

REPORT OUT
From the Northern New Mexico Regional Conversation (N-NMRC) Meeting
28 April 2023

Prepared by
The Southwest Environmental Finance Center
Center for Water and the Environment
at The University of New Mexico

7 June 2023

The H2O Community Solutions Team Program is funded by the EPA

Introduction

Thank you all for joining us on for the Northern NM Regional Discussion for Friday April 28th from 10:00 am-1:00 pm. Thank you to our hosts Los Ojos MDWCA, La Asociación de Agua de los Brazos, and La Clínica del Pueblo de Río Arriba. Around 30 people joined us for the discussion (See the sign-in sheet on pages 8 - 12 of this report). Thank you for taking the time out of your busy schedules!

This report is meant to bring together what was discussed at the meeting on the 28th. Therefore, the SWEFC created this report with the following in mind:

1. to provide you with materials from the meeting;
2. to provide you with a summary of the conversation mapping exercise; and
3. to let you know the status of our work on the next meeting.

If we have missed something or something is not accurate, please reach out to, joni palmer: palmerjonim@unm.edu.

1. Materials From the Meeting

[Bill Conner](#), NMRWA, handed-out a PFAS Flyer at the meeting. Please see attached documents (page 13 of this report) for a digital version of the flyer. [Hannah Whittaker](#), RCAC, mentioned the Per Diem and Mileage Act Overview. An overview of the Act is included in this report (see pages 14-15). Lastly, below is the contact information for the “meter guys”:

- Chris Gutierrez t: (505) 948-1645
- Mike Garcia t: (505) 433-8090 | e: mike@nmmeters.com

Several other resources were mentioned during the meeting, please see page 16 of this report for an initial list (by no means is this list complete!) of resources for the region.

2. Summary of the Conversation Mapping Exercise

Sami Stroud and I (joni palmer) synthesized what we “heard” (your spoken words and what was written on the conversation mapping sheets) from you on the 28th. Thank you for participating in the conversation mapping exercise!

Below is a synthesis of each table conversation (3 tables). We have not included individual remarks. If there is anything you would like to add or correct, please contact me (joni palmer).

Table 1: Water Operators & Boards

Prompts: Water Operators
<ul style="list-style-type: none">✓ Recruiting✓ Hiring✓ Certification e.g., passing exams✓ Sharing operators with other systems✓ Costs?
Prompts: Your Board
<ul style="list-style-type: none">✓ How to deal with an aging board?✓ How to recruit?✓ Responsibilities of board – knowledge and training✓ Institutional memory✓ No interest

Concerns:

- Future of their system
 - **Aging board¹**
 - Volunteers (have liability)
 - Retired
 - Set in ways
 - Health issues
 - **No youth interest in water careers** (they look outside community for jobs)
 - Education system does not push water careers
 - No one to replace board members
 - Lack of financial incentives for operators
 - Liability for operators
 - No operators at proper level
 - No trust in outside entities
 - Lacking technical/computer skills
 - Renters cannot participate
 - Community declining
 - Lack of labor force
 - When the board does change, everything changes
- Frustration dealing with the state/outside organizations
 - Compliance officers always change, and new one's handle things differently = uncertainty
 - High/unrealistic expectations of state officials (ex. "State hired engineer to do sanitary survey with items that were ridiculous")
 - Difficult testing process (ex. "If you don't make it on time, you have to start the application process over.")
- Lack of engagement
 - People don't want to meet frequently
 - No participation
 - Time is valuable → board/operators don't have enough time to engage fully with everything

¹ Red Text are what appeared to be the greatest concerns

Ideas and Wants:

- **Support for board members**
 - Pay board members
 - Retirement for board members
 - Incentives for board members (monetary or otherwise)
 - Share board members between systems
 - Regional board with representatives of all systems
 - Tech assistance
 - Provide board trainings
- Support for operators
 - Pay operators salaries, with benefits (rather than contracting)
 - Backup operators or a network of operators in an area who could help each other out as needed
 - Provide operator training
 - Build capacity to hire operators
- NM 811 issues: share live locators/knowledge/etc.?
- Lead and copper rule: provide percentage of funding if property owner will come into compliance within a year
- Assets: operator with parks membrane → Lumberton operates membranes

Table 2: Your system's financial status

Prompts: Finances

- ✓ How have you gotten to this point?
- ✓ What are your financial challenges?
- ✓ How do you fund updates to your water system?
- ✓ What are possible ways to resolve financial challenges?
- ✓ Stabilizing finances?
- ✓ Insurance
- ✓ Rate setting

Concerns:

- Financial pressures causing them to raise their rates, using up reserve funds
- Loans
 - Debt is stressful
 - How to pay back loans?
 - Not enough people to afford loans
 - Not a big enough tax base compared to cities to afford loans
- How to market services to consumers?
- Inflation
- Insurance
 - Highest annual cost, but they never use it
 - Have to buy packages that include unnecessary coverage
- Getting into compliance
 - How to afford when grants/loans are often dependent on utility being in compliance already?
 - State sets high level requirements which are difficult to meet
 -
- NM 811

- Repairs
 - Contracting out repairs is expensive
- Grant applications

Ideas and Wants:

- Funding for infrastructure
- Funding for operators
 - Grants to pay for operator trainees
 - **Workman’s comp insurance for operators**
- Funding to get them in to compliance
- Cost sharing
 - **Insurance**
 - Group insurance for regional systems: could be state funded, at cheaper rate than private
 - Testing requirements
 - Equipment (radiometers, back hoes, tractors, excavators)
- Operator sharing
 - Pay a full-time operator to help out different communities and bookkeep for them
 - Backup operators
 - A network of operators in an area who could help each other out as needed
- Outside technical assistance
 - State level or RCAC personnel position to come out and help smaller communities as needed
 - People with knowledge of funding applications
 - Shared funding calendar as a resource
 - Funding workshops that meet more often than quarterly
 - Help with financial analysis of systems

What’s helped so far:

- Cost sharing with county helped finances
- Not contracting out repairs saved money

Table 3: What’s Next?

<ul style="list-style-type: none"> ✓ How can you help each other <u>and</u> How can we help you? ✓ Ideas for sharing information/resources and collaborating with other systems in the region: ✓ In what areas—TOP 2—do you need support? ✓ What might a 12-month plan look like to have regional conversations? ✓ <u>Prompts</u> ✓ Topics for future conversations (e.g., lead and copper) ✓ Our roles (SWEFC and NMED) ✓ How often to meet? ✓ Venues or online (platforms)? ✓ Who should be at these meetings?
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Means by which to **share resources**?

- #1: “We do not have the resources we need!”
- Multiagency and water association website to share resources, contacts, job listing/needs, comments, etc. *individual water system websites don’t work = lack of experience and time
- In-person meetings and trainings

- Virtual meetings, but need good internet

What resources to share?

- Line locator
- Funding
- Equipment (e.g., backhoe)
- Certified water operators
- Chemicals (e.g., chlorine)
- Contractors to do line inventory
- Shared insurance plans
- Grant writers

Ideas and wants

- Regional collaboration
- Regulatory calendar
- Funding deadlines calendar
- Training calendar with info
- Trainings/Classes: board training, operator trainings, accessing critical outlay, [how to get] certifications, project management, rate setting, finding funding, grant writing
- Statewide advocacy group
- Umbrella organization that provides support, workshops, visioning for future
- Compliance training and help
- Funding to update treatment facility (Lumberton)
- Big infrastructure needs improvement

3. Status of Our Work on the Next Meeting

The next meeting of the *Aguas del Norte Alliance* (name proposed at the 28 April meeting for this group) will be Friday 7 July, from 10 am – 1 pm at the Old Tierra amarilla Elementary gym at 32 NM State Road 531. The topic will be: Getting Ready to Apply for Funding: Upcoming deadlines (e.g., ICIP) & Other Sources. Melanie Delgado and joni palmer will be sending out an invite with a request for RSVP in mid-June via the listserv. Melanie will also be sending out funding information on weekly basis before the meeting.

We are working on the agenda for the meeting, which means we are working on getting folks to come to the meeting on the 7th to talk about: ICIP, NMFA (SRF and the Water Trust Board), and other funding sources (e.g., USDA).

Please let us know what you want from us in terms of support. As a start, see the list below of topics for future meetings, let us know* which of the following are of greatest interest to you.

What are the TOP 3 TOPICS you would like to us to focus on in upcoming meetings?

- Partnerships and Collaboration
- Meters
- NM Warn / County Emergency Response Plans
- Lead and Copper Rules
- PFAS
- Wastewater
- Networking session
- Other: please let us know!

*email your response to palmerjonim@unm.edu

Final Thoughts

We will be doing more outreach to Chamita, Ohkay Owingeh, Chama, and Dulce. We could use your help getting the word out about these regular quarterly meetings (with special topics meetings as needed): Please share information about events, and invite people to join the email listserv that Melanie created: env-northernnmdiscussion@state.nm.us. Send names and emails to [Melanie Delgado at NMENV](#) and she will get people on the listserv.

We look forward to working with you to connect the dots and build resilience into the water systems that are in Northern New Mexico!

SIGN-IN SHEET for Northern New Mexico Regional Conversation

EPA H2O Community Solutions Teams / Southwest Environmental Finance Center / NMED Northern NM Regional Conversation
 Friday 28 April, 2023 at the La Clínica del Pueblo de Río Arriba : US Hwy 84 County Rd 0324 House #14, Tierra Amarilla, 87575, NM

#	Name	Water system and Mailing Address	Telephone, Email, and Fax (if appropriate)	Op Cert # (If applicable)	Credit Hours (For Trainer Use Only)
1	Patrick Samora	TAMDWCA	T: 505-692-4485 E: patrick.samora@yahoo.com Fax:		
2	Jim Giesen	TAMDWCA	T: 505 481 9200 E: Fax:	12956	
3	Jose Aguirre Candelaria	LODWA PO Box 85 Los Ojos NM 87551	T: 575-877-8256 E: jose.candelario79@gmail.com Fax:		
4	Delvin Garcia	Abiquiu Water & Sewer	T: 505-929-1129 E: delvin2.garcia@gmail.com Fax:		
5	Charlotte Paetzold	Abiquiu Water PO Box 133 Abiquiu, 87510	T: 505-210-5959 E: buttons.cepegmail.com Fax:		

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EPA H2O Community Solutions Teams / Southwest Environmental Finance Center / NMED Northern NM Regional Conversation

Saturday March 18th, 2023 at the Soil Water and Conservation District Office, Tierra Amarilla, NM

#	Name	Water system and Mailing Address	Telephone, Email, and Fax (if appropriate)	Op Cert # (If applicable)	Credit Hours (For Trainer Use Only)
6	Ray ToFoyk	Lumberton, Water Assoc	T: 505 (444-1121) E: Fax:		
7	Chris Romero	Lumberton MDWCA	T: E: Fax: 575-209-0603		
8	Jose B Archulet	Los Ojos Box 154, NM 87551	T: 575-209-0606 E: Milt Archulet Fax: at gmail.com		
9	Chris Gutierrez	NM meters	T: E: Fax:	NM 13352	
10	Milt Garcia	NM meters	T: 505-433-0090 E: Fax:		

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#	Name	Water system and Mailing Address	Telephone, Email, and Fax (if appropriate)	Op Cert # (If applicable)	Credit Hours (For Trainer Use Only)
11	Teodoro Aboytá	Los BANCOS P.O. Box 102 Los Ojos, NM 87551	T: 505 927 9209 E: teddyaboyta@gmail.com Fax:		
12	MARK LAMB	HC 70 BOX 1051 LOS OJOS NM 87551	T: 575 779-4954 E: MARK.L.LAMB@EMMKS.STATE.NM.GOV Fax:		
13	WILLIE PICARO BILL PEASE	BARANCO MONCA P.O. BOX 1053 ABIQUI, NM 87510	T: 505 685-4352 E: 150407NJ@gmail.com Fax: BillJorrea.windstream.net		
14	Keith Wescott	PO Box 2158 PRWA P.O. Box 2158 ABQ NM 87154	T: 505-554-4663 E: KWescott6133@gmail.com Fax:		
15	D. J. Temings	Piñon Ridge WUA	T: 305-269-7282 E: Fax:		

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#	Name	Water system and Mailing Address	Telephone, Email, and Fax (if appropriate)	Op Cert # (If applicable)	Credit Hours (For Trainer Use Only)
16	Bill Connor	NMFWA	T: 505-533-1548 E: bill@nmfwa.org Fax:		
17	Joey Alvarez	Lumberton Water	T: E: Fax:		
18	Jess Casados	Ensenada Water	T: E: jesscasados2@hotmail.com Fax:		
19	Anthony Casados	Ensenada Water	T: E: 575-588-7285 (work) Fax:		
20	Ramon Lucero	RCAC	T: 505-819-7342 E: rlucero@rcac.org Fax:		

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 Saturday March 18th, 2023 at the Soil Water and Conservation District Office, Tierra Amarilla, NM

#	Name	Water system and Mailing Address	Telephone, Email, and Fax (if appropriate)	Op Cert # <i>(If applicable)</i>	Credit Hours <i>(For Trainer Use Only)</i>
21	Martha Cochran	NMRWA	T: 505.977.5733 E: martha@nmrwa.org Fax:		
22	Joseph Valdez	RCAC	T: 505-290-1721 E: jvaldez@rcac.org Fax:	N/A	N/A
23			T: E: Fax:		
24			T: E: Fax:		
25			T: E: Fax:		

PFAS NOTIFICATION - TIME SENSITIVE

The New Mexico Rural Water Association continues to monitor issues and regulatory efforts associated with PFAS, the forever chemical.

New Mexico is limited in its ability to regulate PFAS usage in the oil industry, such as adding PFAS to hydraulic fracturing fluid.

Commonly used chemicals include fluorinated benzoic salts, fluoroalkyl alcohol substituted polyethylene glycol, fluorosurfactants, meta-perfluoromethylcyclohexane and nonionic fluorosurfactant, which is the most commonly listed. "PFAS contamination in New Mexico has already ruined farms, dairies and threatened our water supply across my district. It puts lives, livelihoods, and this beautiful place we call home at risk", said U.S. Representative Teresa Leger Fernández.

There are hundreds of documented cases of produced water (water that comes out of the well with the crude oil and other fracking chemicals) spills each year in New Mexico.

Source: <https://nmpoliticalreport.com/2021/07/16/report-documents-pfas-use-in-fracking-in-new-mexico/>



As the MCL is established and these forever compounds are labeled hazardous substances, water and wastewater systems will see an increased financial burden for testing, treatment and remediation if detected in drinking water sources or effluent stream & biosolids.

POTENTIAL CONTAMINATION SOURCES

- Landfills
- Firefighting Facilities
- Airports
- Bio Solid Disposal on Land
- Manufacturer

The US DOD improperly disposed of AFFF at Holloman and Cannon air force bases for decades, causing groundwater contamination in the area. The DOD didn't disclose the contamination until 2018 and, as a result, the New Mexico Environment Department is suing the DOD.

Source: <https://nmpoliticalreport.com/2021/06/07/nmed-investigates-size-of-pfas-plumes-in-eastern-new-mexico/>

THERE ARE NO THRESHOLDS OR COSTS TO REGISTER.

- The action taken is cost recovery not punitive.
 - It is filed against the global manufactures of these forever compounds thus does not impact a local company who may have used them.
- There is no threshold to register, even if the system has not tested.
Definitely, if there are detects at any level, the system should register onto the cost recovery rolls.
- There is no upfront cost to register onto the rolls and benefit from this action.
The program can be described as an insurance policy without a premium.

REGISTER NOW

HOW TO REGISTER?

Again, there is no threshold to register your utility and protect your utility and ratepayers from this financial burden. There are 3 ways to register your utility:

Register at www.napolilaw.com/nrwa-pfas.

There is also additional information on PFAS, the cost recovery action and the law firm.

- Email **Sam Wade**, former CEO of the National Rural Water Association, at Swade@napolilaw.com
- Contact **Sam Wade** by phone at (580) 917-1425

To help utilities with the financial burden of testing, treatment and remediation, New Mexico Rural Water supports the National Rural Water PFAS Cost Recovery Program which allows utilities the opportunity to register at, no cost, and be eligible to have their current and projected future expenses reimbursed from a legal settlement against the global manufacturers of these compounds.

CONTACT SAM WADE

Per Diem and Milage Act Overview

Per Diem for Meeting Attendance Statute

H. "public officer" or "public official" means every elected or appointed officer of the state, local public body or any public post-secondary educational institution. "Public officer" or "public official" includes members of advisory boards appointed by any state agency, local public body or public post-secondary educational institution.

10-8-4. Per diem and mileage rates; in lieu of payment.

A. Notwithstanding any other specific law to the contrary and except as provided in Subsection I of this section, every nonsalaried public officer shall receive either reimbursement pursuant to the provisions of Subsection K or L of this section or per diem expenses in the following amounts for a board or committee meeting attended; provided that the officer shall not receive per diem expenses for more than one board or committee meeting that occurs on the same day; or for each day spent in discharge of official duties for travel within the state but away from the officer's home:

(1) forty-five dollars (\$45.00) if the officer physically attends the board or committee meeting for less than four hours or the officer attends a virtual meeting of any duration during a single calendar day; or

(2) ninety-five dollars (\$95.00) if the officer physically attends the board or committee meeting for four hours or more during a single calendar day.

B. Every salaried public officer or employee who is traveling within the state but away from the officer's or employee's home and designated post of duty on official business shall receive either reimbursement pursuant to the provisions of Subsection K or L of this section or for each day spent in the discharge of official duties, the amount established by the department of finance and administration for the fiscal year in which the travel occurs. The department of finance and administration shall establish the reimbursement rate to be used for the next fiscal year by May 1 of each fiscal year; provided that such rate shall take into consideration the rates available for lodging, meals and incidentals as determined by the United States general services administration for that period of time.

D. Every public officer or employee shall receive up to the internal revenue service standard mileage rate set January 1 of the previous year for each mile traveled in a privately owned vehicle or eighty-eight cents (\$.88) a mile for each mile traveled in a privately owned airplane if the travel is necessary to the discharge of the officer's or employee's official duties and if the private conveyance is not a common carrier; provided, however, that only one person shall receive mileage for each mile traveled in a single privately owned vehicle or airplane, except in the case of common carriers, in which case the person shall receive the cost of the ticket in lieu of the mileage allowance.

H. Per diem received by nonsalaried public officers for travel on official business or in the discharge of their official duties, other than attending a board or committee meeting, and per diem received by public officers and employees for travel on official business shall be prorated in accordance with rules of the department of finance and administration or the governing board.

Travel Reimbursement 10-8-4(K) NMSA 1978

K. With prior written approval of the secretary or the secretary's designee or the local public body, a nonsalaried public officer of a state agency or local public body, a salaried public officer of a state agency or local public body or a salaried employee of a state agency or local public body is entitled to per diem expenses under this subsection and shall receive:

(1) reimbursement for actual expenses for lodging; and

(2) reimbursement for actual expenses for meals and incidentals not to exceed the maximum amounts for in-state and out-of-state travel established by the department of finance and administration for the fiscal year in which the travel occurs; provided that the department of finance and administration shall establish the maximum rates for the reimbursement of actual expenses for meals and incidentals as described in Subsections B and C of this section.

Two types of Travel Reimbursements are Per Diem (approved rates) or Actuals. Travel is based on a 24-hour period.

Actuals: Employees must have prior approval from their agency head or designee to request actual reimbursements. Itemized receipts must accompany all actual reimbursement requests.

In the event lodging costs exceed \$215 per night, additional approval is required from the agency head.

Per Diem (approved rates): Approved rates can be requested regardless of expenditure if the employee is on approved travel. Approved rates are not an option if the agency or a third party pay for meals or lodging on behalf of the employee. Receipts are not required for per diem reimbursements. Receipts would be required for "other" costs not associated with per diem. Transportation, etc.

State of New Mexico Per Diem Rates			
As Published by DFA on May 1, 2022. FY23 rates are effective July 1, 2022.			
Per Diem Rate for Overnight Travel	FY21	FY22	FY23
In-State	85.00	151.00	155.00
In-State - County of Santa Fe (Special Area)	135.00	194.00	202.00
Out-of-State	115.00	151.00	155.00
<i>With the exception of Santa Fe County, per diem rates are set at the standard GSA rate.</i>			
Meal Rates for Actual Reimbursements	FY21	FY22	FY23
In-State	30.00	55.00	59.00
Out-of-State	45.00	55.00	59.00
<i>Note: Meals are only reimbursable when using approved actual rates (per 24-hour period)</i>			
Partial Day/Return from Travel/Same Day	FY21	FY22	FY23
less than 2 hours	-	-	-
2 hours but less than 6	12.00	18.00	20.00
6 hours but less than 12	20.00	40.00	42.00
12 hours but less than 24	30.00	55.00	59.00
<i>The Travel & Per Diem Act allows for actual reimbursement when per diem rates are insufficient.</i>			

Per-diem rates can be found on the DFA Website <https://www.nmdfa.state.nm.us/financial-control/resource-information/memos-and-notice/>

Mileage Rates for Personal Vehicle

The state uses 80% of the IRS Standard Mileage rate but local public bodies can use 100%. The IRS Standard Mileage Rates can be found at <https://www.irs.gov/tax-professionals/standard-mileage-rates>

The following table summarizes the **optional** standard mileage rates for employees, self-employed individuals, or other taxpayers to use in computing the deductible costs of operating an automobile for business, charitable, medical, or moving expense purposes.

Period	Rates in cents per mile			Source
	Business	Charity	Medical Moving	
2023	65.5	14	22	IR-2022-234

Helpful Notes

- Adopt regulations for per-diem and travel reimbursement.
- Budget for per-diem and travel expenses.
- The travel period begins at the time of departure and ends at the time of arrival/return.
- Meals cannot be purchased before the travel begins. Meals must be purchased during the travel period.
- Receipts should not contain unallowable items such as liquor, etc. as determined by adopted rules.
- If lodging and/or meals are provided by the association or a third party, employees should use actual reimbursements

Resources Sheet for Northern NM Group

- SWEFC main webpage: <https://swefc.unm.edu/home/>
- SWEFC Integrated Asset Management Framework Webpage: <https://swefc.unm.edu/iamf/>
- SWEFC Asset Management InfoHub: <https://swefcamswitchboard.unm.edu/am/>
- SWEFC Wastewater InfoHub: <https://infohub.swefc.unm.edu/>
- SWEFC Water Loss InfoHub: <https://swefc.unm.edu/wlswitchboard/>
- SWEFC State Revolving Fund InfoHub: <https://swefcsrfswitchboard.unm.edu/srf/>
 - Resources for NM SRF: <https://swefcsrfswitchboard.unm.edu/srf/new-mexico-state-revolving-fund-resources/>
- New Mexico Water and Wastewater Funding Table, updated 2019: <https://efcnetwork.org/wp-content/uploads/2019/07/NM-Water-Wastewater-Funds-2019.pdf>
- PFAs Cost Recovery Program (sign up here): <https://nrwa.org/cost-recovery/>
- EPA webpage on revised lead and copper rule: <https://www.epa.gov/ground-water-and-drinking-water/revised-lead-and-copper-rule>
- NM 811: <https://geocall.nm811.org/geocall/portal>
- RCAC Trainings Calendar: https://www.events.rcac.org/rcac/calendar.asp?Cal_View=YEARVIEW&Cal_Day=1