various types of restoration. This is the latest project that they have been working on. It's a BMX bike park. And, Mr. Ray Sulvey from CH2MHill is here and I've asked him to give us a couple of minute update on the status of their project.

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RAY SULVEY (CH2MH): Thank you, Rick. Madam Chair, Board members, we as a joint venture began to look for community projects and I've had the privilege of talking to you about some of them in the past at the beginning of the project and the one that Rick mentioned is our most recent one. Just to retrace those that we've done so that you can recall. The first one we did was a can food drive which was for needy families around the holidays back in 2008, I believe it was. We also did a Christmas present drive for children who would not otherwise probably not receive any Christmas presents. The next activity we did was a fairly major clean-up of the Bureau of Land Management lands around the water treatment plant and down toward the raw water facilities. I think we filled up three full-size dumpsters on a weekend on that venture. We did then a Leukemia Foundation luncheon at the project which the employees contributed to.

Then the most recent one that Rick mentioned down at Ragle Park is the BMX facility. We've got the earthwork done on that facility currently, the concrete work and a water line will commence in the spring once the weather breaks. That project is obviously for the kids of Santa Fe and will probably be the last community service project that the DB contractor as we wind down the construction phase, we're in operations. By mid-year we'll be demobilizing and the Board staff will be operating the facilities.

It's been fun to give back a little bit to the community and we just appreciate that opportunity as well as the opportunity to finish this project for you and celebrate this milestone today. If you have any questions about those projects I'd be happy to answer.

COUNCILOR WURZBURGER: Thank you for your stewardship and involvement in the community not that you were required to do.

MR. SULVEY: Well, you are very welcome and thank you. Thanks, Rick.

EXECUTIVE SESSION

Review and consideration of issues in the following PRC Proceeding: In the Matter of the Application of Public Service Company of New Mexico for Revision of its Retail Electric Rates, Case No. 10-00086-UT Pursuant to NMSA 1978, Section 10-15-1(H)(7).

MS. LONG: Madam Chair, we just need a motion that we go into executive session for that matter on the agenda and a roll call.

COUNCILOR CALVERT: So moved.

COMMISSIONER STEFANICS: I'll second.

COUNCILOR WURZBURGER: Thank you. Roll call.

The motion to go into executive session passed by unanimous roll call vote as follows: Chair Wurzburger, Commissioner Stefanics, Councilor Calvert and Board Member Bokum all voting in the affirmative.

[The Board met in Executive Session from 4:30 to 4:40]

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COUNCILOR WURZBURGER: Thank you. May I have a motion to come out of Executive Session, please.

COUNCILOR CALVERT: So moved.

COUNCILOR WURZBURGER: Is there a second?

COMMISSIONER STEFANICS: I'll second.

The motion passed by unanimous [4-0] voice vote. [Commissioner Vigil was not present for this action.]

COUNCILOR WURZBURGER: We understand that Commissioner Vigil is only five minutes away so we will proceed with item 13. I'll need a motion to move change the agenda and hold off on 12 until Commissioner Vigil arrives.

COMMISSIONER STEFANICS: Madam Chair, I request that we skip over item 12 until Commissioner Vigil arrives.

COUNCILOR CALVERT: Second.

The motion passed by unanimous [4-0] voice vote. [Commissioner Vigil was not present for this action.]

13. Discussion and Possible Action Dedication Plaque for BDD Project

MR. CARPENTER: Thank you, Madam Chair and members of the Board. In your packet there is a brief cover memo and on the back side of that is a draft of the dedication plaque that would be mounted on a big boulder under the water treatment plant. This was our attempted draft and we are hoping for some input from the Board on this and I'm happy to make any changes you suggest. However, since the December Board meeting was cancelled and in the interim, staff has rethought what the name should be. As it occurs currently on the dedication plaque it reads, "Buckman Regional Drinking Water Project." It would be more descript staff feels, if that were changed to "Buckman Regional Water Treatment Plant." That would be one suggested change from staff. We would like to have any direction from the Board on that.

COUNCILOR WURZBURGER: Comments and suggestions from the Board?

COUNCILOR CALVERT: I concur with staff on that because project seems to make it sound like something is in progress and I think, I mean, there will be operations going on but the actual project is completed.

COUNCILOR WURZBURGER: Further comments? Do we have an action on this?

BOARD MEMBER BOKUM: Are you asking for a motion on the whole thing or just on the changes that were made?

COUNCILOR WURZBURGER: Okay, let's start with the change to the name. Well, then let's hold action until we've heard all the comments.

BOARD MEMBER BOKUM: Paul Campos isn't on this list and he's one of the original.

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COUNCILOR CALVERT: Yes he is.

COUNCILOR WURZBURGER: Sure, he is.

BOARD MEMBER BOKUM: Oh, he's the first one. I apologize

COUNCILOR WURZBURGER: Any other.

COMMISSIONER STEFANICS: Well, Madam Chair, she's actually bringing up a question I had and I recognize that this is about the Board members but I'm wondering if City and County officials should be recognized, like the City Councilors that weren't on?

COUNCILOR CALVERT: That weren't?

COMMISSIONER STEFANICS: That weren't on the BDD.

COUNCILOR WURZBURGER: Oh, that weren't on the Board.

COMMISSIONER STEFANICS: Because it is a project that is being funded by the City and the County. That's the only question I had if that would matter to any of your colleagues.

COUNCILOR WURZBURGER: Mayor Coss.

MAYOR COSS: I think that's a nice thought.

COUNCILOR WURZBURGER: So we could add anyone who was on the Council or the Commission during the past eight years.

MAYOR COSS: It could be a long plaque because there's a lot of us.

COMMISSIONER STEFANICS: Well, if we add a couple more of you all we can add a couple more of the Commissioners.

COUNCILOR WURZBURGER: Comments on that idea.

COUNCILOR CALVERT: That's fine but I think you have to clear though that which were board members, I think, and then – because I mean unless you want to take that line out. That's the only comment I would have and I don't have a problem with that it's just that these are the ones that served on the Board and then the rest of the Councilors and Commissioners –

COUNCILOR WURZBURGER: I would have a problem with that because I've worked nine years on this project as others have as well and I think the Board should be recognized and I have no problem adding to the list somehow and I don't know what the language would be, but the list of City and County elected officials who were not serving on the Board but were serving in their respective offices. I think we could find the language to accommodate that.

COMMISSIONER STEFANICS: That would be great, Madam Chair, because, for example, Commissioner Holian was an alternate and while she didn't sit here she did come to some meeting etcetera. I do think that if there were some way to accommodate that, it would be nice.

COUNCILOR WURZBURGER: Agreed. Do we all agree? May we have an action on this as proposed with these new ideas?

COUNCILOR CALVERT: Move for approval of the plaque with the name change suggested by staff and the additional names appropriately listed on the plaque.

COUNCILOR WURZBURGER: Is there a second?

COMMISSIONER STEFANICS: There's a second.

COUNCILOR WURZBURGER: Thank you. Further discussion. All in favor of the plaque as described.

SFC CLERK RECORDED 03/22/2011

The motion passed by unanimous 5-0 voice vote.

BOARD MEMBER BOKUM: Madam Chair, may I ask one more question?

COUNCILOR WURZBURGER: Sure.

BOARD MEMBER BOKUM: Do we need to change the name of the Board at some point if we're changing the name of the project? We can't do it today because we didn't notice it but –

COUNCILOR WURZBURGER: We're called the Buckman Direct Diversion Board.

COUNCILOR CALVERT: That isn't changed.

BOARD MEMBER BOKUM: No, you don't think it needs to change. Okay.

12. Summary Review of BDD Project Proactive Diligence to assure safe drinking water and request for BDD Board acceptance of Independent Peer Review Conclusions that there will be no health risk to people drinking BDD project tap water
[*Exhibit 4: Norman Gaume memo dated 12/30/10*]

COUNCILOR WURZBURGER: I think Norm is going to give this report; is that right?

MR. CARPENTER: That's right, Madam Chair. You have Norm's memo that was handed out to you and it was also mailed out to you several days ago. Norm would like to take some time to present his memo to the Board.

COUNCILOR WURZBURGER: Welcome, Norm.

NORM GAUME (BDD Board Engineer): Thank you, Madam Chair, Mayor Coss and members of the Board. I prepared this memorandum to you. It represents my professional opinion and it also summarizes the professional opinions of others in a long history of proactive diligence by the Board and by the staff to assure that the BDD project will produce safe drinking water. It will.

There are two purposes for the letter. One is to note that the Independent Peer Reviewer's conclusions are the latest in a series of conclusions that are identical: the BDD project will produce safe drinking water. The second thing that I will do is respond to some of the public questions regarding the BDD project that were asked in the third public meeting that the Independent Peer Reviewer conducted.

Before the BDD project was allowed to proceed it underwent a five-year Environmental Impact Statement process. The federal agencies who conducted that process consulted with various agencies. They concluded that the project would have to meet Safe Drinking Water Act requirements, would produce safe drinking water and that the levels of contamination in the Rio Grande attributed to LANL were not an issue that they needed to deal with in the EIS. Subsequently, the New Mexico Environment Department has concluded that the project will produce safe drinking water, as a matter of fact, posted on the BDD webpage today is their December 30, 2010 letter approving the BDD project to begin operations.

STATE OF NEW MEXICO
COUNTY OF SANTA FE
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You may recall that the Board contracted with Dr. Kerry Howe who is a professor of civil engineering at the University of New Mexico, he's a drinking water expert. He was the head of a design firm designing water treatment plants before he got his Ph.D. and became a professor. He concluded that the quality of the Rio Grande is good and that the BDD project would effectively remove any contaminants of concern. It is also the same conclusion that is the responsibility of the engineers that you have contracted with to design and build the project. They are professionally responsible and accountable to see that it produces safe drinking water.

Independent Peer Reviewer took an independent look and I want to stress the independent part of that and reached the same conclusions.

The Buckman Direct Diversion Board has conducted over the years that have led to the design and more recently a series of diligent actions to assure that the water treatment facility, the Buckman Direct Diversion Project, would produce safe drinking water. The main portion of that is the water treatment plant. It is a highly effective state-of-the-art plant. It utilizes the best technology available to remove particles. The contaminants of concern in the Rio Grande are attached to particles and they will be very effectively removed by this treatment plan.

A second diligent action undertaken by this was its letter dated November 1, 2007 to LANL requesting six actions. Those six actions were to stop the migration of LANL contaminants to the Rio Grande; to properly monitor those contaminants that were migrating, to measure contaminants and sediments adjacent to the diversion; provide an early notification system so that the BDD can stop diversions when Los Alamos Canyon is likely to be putting out contaminants into the Rio Grande; to provide funding to monitor the LANL contaminants in raw water, sand, and drinking water intensively for the first year of operation; and, to provide funding for the independent peer review which has been completed. You've had numerous progress reports on these six action steps. Good progress has now been made on all of them. We've told you that before but I want to emphasize that.

In particular, the New Mexico Environment Department and the US Environmental Protection Agency as regulators of LANL have imposed stringent new requirements on them that will effectively help to stop the migration of contaminants and to require extensive monitoring of those contaminants that are moving during storms.

I described the Kerry Howe report to you previously. I wanted to emphasize that one of his conclusions was that river contaminant concentrations are low. The Rio Grande is good quality with respect to toxins and radionuclides before treatment. The treatment plant will be very effective in removing those. Those were his conclusions.

Another proactive step taken by the BDD Board was to urge the New Mexico Environment Department to adopt standards for the water quality of the Rio Grande in the Buckman reach of the river with respect to five LANL radioactive contaminants. The levels that were set and these standards became effective on December 1, 2010, so that process was undergoing for some period of time – the standards were set specifically to provide a benchmark for public disclosure and monitoring purposes. The actual water quality in the Rio Grande is much better than those standards. The standards are based on drinking water not river water, they're based on the levels that would be acceptable in drinking water and the quality of the river is better than that before the water is treated.

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The standards are there: measurements will be taken and the quality of the water will be measured with respect to this scientifically established benchmark.

Amigos Bravos who at one point appealed the EIS decision, hired an expert named Arjun Makhijani to comment on the standards. He said in his testimony that the standards were not based on obsolete reference man exposure approach that was used previously and he supported the standards, although he did argue that they be more stringent. In fact, the river is better water quality than the standards that he advocated the State adopt. The State adopted to use its standard criteria as suggested and supported by the Board and its staff.

Another portion of the proactive diligence of the Board is that it has made the design engineer accountable for the production of safe drinking water for this plant. You have a licensed professional engineer who is responsible in accordance with state law to assure that the treatment plan will not affect, adversely affect, public health, safety and welfare.

I mentioned previously that the New Mexico Environment Department has provided the green light to begin operations. That letter was dated December 30, 2010. Prior to that the New Mexico Environment Department approved the design of the water treatment plant and they required various testing before they would render their conclusion that it would be safe.

The last of these steps was the independent peer review of LANL contaminants in the Rio Grande. The review raised no new concerns, validated the previous conclusions that BDD drinking water will be safe and will not threaten consumer's health.

The public has expressed concern regarding the quality of water that is in the Rio Grande and that will be produced by this project. They have asked a number of questions and in my memo to the Board I provide answers to those questions. One of them is, what about storm water runoff from LANL. The answer is that the Buckman Direct Diversion Project will not divert from the river during those times when the river might be contaminated by storm discharge from Los Alamos National Laboratory. Even if diversions were to take place, the water treatment plant will reliably remove the contamination.

The second question: Why is the BDD Project located where it is? The federal Environmental Impact Statement concluded that no other locations were practical or possible.

I've already talked about the reference man standard for evaluating risk of exposure to radionuclides. It has not portion in the risk evaluation for the BDD – I mean it has no application or was not used with regard to the BDD Project.

The Independent Peer Reviewer was asked to review a number of scenarios including the lifetime risk associated with a consumer who is drinking water containing contaminants as they exist in the untreated water from the Rio Grande. The Independent Peer Reviewer concluded that with regard to those toxic metals, organics, and radionuclides that the risk of drinking the untreated water if it didn't have the pathogens and other things that the treatment plant absolutely must remove because they are there for sure, that the radiological and toxic concentrations would be acceptable as drinking water.

Another question was asked about why the Independent Peer Review did not collect its own samples. The answer to that is that that would have been incredibly

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expensive, impractical, would have taken a very long period of time and was unnecessary.

Some members of the public question the reliability of the federal and state standards. The reply I would make to that is there are criminal penalties in the United States for falsification of those data. We believe that the data -- Kerry Howe addressed this – the data collected by various agencies are consistent and we believe that they are reliable. Moreover, to have collected independent data would have taken years if the Independent Peer Reviewer used data collected over the last decade in the independent peer review.

Another question, why did the Independent Peer Review not address storm water? The answer is they did address storm water. They said that storm water should not be diverted by the BDD project which has been the plan for three years.

Another question was the measure of contamination in the river and diverted raw water and drinking water, water treatment plant sludge. Will these be tested for contamination and will the data be public? These, all of these flows will be extensively tested. The memorandum of understanding between the BDD Board and Department of Energy actually provides funding for much of this testing and it will be conducted in accordance with the most stringent procedures that we can develop in order that the data be viewed as entirely reliable.

What is the early notification system? Why should we have faith in it? The early notification system consists of three gages in Los Alamos and Pueblo canyons. The technology has been used and is proven reliable. The information comes into the Buckman Direct Diversion Project and has been described to you before would be the basis for an automatic shutdown. Initially, any such early notification will cause a shutdown. As time goes on and as we learn more the judgment will be used in determining what the necessary shutdown levels are. I think it's also very important to note that the BDD Project, as Mark told you, includes real time instruments that measure the suspended solids, the turbidity which is the clarity of the river and other aspects of the raw water quality and provide a signal to the control room. The set points required for a shut-down whether or not Los Alamos Canyon is running are initially set at very stringent levels to basically protect the infrastructure.

What is the greatest risk to public health related to raw water from the Rio Grande? The answer is clearly pathogens. The risk associated with contaminants most of which are natural origin in the river – the metals and radionuclides – is far less than the risk of pathogens. The treatment plant is designed as are all drinking water plants in the United States to very effectively remove those contaminants.

I hope that this summarizes the substantial, I would say enormous amount of effort that has been funded by the BDD Board to address these questions. The Independent Peer Reviewer effort was the latest of these and in conclusion I would request that the Board entertain a motion to accept the Independent Peer Reviewer's work.

COUNCILOR WURZBURGER: Thank you, Norm. Are there any questions? Is there a motion to accept staff's recommendation?

BOARD MEMBER BOKUM: Madam Chair, I move that the Board accept the Independent Peer Review report.

COUNCILOR CALVERT: Second.

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COUNCILOR WURZBURGER: Discussion?

The motion passed by unanimous [5-0] voice vote.

14. Request for approval of FY 2011/2012 OMR&R Budget Requests and five-year OMR&R Projection, including approval for the Emergency Fund and the Major Equipment Repair and Replacement Fund, Working Capital and billing Policy and Associated Procedures

COUNCILOR WURZBURGER: Robert Mulvey, but before you speak, Robert, I think there were some earlier questions from the County that may impact our moving ahead with this discussion today. Shall we – Commissioner, would you like to add something to the point that Commissioner Stefanics brought up earlier.

CHAIR VIGIL: I wouldn't. What I'm requesting is that this Board consider that we table this because it sounds to me from what I've learned about this that there might need to be further discussions with our County finance department. So unless there's a real pressing need, I like a motion that we table this.

COUNCILOR WURZBURGER: Are you making that as a motion?

CHAIR VIGIL: I am making that motion.

COUNCILOR WURZBURGER: Is there a second?

COMMISSIONER STEFANICS: Second.

COUNCILOR WURZBURGER: Further discussion?

COUNCILOR CALVERT: So on that question. This is the operation, maintenance, repair and replacement budget – we're in operations without a budget; is that correct?

MR. CARPENTER: Madam Chair, members of the Board, Councilor Calvert, that's not correct. There is an approved budget for the year that we're in now. This is for the next fiscal year.

CHAIR VIGIL: Mr. Mulvey, sorry, you're probably can fully prepared to give us information but if that's all right with you, we'll probably need to have further communication.

MR. MULVEY: Madam Chair, members of the Board, yes, we submitted the budget based upon the agreement requirements to have it to you by December 15th. We didn't anticipate that a decision would be made tonight. I came prepared to give a brief presentation if that would be helpful. If you would like me to defer that until a later time I would be happy to do that as well.

CHAIR VIGIL: I'm thinking that part of the presentation may change once those discussions occur so if you wouldn't mind deferring. I don't want to have conflicting reports. I don't think that they would be but I think those communications need to occur before we actually get an update.

MR. MULVEY: Okay, thank you.

CHAIR VIGIL: So my motion to table would be to table the information until the next meeting if that's okay with the seconder.

COUNCILOR WURZBURGER: Is that okay with the seconder?

COMMISSIONER STEFANICS: Absolutely.

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COUNCILOR CALVERT: It would be nice to get this information from the Fiscal Audit Committee if it's going to serve any purpose if that information when we met in December, I don't know, maybe it wasn't available yet but I think that it's the appropriate place to start a discussion on these things. I guess I'm caught a little bit unaware here that there were some of these types of issues that I did not hear in that meeting.

CHAIR VIGIL: Okay, and I think that's part of the problem, Madam Chair, is that the Fiscal Audit Committee met in December and then we had holidays and then we had this – I haven't participated in a recent Fiscal Audit Committee meeting. Did we have one now in January? No?

COUNCILOR CALVERT: The December meeting got postponed so we already sort of had the meeting.

COUNCILOR WURZBURGER: When is your next meeting?

COUNCILOR CALVERT: Not till February.

CHAIR VIGIL: And I think what might be the remedy here is to have the Fiscal Audit Committee and I think you're trying to do that, meet before the BDD. I think the current changes in schedule actually created that kind of problem –

COUNCILOR WURZBURGER: Commissioner.

COMMISSIONER STEFANICS: Madam Chair, I'm a little confused now about the timing of the Fiscal Audit Committee because I was prepared to come to a meeting this week and then it was cancelled. So I understood that having a meeting the week of this meeting was too close in terms of getting anything on the agenda or making any changes. So –

COUNCILOR CALVERT: I think that the thinking was the reason why this month's was cancelled was because we had the meeting in December which was for this same agenda which was suppose to be in December so there was no need absent any other dimension to have another one before this one.

COUNCILOR WURZBURGER: Okay, so here's what we're going to go with this. I think that our original idea that we had the meeting before this meeting makes sense. I'm not going to say when that meeting should be but before our February meeting when this is brought back after we've had a chance to work with the County's concerns it should go first to the Fiscal Review Committee and then to this committee. Is that acceptable and agreeable to everyone? Okay, thank you, that's what we'll do.

The motion to table passed by unanimous voice vote.

15. Request for approval of Amendment 2 to the DB Contract between the Buckman Direct Diversion Board and CH2MHill/Western Summit Constructors Joint Venture for the amount of $0.00

MR. CARPENTER: That's an important distinction to make: this is not a change order, it's an amendment to language in the contract. The reason for those changes is to accommodate the goings on that are associated with PATWU, the pre acceptance testing warm-up period. There were certain changes that needed to be made for occupancy of the buildings, insurance and acceptance testing and that sort of thing to make the contract more in line with the objectives of preacceptance testing. So it's

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changes to the language of the contract that were carefully crafted by independent counsel at zero dollar amount change to the contract.

COUNCILOR CALVERT: Move for approval.

COMMISSIONER STEFANICS: Second.

The motion passed by unanimous [5-0] voice vote.

16. Discussion and possible action regarding the PNM Substation Issue

MR. CARPENTER: Thank you, Madam Chair. PNM brought their application back to the Board of County Commissioners some weeks ago. It was ruled on at that meeting but rather PNM requested additional time to evaluate some new information and I was speaking with PNM representatives yesterday and today and they're working through that. They might be able to reapproach the Board of Commissioners in February, that's not for sure at this time. But I will commit to update this Board as information becomes available.

COUNCILOR WURZBURGER: Thank you. Any questions?

17. Request for Approval of expenditure for BDD vehicles and equipment pursuant to the approved BDD Project Capital Budget

MR. CARPENTER: Thank you, Madam Chair. The capital budget was approved by this Board which included a line item for $500,000 for vehicles and equipment. Those vehicles and equipment, or some of them at least, have been identified and we need to move forward with the actual purchase of those vehicles and equipment but in keeping with procedures that are least established at the City assuming at the County, even though the line item in the budget has been approved we're seeking Board approval to actually make the purchases.

COMMISSIONER STEFANICS: Madam Chair.

COUNCILOR WURZBURGER: Yes, ma'am.

COMMISSIONER STEFANICS: I'll move for approval.

CHAIR VIGIL: Second.

COUNCILOR WURZBURGER: Discussion; yes, Councilor.

COUNCILOR CALVERT: I'm sorry, Rick, these are in the current year's operational budget or in the capital budget?

MR. CARPENTER: Councilor Calvert they are in the approved capital budget.

COUNCILOR WURZBURGER: Further discussion.

The motion passed by unanimous [5-0] voice vote.

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18. Request for Approval of Amendment No. 4 to the Professional Services Agreement Between the Buckman Direct Diversion board and Meyners & Company LLC for the amount of $37,055.00 plus $3,033.87 (NMGRT) for the total amount of $40,088.87

MR. CARPENTER: Madam Chair, members of the Board, you may recall when we began staffing for this project one of the key positions was a financial manager and the requirements for that were very specific/stringent and there are not a lot of people that possess this specific skill set. We found ourselves to be in the very fortunate position to have made a hire for that individual, unfortunately, however, in the first week of November that individual resigned at a very bad point in our budgeting and financial effort.

The purpose of this amendment is to bridge the gap and provide us access to a certified public accountant that does possess that specific skill set in the interim till we can make new hire. That advertisement is out on the street and we hope to be doing that as soon as we can but we still access to these services.

We have negotiated the scope of work and the cost of those services with Meyners. It has come down significantly from where we started. There are two different credits that will be credited back to the Board from their original scope of work. Those credits together with salary savings will result in cash flow neutral compared to the cost of the amendment and in keeping with the request that was made earlier by Commissioner Stefanics this amendment will not add to the approved bottom line of the budget.

COUNCILOR WURZBURGER: Any questions of the Board?
COUNCILOR CALVERT: Move for approval.
COMMISSIONER STEFANICS: Second.
COUNCILOR WURZBURGER: Discussion.

The motion passed by unanimous [5-0] voice vote.

19. Consideration and Possible Action on Resolution No. ~~2012~~-2011-1. Determining Reasonable Notice for Public Meetings of the Buckman Direct Diversion Board.

MS. LONG: Madam Chair, to correct the agenda, it should be 2011-1 As you all know public bodies in New Mexico are required yearly to determine what notice they will provide in compliance with state law. This is a resolution that you see every year, it needs to be passed whether you make changes or not, it is just so everyone takes a fresh look at what constitutes notice. The only change that was made to this resolution from the resolution last year is that we have provided for what the practice of the Board is and that is that your regular meetings are the first Thursday of every month unless you specify otherwise and you can call additional regular meetings. Other than that, the resolution is the same.

COUNCILOR WURZBURGER: Thank you. Any questions about the resolution for Nancy?

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COMMISSIONER STEFANICS: Madam Chair, I just wanted to confirm with everyone that we do have in here that participation is available by conference phone which is if we're not here.

COUNCILOR WURZBURGER: Do we have that?

MS. LONG: Yes.

COMMISSIONER STEFANICS: We have that capability; correct?

MS. LONG: Yes, as long as it's difficult or impossible for you to attend you can participate by conference call and I think we would have to get that set up.

COUNCILOR WURZBURGER: It's actually, Commissioner Vigil just pointed out that it is item 6.

COMMISSIONER STEFANICS: Right, well, I just wanted to clarify that we the capability for that because some rooms do and some rooms don't and –

COUNCILOR WURZBURGER: Yes, we'll need to clarify that.

COMMISSIONER STEFANICS: Thank you, Madam Chair.

MS. LONG: We'll look into that.

COUNCILOR WURZBURGER: Further questions or discussion? Motion.

COUNCILOR CALVERT: Move for approval.

COMMISSIONER STEFANICS: I'll second.

The motion passed by unanimous [5-0] voice vote.

20. Election of the Chair and Vice-Chair of the Buckman Direct Diversion Board

MS. LONG: Yes, Madam Chair, your rules of proceeding for this body provide that a chair and chair pro-tem or vice-chair be elected yearly. The rules also provide that the chair and vice-chair shall be from the two different bodies that are represented: one of the County and one of the City, and that they rotate that chair position and vice-chair each year. I also recommend, as we have done in the past, that the new chair and vice-chair positions be effective as of your next meeting so that the current chair can finish out this meeting is an easier way to handle the remainder of the meeting.

COUNCILOR WURZBURGER: Okay, I'll now entertain nominates for the Chair which should be someone from the County.

COMMISSIONER STEFANICS: Madam Chair, I would nominate Commissioner Vigil as the Chair.

CHAIR VIGIL: I accept the nomination.

COUNCILOR WURZBURGER: Is there a second to the nomination?

BOARD MEMBER BOKUM: Second.

The motion passed by unanimous [5-0] voice vote.

COUNCILOR WURZBURGER: Congratulations, Madam Chair. Would you like to continue with the meeting?

CHAIR VIGIL: No.

COUNCILOR CALVERT: She already said –

GAYLE SANCHEZ, CCR #227
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COUNCILOR WURZBURGER: Oh, did she say that?

MS. LONG: That's my recommendation.

COUNCILOR WURZBURGER: Okay, then I'll continue with the meeting. Vice-chair of the Buckman Direct Diversion Board, may we have a nomination.

COUNCILOR CALVERT: I nominate Councilor Rebecca Wurzburger.

COUNCILOR WURZBURGER: I would love to accept it. Thank you.

CHAIR VIGIL: I will second that.

COUNCILOR WURZBURGER: Thank you.

The motion passed by unanimous [5-0] voice vote.

COUNCILOR WURZBURGER: I will say that it has indeed been both an honor and a real opportunity to share this position back and forth for some many years with Commissioner Vigil. We didn't do it forever but I think that we have been a great team and will look forward to our continued success and continue to have the water run this spring. Thank you all for that vote of confidence or whatever. [*Laughter*]

MATTERS FROM THE PUBLIC

COUNCILOR WURZBURGER: We'll now go to matters of the public. How many people – okay, please line up here on the left and we'll give you each two minutes.

CHAIR VIGIL: I would just ask, Madam Chair, and I recognize some of the members of the public, if the comments that they're going to make have been made before, and we know them, I would prefer to hear any new statements that this Board has not heard. We have had numerous amounts of public hearings and all of that is on the record. So Anna, if you're going to be first I would ask that you not repeat anything that has been said before and then that those who follow her not repeat anything that your previous comments –

COUNCILOR WURZBURGER: Is everybody comfortable with that? Okay, great. Welcome, please give your name for the record and your address.

ANNA HANSEN: My name is Anna Hansen and I live 2008 Kiva Road, Santa Fe, New Mexico.

I have a letter that I gave to Rick which would take me longer than two minutes to read so I would appreciate it if Rick would make sure that that letter is given to everyone on the Board. I sent it to everyone but it seems that Commissioner Stefanics did not get it.

COUNCILOR CALVERT: Did you email?

MS. HANSEN: Yes. So, I just wanted to make sure that everyone receives it.

My main concern is the legacy waste in Los Alamos Canyon and that it be cleaned up. As my elected officials I would really like you to pursue that. I would like you to pursue LANL cleaning up that waste. I know that there's not a concern because somehow you believe that it's never ever going to be in the diversion plant. But it is legacy waste that has been there since 1943 and it needs to be cleaned up. I can't believe that anybody would disagree with that. It needs to be cleaned up. Our standards,

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California outside of Livermore is much more cleaned up than Los Alamos and we should have a cleaned up site. Los Alamos should not be a national sacrifice zone which it is now as long as that waste is there and so I would really appreciate it if you would pursue with your federal and state officials and write a letter to Dr. Chu, the Secretary of Energy, requesting that money be used for the cleanup of that canyon.

COUNCILOR WURZBURGER: Thank you.

DONALD HATTON: My name is Donald Hatton, H-a-t-t-o-n. I live at 12 Columbine Lane, Santa Fe.

I received this January water rates are rising notice that you all sent out and it says in here the BDD is being built for the City's current water needs not for growth. My question is, what concrete measures are City and County of Santa Fe taking to insure that the water obtained from the Buckman Diversion Project will not be substantially devoted to housing and commercial development but rather to the purpose stated.

COUNCILOR WURZBURGER: We can address that with you if you would talk to our staff about it and I think any of us would be willing to talk to you further about it. We are committed to that as part of the initial intent of the Buckman project.

MR. HATTON: You say the initial intent: that means it might not be the intent to –

COUNCILOR WURZBURGER: No, I mean from the very beginning even to today and into the future. But I would like to give you some specifics that would go beyond the time of this meeting and we can make that available to you through our staff.

MR. HATTON: I have one further comment this is an engineering project that we're talking about, Buckman Diversion Project. All engineering projects eventually fail. Think of the Coliseum in Rome. It might take 1,000 years but it will fail at some time or another. I think that some provisions should be made for that eventual failure and what they would be I don't know. In the interim, many social changes will take place – oh, my time has run out – I think we need to think about providing food, using that water for food for the people of Santa Fe because at some time of another we're going to run out of food. Thank you.

COUNCILOR WURZBURGER: Thank you. Next please.

ELANA SUE ST. PIERRE: My name is Elana Sue St. Pierre and I live at 700 Calle de Leon. I am the spokesperson for Healthy Water Now ASAP, a group of parents, doctors, nurses, therapists, early interventionists concerned about our most vulnerable in our community. And I will be redundant and thank you all for the incredible job that you have been doing in trying to bring this water project forward and I sincerely mean that. And, as I have gone through the peer review there are still questions that come up and they have to do with the early warning system. When I have spoken with George Rael and scientists from LANL I am told that it can take 48 hours – excuse me, 48 days for the tests of the water to be interpreted and sent back. I understand that there are other markers to look at.

I feel like just as a concerned parent and therapist I hear some news from the Department of Energy and LANL and then I hear some news from the Board and it doesn't always match up. And this was a part of the peer review that I was hoping for – that we were hoping for. And I feel like it is still a possible question and I know things

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need to move forward and I'm not asking for that to be stopped but yet that this continue to be looked at so that in the spring when the flood water comes what's the answer to this. And I would hope that you will provide town hall meetings for us to look at these water issues, not just the Buckman but what are our regional water issues and that these can be addressed and that it can be an open exchange between the people with concerns and our representatives and people that I know are working incredibly hard.

I want this to be a part of the budget. I want peer reviews. We want this to be a part of the ongoing process. Thank you very much.

COUNCILOR WURZBURGER: Thank you for your continued concern. Next please.

JONI ARENDS: My name is Joni Arends, Concerned Citizens for Nuclear Safety.

My first comment is about the plaque. I think the plaque needs to acknowledge that the ratepayers are paying for this project. I mean the comments are that the City and County are paying for it but the reality is, as this gentleman said, it's the ratepayers that are paying for it and the plaque should incorporate that.

The second comment I have is that we collected signatures, we collected comment letters from people in Santa Fe about the concerns about the draft report. I sent the comments to ChemRisk. I sent a receipt and I never got any response back from them. I would appreciate if I give this to the Board, if somebody could sign the receipt to acknowledge that people still have concerns about the draft report.

[Papers are submitted to Stephanie Lopez.]

COUNCILOR WURZBURGER: I'll sign it at the end of the meeting, thank you. Is that the end of your comments?

MS. ARENDS: No. And I want to renew our request to have the data. Norm says in his comments that he has the data, if he could provide it to us that would be really helpful. As we saw in looking at the RACER database there were five different locations where you could find storm water data at the Rio Grande. We've asked for the data since this project started, the independent peer review, and we still have received it. We have a lot of concerns about that.

CCNS would encourage the Board to increase the sampling during this time of – I know it has a special name, maybe Rick can help me out – the initial testing, that additional sampling be done beside just the contaminants of concern or the contaminants under the Safe Drinking Water Act. That it would include other contaminants of concern so that we can be proactive in all of this. Thank you.

COUNCILOR WURZBURGER: Thank you. Next.

MICHAEL CRAWFORD: Good evening. Madam Chair, members of the Board, my name is Michael Crawford. I live at 4 Vista Valle Grande in Santa Fe County. I'm a professional engineer with 35 years of experience in designing waterwaste, water and hazardous waste treatment facilities and I've participated in 20 risk assessments related to Super Fund studies.

I would like to briefly touch on three issues related to the IPR process. The first is my opinion that the IPR risk assessment severely over-estimated the associated risk of ingesting potable water from the Buckman water treatment plant. The IPR risk assessment assumed that residents of Santa Fe would theoretically drink raw, untreated Rio Grande River rather than finished treated drinking water from the new $110 million

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state-of-the-art Buckman Regional Water Treatment Plant. Obviously there is a significant difference between drinking raw water directly from the Rio Grande and finished filtered water from the Buckman water treatment plant.

While the process and assumptions used by the IPR team can be debated for a long time it is actually a moot point since we now have actual water quality for treated drinking water.

I would like to request the Board to make available to the public the analytical results during acceptance testing phase. In particular, if the analytical results for arsenic, radium 226, radium 228 which are identified to represent over 90 percent of the risk associated, if they are made then we can all recalculate the theoretical risk associated with drinking BDD water and put this issue behind us.

Second, a number of people have expressed concern that remote monitoring early warning system will be prone to failure and thus allow pollutant excursions to be drawn into and pass through the Buckman water treatment plant. This concern is not warranted. The Buckman water treatment plant is designed to treat Rio Grande water during both dry and wet weather periods. The treatment facility will provide reliable treatment even during storm events when turbidity and pollutant levels in the Rio Grande rise.

COUNCILOR WURZBURGER: Michael, I'm going to ask you to submit your comments in writing. [*Exhibit 5*] And we appreciate them.

MR. CRAWFORD: I just have one closing comment, if I could?

COUNCILOR WURZBURGER: Yes.

MR. CRAWFORD: I would like to compliment the Board and project staff on the transparency and openness of the process. I hope that this transparency and openness will continue in the future particularly in the next six-month start up period. I believe that such openness will eliminate uncertainty and fear and result in public confidence on this project. Thank you.

COUNCILOR WURZBURGER: Thank you again.

MATTERS FROM THE BOARD

COUNCILOR WURZBURGER: We do have the opportunity to drink, collectively, our water. And we invite anyone in the audience who would like to join us on this special occasion.

Glasses were raised and those present cheered the good water of the BDD!

NEXT MEETING: Thursday, February 3, 2011 – 4:00 p.m.

SFC CLERK RECORDED 02/16/2011

ADJOURNMENT

Having completed the agenda, this meeting was declared adjourned at approximately 5:45 p.m.

Approved by:

Rebecca Wurzburger, Vice Chair

Respectfully submitted:

Karen Farrell, Wordswork

ATTEST TO:

VALERIE ESPINOZA
SANTA FE COUNTY CLERK

ATTEST TO:

YOLANDA VIGIL
SANTA FE CITY CLERK

COUNTY CLERK SANTA FE COUNTY NEW MEXICO VALERIE ESPINOZA

SEAL CITY OF SANTA FE NEW MEXICO JULY 13 1891

SFC CLERK RECORDED 03/15/2011

EXHIBIT 1

City of Santa Fe
New Mexico

CITY CLERK'S OFFICE
DATE 12-23-10 TIME 4:33pm
SERVED BY Stephanie Lopez
RECEIVED BY

AGENDA

THE CITY OF SANTA FE
And
SANTA FE COUNTY

BUCKMAN DIRECT DIVERSION BOARD MEETING

THURSDAY, JANUARY 6, 2011
4:00 PM
CITY HALL
CITY COUNCIL CHAMBERS
200 Lincoln Avenue

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES FOR THE NOVEMBER 4, 2010 BUCKMAN DIRECT DIVERSION BOARD MEETING
5. APPROVAL OF CONSENT AGENDA
6. MATTERS FROM STAFF
7. FISCAL SERVICES AND AUDIT COMMITTEE REPORT

CONSENT AGENDA

8. Project Manager's Monthly Project Exception Report. (Rick Carpenter)
9. Update by Rick Carpenter on Financial Status of Contracts. (Rick Carpenter)
10. Project Manager's Report on Staffing and Training Program Progress. (Rick Carpenter)
11. BDD Relations Report for November and December 2010. (Lynn Komer)

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DISCUSSION AND ACTION ITEMS

12. Summary Review of BDD Project Proactive Diligence to Assure Safe Drinking Water and Request for BDD Board Acceptance of Independent Peer Review Conclusions That There Will Be No Health Risk to People Drinking BDD Project Tap Water. (Rick Carpenter and Norman Gaume)

13. Discussion and Possible Action on Dedication Plaque for BDD Project. (Rick Carpenter and Norm Gaume)

14. Request for Approval of FY 2011/2012 OMR&R Budget Request and Five-Year OMR&R Projection, Including Approval of the Emergency Fund and the Major Equipment Repair and Replacement Fund, Working Capital and Billing Policy and Associated Procedures. (Robert Mulvey)

15. Request for Approval of Amendment 2 to the DB Contract Between the Buckman Direct Diversion Board and CH2MHill/Western Summit Constructors Joint Venture for the Amount of $0.00. (Rick Carpenter and Nancy Long)

16. Discussion and Possible Action Regarding the PNM Substation Issue. (Rick Carpenter) **VERBAL**

17. Request for Approval of Expenditure for BDD Vehicles and Equipment Pursuant to the Approved BDD Project Capital Budget. (Rick Carpenter and Steve Hoffman)

18. Request for Approval of Amendment No. 4 to the Professional Services Agreement Between the Buckman Direct Diversion Board and Meyners and Company LLC for the Amount of $37,055.00 Plus $3,033.87 (NMGRT) for the Total Amount of $40,088.87. (Rick Carpenter)

19. Consideration and Possible Action on Resolution No. 2012-1, Determining Reasonable Notice for Public Meetings of the Buckman Direct Diversion Board. (Nancy Long)

20. Election of the Chair and Vice-Chair of the Buckman Direct Diversion Board. (Nancy Long) **NO PACKET MATERIAL**

INFORMATION ITEMS

21. Update on Start-Up Plan and Schedule of Completion, Check-Out and Testing for the DB Contractor to Start Potable Water Treatment and Deliveries in January. (Rick Carpenter and Robert Mulvey)

22. Update on the ACE Solar Facility Installation. (Dale Lyons)

23. Update on the CH2MHill/Western Summit Constructors Joint Venture Community Project. (Rick Carpenter) **HANDOUT AT MEETING**

EXECUTIVE SESSION:

Review and Consideration of Issues in the Following PRC Proceeding: In the Matter of the Application of Public Service Company of New Mexico for Revision of its Retail Electric Rates, Case No. 10-00086-UT Pursuant to NMSA 1978, Section 10-15-1(H)(7). (Rick Carpenter and Nancy Long)

END OF EXECUTIVE SESSION

MATTERS FROM THE PUBLIC

MATTERS FROM THE BOARD

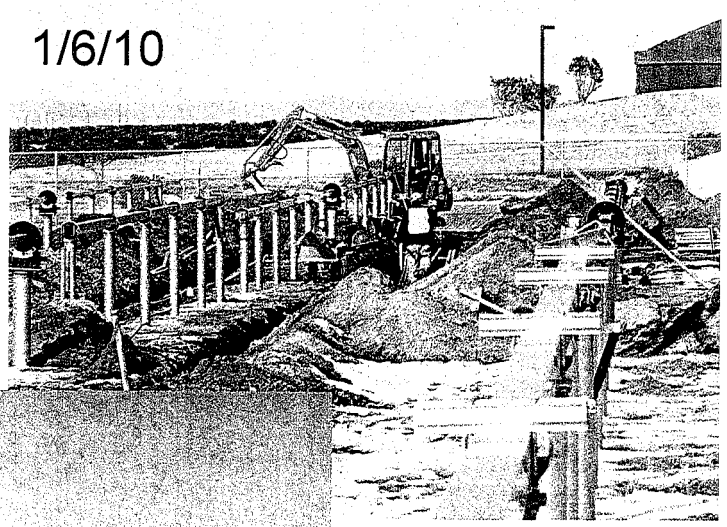
NEXT MEETING: THURSDAY, FEBRUARY 3, 2011 @ 4:00 P.M.

ADJOURN

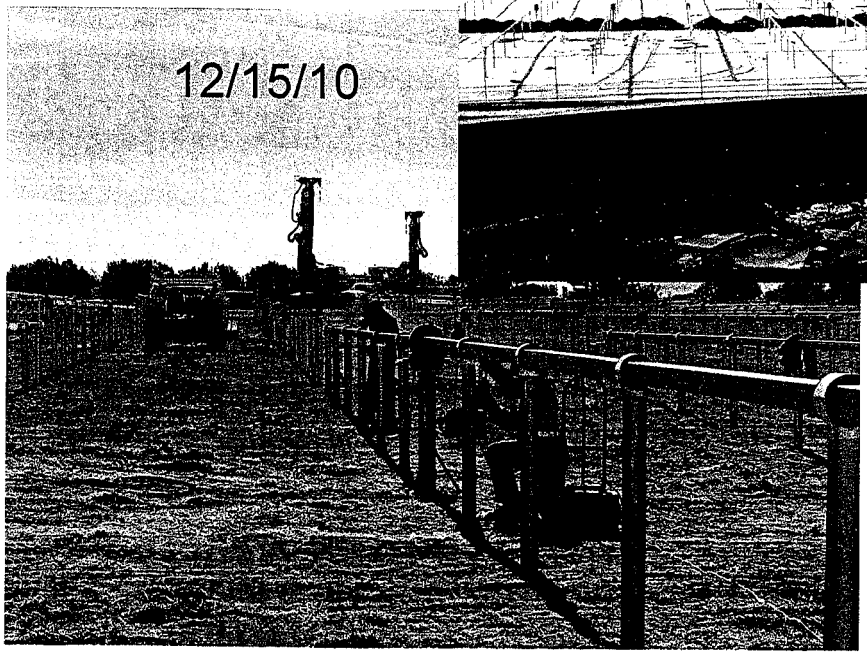
PERSONS WITH DISABILITIES IN NEED OF ACCOMODATIONS, CONTACT THE CITY CLERK'S OFFICE AT 505-955-6520, FIVE (5) WORKING DAYS PRIOR TO THE MEETING DATE.

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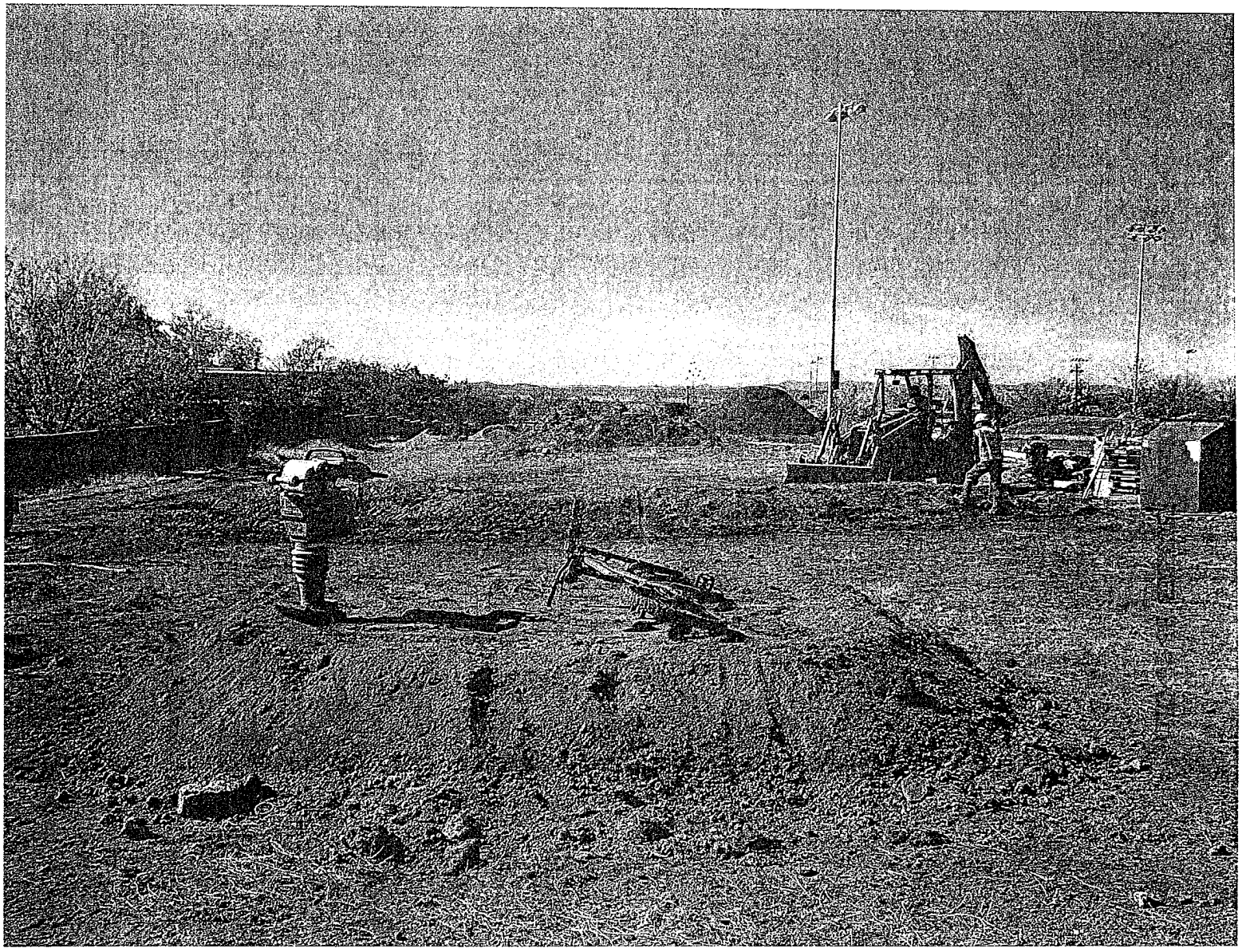




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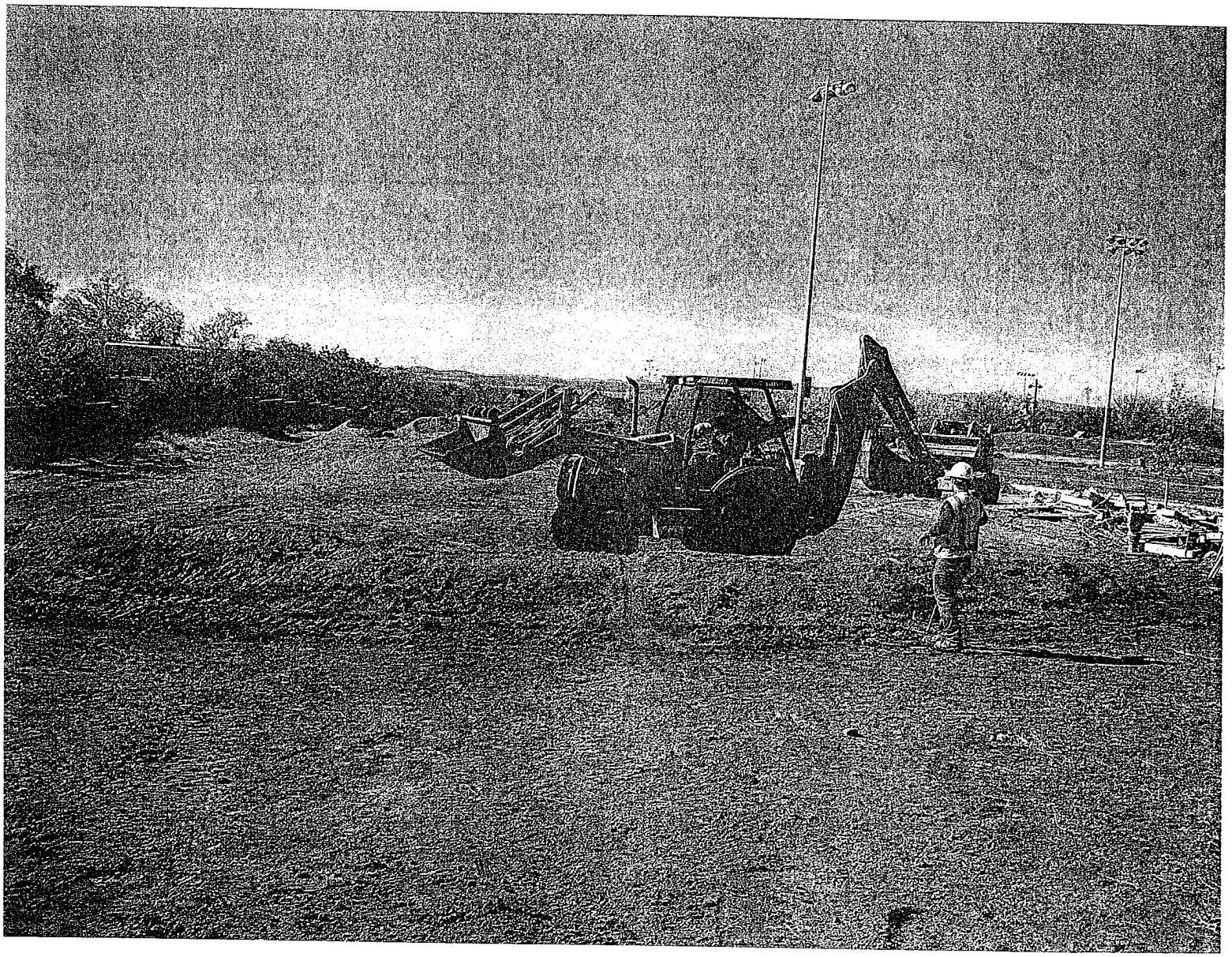


EXHIBIT 4

Norman Gaume, P.E.

44 Canoncito Dr NE • Albuquerque, New Mexico 87122 • 505 690-7768 • gaume@newmexico.com

December 30, 2010

Buckman Direct Diversion Board
c/o BDD Project Manager
801 West San Mateo
Santa Fe, NM 87504

Subject: ***The BDD Project Will Produce Safe Drinking Water***

Dear Madame Chair and BDD Board Members:

There are two purposes for this letter.

- First, the Independent Peer Reviewer's conclusions are the latest in a series of independent and consistent conclusions that Los Alamos National Laboratory (LANL) contaminants pose no risk to the health of BDD Project water consumers. I will summarize these conclusions and related work.
- Second, I will answer recent public questions regarding the BDD Project.

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VALIDATION OF SAFE DRINKING WATER CONCLUSIONS

The BDD Project will produce safe drinking water. This conclusion is the same conclusion previously reached by federal agencies that conducted a five-year study of the project before it was allowed to proceed. It is the same conclusion reached by the New Mexico Environment Department (NMED), which enforces federal and state safe drinking water regulations to assure the quality and safety of drinking water in New Mexico. It is the same conclusion reached by a University of New Mexico civil engineering professor and drinking water quality expert. It is the same conclusion reached by consulting engineers and scientists who are professionally responsible for the project design and performance. The Independent Peer Review has raised no new issues or information to question this conclusion and has validated it.

The Buckman Environmental Impact Statement concluded the BDD Project drinking water would be safe. In reaching this conclusion, the record shows the federal interdisciplinary assessment team that prepared this EIS consulted with expert scientists employed by the New Mexico Environment Department. They considered pertinent information sources, as shown in the EIS record, specifically including those identified to the interdisciplinary assessment team by Concerned Citizens for Nuclear Safety.

The New Mexico Environment Department participated in two comprehensive risk assessments of LANL-origin contamination in the aftermath of the Cerro Grande fire. These risk assessments concluded LANL contaminants in the Rio Grande *pose no threat to public health and safety.*

Independently, the NMED's DOE Oversight Bureau in 2002 sampled Rio Grande water and sediments downstream of LANL for plutonium and other LANL-origin radionuclides. The scientists searched for LANL-origin contaminants in the Rio Grande. The NMED scientists published the results of their attempts to find LANL-origin contamination in the water and in the riverbed sediments samples collected at locations in the Rio Grande where, if present, the contaminants would be found. (Englert and others, NMED, 2007). Their report is available on the NMED and the BDD Project web sites. In describing this work, the report concludes on page 42:

> "These measurements identified the contaminant source as global fallout. Laboratory contaminants could not be identified above or below the Los Alamos Canyon / Rio Grande confluence."

These NMED scientists subsequently have continued their vigilant, full time monitoring of LANL contamination in the environment. As demonstrated in their published reports that are available for download from the NMED web site, they have focused on LANL contaminants in the Rio Grande. Other NMED scientists in the Surface Water Bureau have conducted periodic water quality measurements throughout the Rio Grande. NMED's scientific data collection and published data and interpretations are one foundation for NMED's conclusion that the *BDD Project will produce safe drinking water.*

Contamination from LANL is absent in the Rio Grande nearly all of the time. However, storm water runoff from LANL property will cause LANL-origin contaminants in the Rio Grande to briefly exceed the new water quality standards discussed below. The BDD Project Manager and the BDD Board decided in 2007 that the project will not divert water from the Rio Grande during such periods. Because potentially contaminated water will not be diverted, and because the very robust and state-of-the-art drinking water treatment plant will remove these contaminants if they were to be diverted using the most efficient particle removal process available (99.99% removal of particles), the Independent Peer Review concluded *storm water discharge from LANL does not pose a health risk.*

In the process of preparing this letter, I downloaded and thoroughly reviewed the extensive LANL and New Mexico Environment Department (NMED) water quality data for the Rio Grande at Buckman from the publicly available RACER database maintained by the New Mexico Community Foundation. Both storm water and base flow water quality data are included. I verified the completeness of my data download with an expert scientist employed by NMED's DOE Oversight Bureau who is very familiar with these data and collected many of the samples. These extensive

data support my conclusion that *the BDD Project will reliably produce safe drinking water* and the similar conclusions of others as summarized herein.

PROACTIVE DILIGENCE

The Buckman Direct Diversion Board and staff understand the community's concern about possible drinking water LANL contamination and have been diligent to ensure the BDD Project drinking water is safe and meets strict federal and state drinking water standards.

These diligent actions include:

1. Water Treatment Plant Design. The water treatment plant for the Rio Grande uses a set of highly effective, state-of-the-art and costly advanced water treatment processes not commonly used elsewhere in the United States. The water treatment plant provides multiple barriers to these contaminants. The contaminants of concern in the Rio Grande adhere to particles of sediments. The water treatment plant will remove 99.99% of these particles using the most effective particle removal process available. This treatment will be effective if LANL-contaminated water from storm events were to enter the plant. The BDD Project will produce excellent quality drinking water, better than required by all federal and state drinking water standards.

2. LANL Action Requests. The BDD Board requested LANL to take six specific actions:

   a. Stop the migration of LANL contaminants to the Rio Grande and in groundwater;

   b. Properly monitor the migration of legacy contaminants in surface and groundwater;

   c. Measure toxic contaminants in buried sediments at and above the BDD Diversion;

   d. Provide an early warning system so the BDD Project can stop diversions when the Rio Grande is likely to contain elevated contaminant levels of LANL origin;

   e. Provide funding for the BDD Project to monitor LANL contaminants in BDD Project diversions, sediments, and drinking water;

   f. Provide funding for an independent peer review regarding the relationship of LANL contaminants to Santa Fe drinking water.

Good progress has been made. The New Mexico Environment Department and the US Environmental Projection Agency, acting as LANL environmental regulators,

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have imposed major new requirements on LANL to stop the migration of contaminants and to extensively monitor the effectiveness of the engineering controls and the migration that does occur during storms. The other four actions are completed or formally agreed between DOE and the BDD Board.

3. Howe Report. The BDD Board contracted in 2007 with Kerry Howe, Ph.D., P.E., a drinking water expert and professor of civil engineering at UNM to obtain an independent expert opinion of the water treatment plant design. He concluded the treatment plant would be very effective in removing LANL-origin contaminants, that levels of contamination in the river are low, and that the BDD Project will produce safe drinking water.

4. New State Water Quality Standards for LANL-origin contaminants. The BDD Board in 2008 urged the State of New Mexico to adopt stringent water quality standards for the BDD Project's raw water supply from Rio Grande and provided supportive direct testimony before the New Mexico Water Quality Control Commission. Those standards became effective December 1, 2010. These standards are applicable to the Rio Grande at Buckman, which is the ***raw*** water supply for the Buckman Regional Water Treatment Plant. The standards are based on the most recent federal scientific guidance for ***drinking*** water. In other words, the standards will be violated if the amount of plutonium, americium, strontium, cesium, or tritium in the ***raw*** water from the Rio Grande exceeds concentrations that are safe for ***drinking*** water. Contaminant levels in the Rio Grande, except briefly following runoff from infrequent severe storms on LANL property, are much lower than these new stringent standards.

Expert Arjun Makhijani, Ph.D., an engineer and national radiation exposure expert representing Amigos Bravos, supported the adoption of these new standards, although he argued for more. He stated in testimony that the adoption of these standards is based on current science, and does not utilize the old and obsolete reference man approach.

This proactive step by the BDD Board was taken for the purpose of providing a clear benchmark for monitoring and public disclosure of LANL contamination in the Rio Grande.

5. Accountability of Design Engineer. The engineering consulting firm that designed the BDD Project is legally responsible and accountable for its ability to meet all safe drinking water standards. Licensed professional engineers prepared and approved the project design as required by state law. The BDD water treatment plant includes both conventional and costly advanced water treatment processes. The filtration process efficiency is the best available. The BDD Project will produce excellent quality drinking water, better than required by all applicable drinking water standards.

6. NMED Green Light to Begin Operations. In its drinking water regulatory role, the NMED has reviewed the BDD Project design. The NMED will give the BDD Project the green light to begin operations before any delivery of drinking water from the BDD Project. NMED's regulatory role is to enforce the BDD Project's legal requirement to provide safe drinking water.

7. Independent Peer Review of LANL Contaminants. The Independent Peer Review, most recently, has provided an independent review focusing on contaminants in the Rio Grande, toxicology, and risk. This review concludes the BDD Project will provide safe drinking water.

The data underlying these conclusions are from multiple sources. The data are consistent. Many agencies and experts have reviewed the data. All have reached the same conclusion, which is: ***BDD drinking water will be safe and will not threaten consumers' health.***

PUBLIC QUESTIONS

I attended the third public meeting held by the Independent Peer Review team to present their final report and responses to public comments on their previous draft. Questions, which have been previously asked and answered, were repeated. These include the following.

Q: What about storm water runoff from LANL?
A: **The BDD Project will not divert from the Rio Grande when Los Alamos Canyon is discharging LANL storm water runoff to the Rio Grande. Even if storm water were to be diverted by mistake, the Buckman water treatment plant will reliably remove the contaminants.**

Q: Why is the BDD Project located where it is?
A: **The federal Environmental Impact Statement concluded that no other locations are practical or possible.**

Q: Do any of the evaluations of the BDD Project or the applicable drinking water standards rely on the so-called Reference Man?
A: No standard utilizing the old Reference Man concept has been used in evaluating the BDD Project.

Q: What is the meaning of the IPR conclusion of risk that exceeds 1 in 10,000?
A: This is the calculated risk of a hypothetical and overly conservative scenario: drinking water for a lifetime that contains the toxins and radionuclides found in the *raw water supply, before treatment.* More than half the risk is from naturally occurring arsenic, which the water treatment plant

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will remove. There is no health risk to customers drinking *treated* BDD Project water for a lifetime.

Q: Why did the Independent Peer Review not collect its own samples?
A: This was not necessary or practical. LANL, NMED, and the US Geological Survey over the last decade collected the data assessed by the IPR. These data are extensive, reliable and consistent. Collection of sufficient new data by the peer reviewer would have taken years, would have been extremely expensive, and was unnecessary and impractical. The Independent Peer Reviewer was charged with reviewing existing data, assessing existing studies, and drawing its own risk conclusions. Moreover, samples will continue to be collected and analyzed into the future. The BDD Project will have information describing any changed conditions.

Q: Why did the Independent Peer Review not address storm water?
A: The IPR did address storm water as shown in the IPR technical report. It says that the BDD Project should not divert storm water.

Q: Will you measure the contamination in the river, in diverted raw water, in drinking water and water treatment plant sludge? Will this data be public?
A: The BDD Project will perform extensive testing on all of the above. The data will be publicly reported.

Q: What is the early notification system? Why should we have faith in it?
A: The early notification system consists of three stream gages that measure arroyo runoff. All of the technology used is proven and reliable. One gage is near the mouth of Los Alamos Canyon at the Rio Grande. The other two are upstream. Information from these gages is sent by secure radio link to the BDD Project control room. Automated controls will shut down the BDD pumps that take water from the river before any contaminated water can flow out of Los Alamos Canyon and down the Rio Grande to the location of the BDD intake structure. Pumping from the river will not resume until the flood has flowed downstream of the BDD diversion location.

The BDD Project also includes real-time measurement of turbidity and sediment in the diverted water. BDD Operators will monitor real-time weather radar images. The diversion will be shut down anytime sediment levels get high, *regardless of whether or not Los Alamos Canyon is discharging storm water to the Rio Grande.* This is necessary to protect the project infrastructure from sediment deposition in the pipelines and pump stations and to avoid the high costs of treating water with high sediment concentrations. These considerations are independent of the contaminant concerns but will protect against intake of contaminants, almost all of which are adsorbed to sediment particles.

Q: What is the greatest risk to public health associated with raw water from the Rio Grande?

A: Pathogens, such as cryptosporidium and giardia, are by far the greatest risk. The BDD Project will efficiently remove these and all other toxic and pathogenic contaminants to reliably produce safe drinking water for the Santa Fe Community.

I am professionally qualified to evaluate all the work I describe herein and to present these conclusions and answers to the BDD Board. I have a Master of Science in Civil Engineering degree from New Mexico State University. My principal field of study was water and wastewater treatment engineering. My secondary graduate fields of study and subsequent professional experience include hydrology and the analysis and interpretation of water quality data. I have decades of directly relevant professional experience and have provided professional support for the BDD Project since 2004. I have served as plant manager of the Albuquerque wastewater system, plant operations manager and technical services manager of the Albuquerque drinking water system, and director of the New Mexico Interstate Stream Commission. I hold a current State of New Mexico license as a professional engineer.

Please let me know if you have any questions regarding this summary or the underlying work.

Sincerely,

/s/

Norm Gaume, P.E., BSEE, MSCE
BDD Project Consultant

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Madame Chair ~~and~~ AND Members of the Board: Mayor Coss

My name is Michael Crawford, I am a professional engineer with 35 years of experience in designing water, wastewater and hazardous waste treatment systems. I would like to briefly touch on three issues related to the IPR process.

First, it is my opinion that the IPR Risk Assessment Severely Over-Estimated the Associated Risk of Ingesting Potable Water from the Buckman WTP.

The IPR Risk Assessment assumed that residents of Santa Fe would theoretically drink RAW and UNTREATED Rio Grande river water rather than finished treated drinking water from the new $110 million state of the art Buckman Regional Water Treatment Plant (WTP). Obviously there is a significant difference between drinking raw water directly from the Rio Grande and finished filtered drinking water from the Buckman WTP. While the process and assumptions used by the IPR team can be debated for a long time, it is actually a moot point since we now have actual water quality results for treated drinking water. I would like to request that the Board make available to the public the analytical results of the Acceptance Testing phase. In particular, if the analytical results for arsenic, radium-226 and radium-228 (which were identified to represent over 90 % of the risk associated with drinking BDD treated water) are made available, then we can all recalculate the theoretical risk associated with BDD drinking water and put this issue behind us.

Second, a number of people have expressed concern that a remote monitoring early warning system will be prone to failure and thus allow pollutant excursions to be drawn into and pass through the Buckman WTP.

This concern is not warranted. The Buckman WTP is designed to treat Rio Grande water during BOTH dry and wet weather periods. The treatment facility will provide reliable treatment even during storm water events when turbidity and pollutant levels in the Rio Grande rise. This was demonstrated during the Pilot Treatability study in August 2005. While flow and turbidity readings from the early notification system will provide useful information to the operations staff, the early warning system is NOT critical to the reliability of Buckman WTP. The early notification system is an operational tool that does not impact finished water quality. The decision to close the influent gates is simply an option available to the operators to reduce cost due to sediment damage, not a protocol due to inadequate treatment capacity or excessive pollutant loads.

Third, the stormwater characterization from Los Alamos Canyon within the IPR Report is inaccurate. on the draft IPR

In the comments provided by NMED it was noted that additional data beyond the three sample results used by ChemRisk are available for characterizing runoff at the E110 monitoring location. I have consolidated 76 discrete sample results into a spreadsheet for the E110 location that were available from the RACER database and from NMED. I have provided copies of these spreadsheets to both the BDD technical staff and to NMED

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and I would suggest that this database be used in lieu of the analysis presented in Chapter 6 of the IPR report.

I appreciate the opportunity you have provided to comment on the IPR Report and the associated BDD project. I would like to compliment the Board and project staff on the transparency and openness of the process. I hope that this transparency and openness will continue in the future, and particularly during the next 6-month start-up period. I believe that such openness will eliminate uncertainty and fear, and result in public confidence for this project.

Michael A. Crawford, P.E.
Santa Fe County Resident

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