Regional Water Commons
Monthly Meeting Agenda Packet

Next Meeting:

WEDNESDAY, NOVEMBER 17, 2021 AT 9:00AM

MICROSOFT TEAMS MEETING

Agenda Packet Includes:

A. *Next Meeting's Agenda*
B. *Attachments*
C. *Training Opportunities*
D. *Previous Meeting Packet*
E. *Agenda, Meeting Notes, Takeaways*
F. *Presentation Slides*

McKinley County
207 West Hill Avenue
Gallup, NM 87301

NW Council of Governments
106 West Aztec Avenue
Gallup, NM 87301

Regional Water Commons (RWC)

a joint program with McKinley County and its working partners

AGENDA PACKET

Regional Water Commons

Next Meeting

Wednesday, November 17, 2021
9:00AM – 10:00AM

Microsoft Teams Meeting

Link Here

REGIONAL WATER COMMONS

MONTHLY MEETING

Wednesday, November 17, 2021

9 AM — 10 AM

Virtual Meeting

A G E N D A

WELCOME	*Angelina Grey, COG*
PRESENTATIONS *Capital Outlay* *State Water Plan, Region 6 Water Planning*	*Angelina Grey, COG* *John Mumm, OSE/ISC* *Dominique Cartron , DBS&A*
SYSTEMS LIGHTNING ROUND	*Water Systems*
COG REVIEW / UPDATES	*Angelina Grey*
STANDING PARTNER UPDATES	*NMED, RCAC*
CLOSING	*Angelina Grey*

REGULAR MEETING SCHEDULE:

These "coffee hour" meetings will give small water systems an opportunity to discuss issues, get updates and news, provide guidance, training, etc. This is your time to connect with the County and its working partners to establish a line of support and communication to work towards efficient planning strategies.

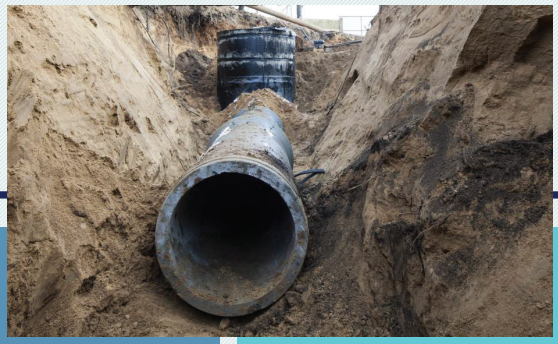
Third Wednesdays of every month, from 9am to 10am.

Meetings are virtual until further notice.

NEXT MEETING – Wednesday, December 15, 2021, from 9:00AM to 10:00AM

No changes to meeting dates / times.

Regional Water Commons Monthly Meeting



Wednesday, November 17, 2021
9AM — 10AM

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CLOSING	*Doug Decker*

PRESENTATION

Angelina Grey (COG Planner)
agrey@nwnmcog.org

Capital Outlay

DEADLINE FOR SUBMISSION: THURSDAY, JANUARY 13TH, BY 3:00pm

PRESENTATION

John Mumm, State Water Planner, OSE/ISC
john.mumm@state.nm.us

Dominique Cartron, Attorney
dcartronlaw@cybermesa.com

NM State Water Plan

Region 6, Regional Water Planning

SYSTEM LIGHTNING ROUND

Open floor for Water Systems and other attendees

- **Other key issues to discuss**
- **Topic suggestions for next meeting**

COG REVIEW / UPDATES

Rural Water Summit

Agenda Packet – *completed.*
Go to http://www.nwnmcog.com/rural-water-summit.html

Other Updates

Capital Outlay: Deadline for Submission: **Thursday, January 13, 2021, by 3:00PM**

Mini-workshop for New Small Water Systems: **TBD**

Upcoming Webinars: *viewing at COG office*

1. "How Software Solutions and the Infrastructure Bill Intersect"
   Thursday, November 14th, from 1:00PM – 2:00PM

STANDING PARTNERS

NMED, RCAC

News and Updates

CLOSING

1. Closing Remarks
2. Questions or Comments
3. Issues or Concerns

Next Meeting:
Wednesday, December 15, 2021

CONTACT INFORMATION

McKinley County

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Doug Decker
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NWNM Council of Governments (COG)

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Associate Planner II
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www.nwnmcog.com

CONTACT INFORMATION

Standing Partners

NM Environment Department (NMED)

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Karen Torres
SWIG Community Service Program Manager
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Catherine Conran
SWIG Community Services Coordinator (NW region)
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catherine.conran@state.nm.us

www.env.nm.gov/drinking_water/

Rural Community Assistance Cooperative (RCAC)

Olga Morales
Assistant Director
(575) 382-6992
omorales@rcac.org

Ramon Lucero
rlucero@rcac.org

www.rcac.org

NEWSLETTER – October 4, 2021

New Mexico 50 Year Water Plan Resilience Assessment

Smart Water Management –
Sustainability –
Equity –

Climate and Water Advisory Team Assessment and Data

Climate Change in New Mexico Over the Next 50 Years: Impacts on Water Resources

This report is the Leap Ahead Analysis Assessment, is a scientific report describing climate change impacts to water resources in New Mexico. It was prepared by a team of climate and water resources scientists convened by New Mexico Bureau of Geology & Mineral Resources (NMBGMR). This report will inform the development of the 50-Year Water Plan, in preparation by the New Mexico Interstate Stream Commission (NMISC).

This report is a separate document from the New Mexico 50-Year Water Plan.

PUBLIC INPUT

The NMBGMR and the NMISC want to hear from you about your concerns and suggestions related to the scientific analysis in this report and welcome your feedback. ***Public involvement is particularly important in this project.***

Comments, questions and concerns on the Leap Ahead Analysis Assessment regarding water and climate policy should be submitted though the New Mexico 50-Year Water Plan Comment Form at the following link:
https://nmose.isc.commentinput.com/?id=dZPsW.

The deadline for public comments is midnight on the evening of October 15, 2021.

Resilience Assessment –

The NM Interstate Stream Commission hosted seven public webinars on evaluating resilience, resilience definition and assessment based on sectors of water use.

Resilience Assessments:

- ✓ Agriculture and Livestock Watering – NMISC
- ✓ Public Water Systems and Domestic Wells – NMISC
- ✓ Watersheds and Habitat – NMISC
- ✓ Industrial, Commercial, Mining, and Power – NMISC
- ✓ Recreation and Quality of Life – NMISC

Evaluating Resilience of Sectors:

- ✓ Evaluating Resilience of Irrigated Agricultural Areas
- ✓ Evaluating Resilience of Public Water Systems

To review these presentations, click this link: In Case You Missed It! Previous Meeting Recordings

RELEASE OF RESILIENCE ASSESSMENT SURVEYS FOR PUBLIC AND WATER SECTOR USE

Release date October 18

Resilience Assessment Survey will be open for public comment until November 30.

Throughout the entire project, you may submit a comment or question on any topic relevant to this report via our Public Comment Form.

PLEASE PARTICIPATE IN THESE SURVEYS:

- ✓ **Input on Assessing Resilience in the Watersheds and Habitat Sector Survey between September 28 - October 8**
  Survey: Matrix for Assessing Resilience of Watersheds and Habitat
- ✓ **Input on Assessing Resilience in the Industrial, Commercial, Mining and Power Sector Survey between September 29 - October 9**
  Survey: Matrix for Assessing Resilience of Industrial, Commercial, Mining and Power Sector
- ✓ **Input on Assessing Resilience in the Recreation and Quality of Life Sector Survey between September 30 - October 10**
  Survey: Matrix for Assessing Resilience of Recreation and Quality of Life

UPCOMING EVENTS

OCTOBER 26-28, 2021

NEW MEXICO WATER RESOURCES RESEARCH INSTITUTE CONFERENCE

EARLY NOVEMBER

THE US ARMY CORPS OF ENGINEERS WILL HOST VIRTUAL WORKSHOPS ON THE CLIMATIC REGIONS IMPACTS AND RESILIENCE AS FOLLOWS:

***Region 1 – Nov 3 @ 9am**
***Region 2 – Nov 3 @ 2pm**
***Region 3 – Nov 5 @ 9am**
***Region 4 – Nov 5 @ 2pm**

***Links to be provided in the future**

NOVEMBER 2021

STATE/TRIBAL WATER SUMMIT (TENTATIVE)

JANUARY 12-13, 2022

NEW MEXICO WATER DIALOGUE's 28th ANNUAL CONFERENCE

An Unprecedented Water Crisis: A Time to Act

SMART WATER MANAGEMENT – We must be good stewards of our precious water supply and prepare for the impact of our changing environment

SUSTAINABILITY – We must manage our water to meet the needs of today while ensuring a reliable supply of clean water for future generations

EQUITY – a system that serves all New Mexico

Please take the Resiliency Survey open from:
September 1 – October 31:

50-Year Water Plan: Resilience Survey

In Case You Missed It!
Previous Meeting Recordings

Media, Water Data Stories, and Info-videos

Adaption Strategies - The adaption plan will provide an update on the readiness of New Mexicans to prepare for changing water resource conditions. The goal of the strategy development is to reduce risk and improve water resilience for the future.

Regional Water Commons (RWC)

AGENDA PACKET

Regional Water Commons

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Regional Water Commons

Wednesday, September 15, 2021, 9:00AM – 10:00AM
Microsoft Teams Meeting
Recording Here.

Meeting Minutes

Attendees:

Bill Connor	NMRWA Executive Director	bill@nmrwa.org
Ramon Lucero	Regional Program Manager, RCAC	rlucero@rcac.org
Dominique Cartron	DBS&A Attorney	dcartronlaw@cybermesa.com
Doug Decker	McKinley County Attorney	doug.decker@co.mckinley.nm.us
Catherine Conran	NMED	catherine.conran@state.nm.us
Karen Torres	NMED	karenm.torres@state.nm.us
Lucinda Blea	Ramah WSD	ramahwaterdistrict@gmail.com
Mike Daly	White Cliffs MDWUA	arrowengineering1@gmail.com
Scott Williams	Whispering Cedars MDWUA	popeye_59@yahoo.com
Rockelle Lengefeld	Williams Acres WSD	wasanitation@hotmail.com
Paul Spencer	Bluewater WSD	unopablocy60@gmail.com
Angelina Grey	COG Planner	agrey@nwnmcog.org
Evan Williams	COG Executive Director	ewilliams@nwnmcog.org
(505) 507-7536		
(505) 870-0730		

1. **Welcome**. Angelina Grey, COG Planner, opened the meeting at 9:02AM. Reminded attendees that the meeting will be recorded. Introduced presenters. Meeting link above.

2. **Presentations**. The invited presenters were Ramon Lucero (Regional Project Manager, RCAC) and Dominique Cartron (Attorney, Daniel B. Stephens & Associates).

   Regionalization Case Study: Ramon Lucero
   - Overview of current infrastructure needs, the history of infrastructure reporting and state funding reform for drinking water systems, capacity development and recommendations for sustainable infrastructure.
   - The American Council of Engineering Companies (ACEC) developed the 2017 New Mexico Water and Wastewater Infrastructure Needs. Reviews consistent with 2012 reporting data.
     - Gave damaging grading scores of Ds and Cs based on overall capacity, condition, funding, operation and maintenance, planning, public safety, resilience, and future needs.
     - Identified massive infrastructure funding need to $1.3 billion for statewide projects.

    - NM recurring revenue for FY2020 projected at $7.5 billion.
    - Current and existing conditions to water infrastructure remains unchanged; continues to deteriorate.
- A 2011 American Water Wastewater Association (AWWA) national report found:
    - Western U.S. facing a tough challenge with infrastructure investments and funding capacities, with small communities facing the greatest cost.
- (NM, 2005) House Joint Memorial 86 Report: Criteria for Water System Planning, Performance, and Conservation. Need for set standards and guidelines for water systems that also provides free technical assistance and training opportunities and enforce regulatory compliance. Other crucial factors include:
    - Creating incentives through funding programs.
    - Encourage the development of regional entities.
    - Improve project construction oversight.
- Funding criteria for state agency programs.
    - Important for water systems to have the following organized and functioning:
        - Financial plans, including adequate rate structures
        - Asset management and planning
        - Regulatory compliance with OSE, NMED, Safe Drinking Water Act
        - Inter-agency connection and administration for technical accessibility and capacity. ICIP to Capital Outlay, WTB, etc.
- Regulatory compliance needs for small drinking water systems include:
    - Compliance with state agencies.
    - Develop managerial, financial, and operational capacities, including debt and financial reserves.
    - Proactive Operation & Maintenance (O&M).
    - Data Management.
- Case study reviews of other water regionalization projects around the state.

<u>Water Regionalization</u>: Dominique Cartron presented on the process and progress of the County's water regionalization project. Researched and assessed options for regionalizing water systems.

- Regionalization initiative for McKinley County's small water systems, and review of the Navajo-Gallup Water Supply Project (NGWSP).
- Regionalization opportunities include collaborative planning, improvement of management and operations efficiency through shared resources and services, and economies of scale. Review of case studies.
- McKinley County moving forward with water regionalization to help address the many issues and problems surrounding managerial and financial capacities, infrastructure needs, etc.
- Options for McKinley County include Memorandum of Agreement. An agreement among interested parties to share some resources to fund the hiring of an office manager and a certified water operator. Interested parties (water systems) will retain their autonomy in regard to other assets. Favored option.

- Water & Sanitation (Super) District. The merging of WSDs, including water supplier's service area. Option has a very extensive legal process and expensive. Not the most efficient option.
- Regional Mutual Domestic. The merging of mutual domestics, as defined under the Sanitary Projects Act merger clause. McKinley County does not have enough mutual domestics to make this a viable option.
- Joint-Powers of Agreement (JPA) will require:
    - Committee selection for board of directors from each member water system. Will delegate powers and duties and hire professionals to begin the compliance process for member water systems.
    - Non-committed water systems have the option to contract required services from the "alliance" created through the JPA. Will also have the option to join the "alliance" at a later date/time.
    - JPA process to begin soon with three initial systems: White Cliffs MDWUA, Gamerco WSD and Yahtahey WSD. Meetings to be scheduled with each system in October 2021. Stay tuned.

3. **Systems Lightning Round**. Ms. Grey gave the floor to attending water systems. Questions regarding meeting dates and times were posed and if anyone wishes to suggest any changes.
    - No updates from attending water systems.
    - No changes to meeting dates and times.

4. **COG Review / Updates**. Ms. Grey provided brief updates on the following.
    - Rural Water Summit. Agenda packet pending. To be posted soon.
    - ICIPs for special districts completed. Awaiting final confirmation from DFA.
    - Water Trust Board. Application window currently open. Schedule meetings will applicant water systems to review checklist of items needed.

5. **Standing Partners Updates**. Ms. Grey asked if NMED or RCAC have any updates to share with the group.
    - No updates from RCAC.
    - NMED launched StoryMap to provide drought information to public water utilities. Handouts attached. For more information, go to https://nmenv.maps.arcgis.com/apps/MapSeries/index.html?appid=4029d1298b4c42aabda3dfdbe92baff5
    -

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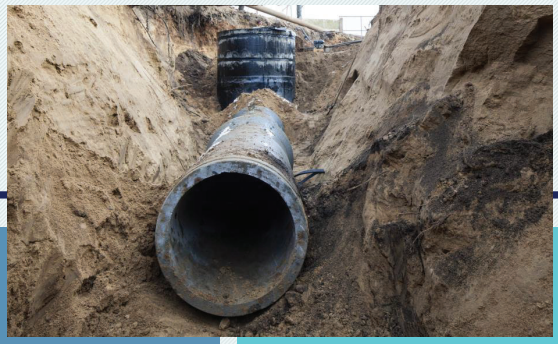

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CLOSING	*Doug Decker*

PRESENTATION

Rural Communities Assistance Cooperative (RCAC)
Ramon Lucero
rlucero@rcac.org

Water Regionalization Case Study
El Valle Regionalization

MCKINLEY COUNTY REGIONAL WATER COMMONS SEPTEMBER 15, 2021

Ramon Lucero, Regional Field Manager

RCAC

- Current Infrastructure Needs & Funding Sources
- Technical Assistance (Capacity Development)
- Results of Efforts to Establish State Standards for Water System Funding (HJM 86)
- Recommendations for Sustainable Infrastructure

A SHORT HISTORY OF FUNDING REFORM

BURIED NO LONGER: 2011 AWWA REPORT

- **The needs are large:** Drinking water system infrastructure needs total more than $1 trillion nationwide over the next 25 years.
- *This estimate only includes costs to maintain our existing level of service – additional costs due to failing supplies are unknown.*
- **Household water bills will go up:** Regardless of allocation methods, the total cost that must be borne by every community will rise

According to the American Council of Engineering Companies (ACEC) 2017 Report, New Mexico's Water and Wastewater Needs Total:

$1,336,000,000 Billion

To provide some perspective on this massive funding need, the State of New Mexico's Recurring Rev. in FY20 are projected at: $7.5 Billion

2017 NEW MEXICO INFRASTRUCTURE REPORT CARD

- While the nation's infrastructure earned a D+ in 2017, New Mexico faces infrastructures challenges of its own;
- In 2012, ACEC gave New Mexico a C- with respect to water and a C with respect to wastewater infrastructure;
- Criteria used to determine the grade included capacity, condition, funding, operation and maintenance, planning, public safety, resilience and future needs.

INFRASTRUCTURE FUNDING NEEDS

- Many of New Mexico's potable water systems are deteriorating at an ever-increasing rate due to the age of the systems. The systems have been serving their communities very well over the years with safe reliable water, but routine maintenance and rehabilitation must be increased for there to be any chance of keeping with the sustainability goal for future generations.

BURIED NO LONGER: 2011 AWWA REPORT

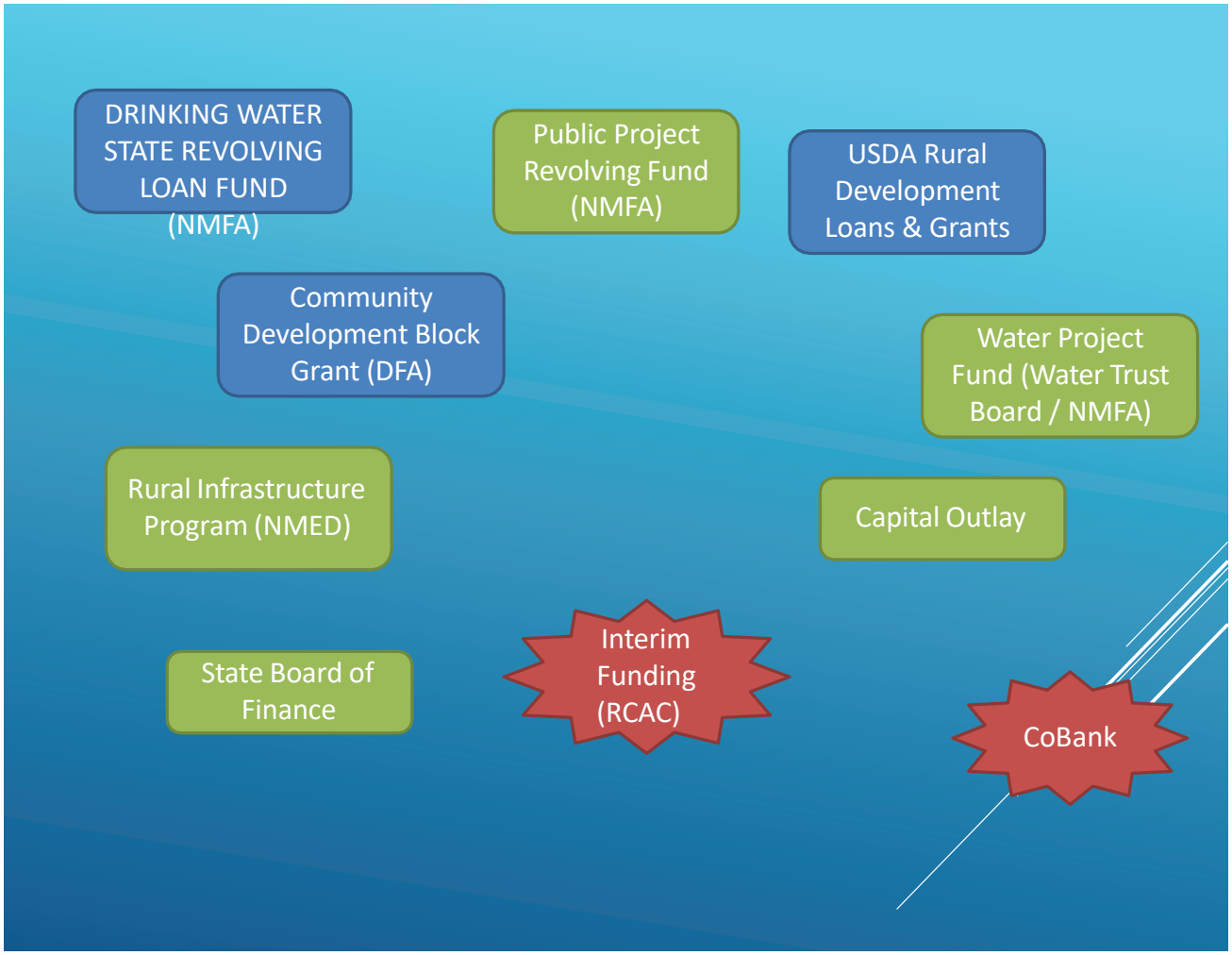
- **There are important regional differences:** the western and southern US face steeper investment challenges, over ½ the total costs
- **Small communities face the greatest costs:** fewer people to spread costs over leads to higher bills, as much as a $550/year increase
- **The costs keep coming:** postponing water infrastructure investment only makes the problem worse when the bill comes due

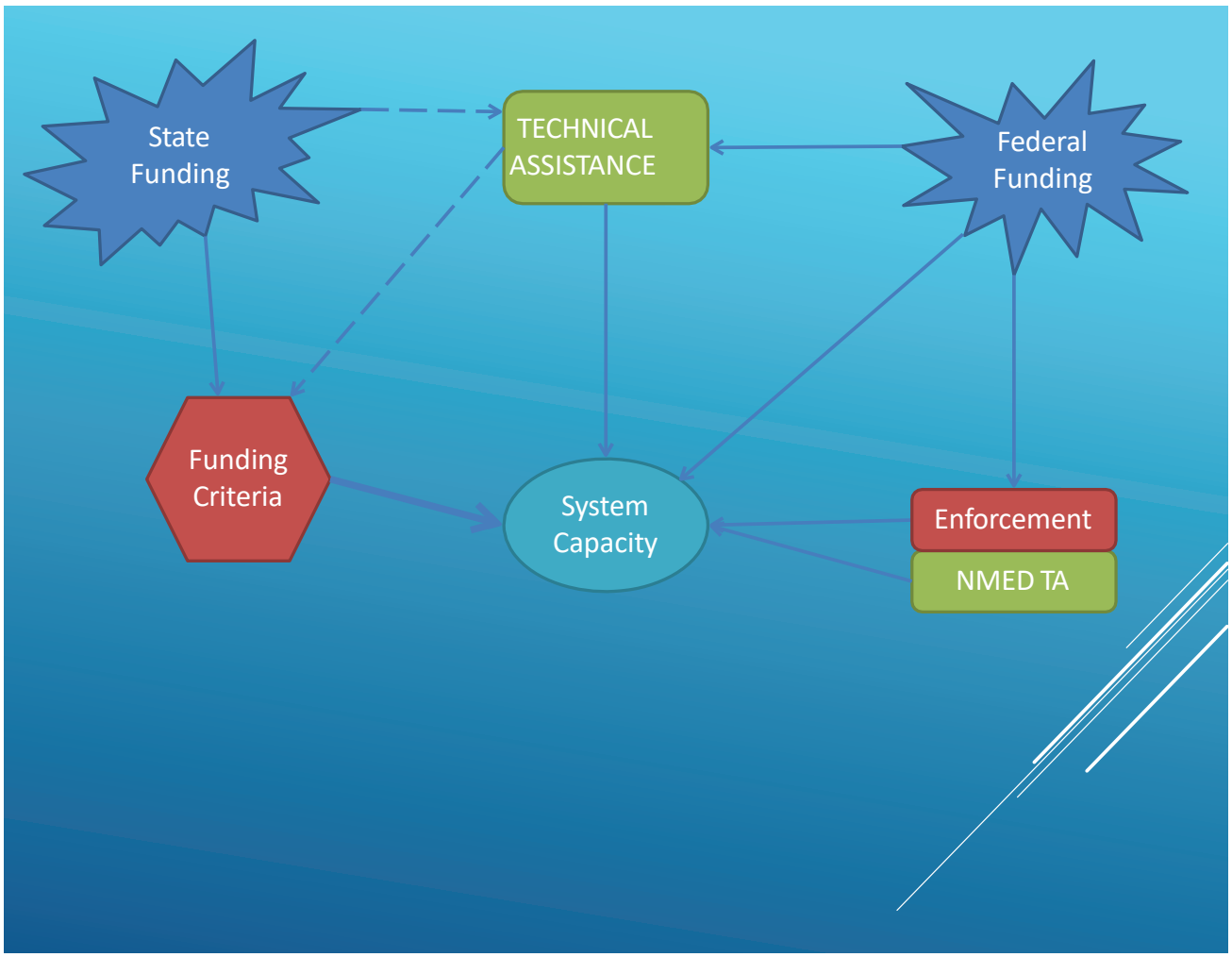
HJM 86 Report: Criteria for Water System Planning, Performance, and Conservation as a Condition for State Funding (2005)

- ❑ Set state standards with clear guidelines
- ❑ Provide “free and easy” technical assistance and training
- ❑ Enforce regulatory compliance

HJM 86: Criteria for Water System Planning

- ❑ Create incentives through funding programs
- ❑ Encourage development of regional entities
- ❑ Package grant/loans to extend benefits
- ❑ Require better project construction oversight


DRINKING WATER STATE REVOLVING LOAN FUND (NMFA)
Public Project Revolving Fund (NMFA)
USDA Rural Development Loans & Grants
Community Development Block Grant (DFA)
Water Project Fund (Water Trust Board / NMFA)
Rural Infrastructure Program (NMED)
Capital Outlay
State Board of Finance
Interim Funding (RCAC)
CoBank

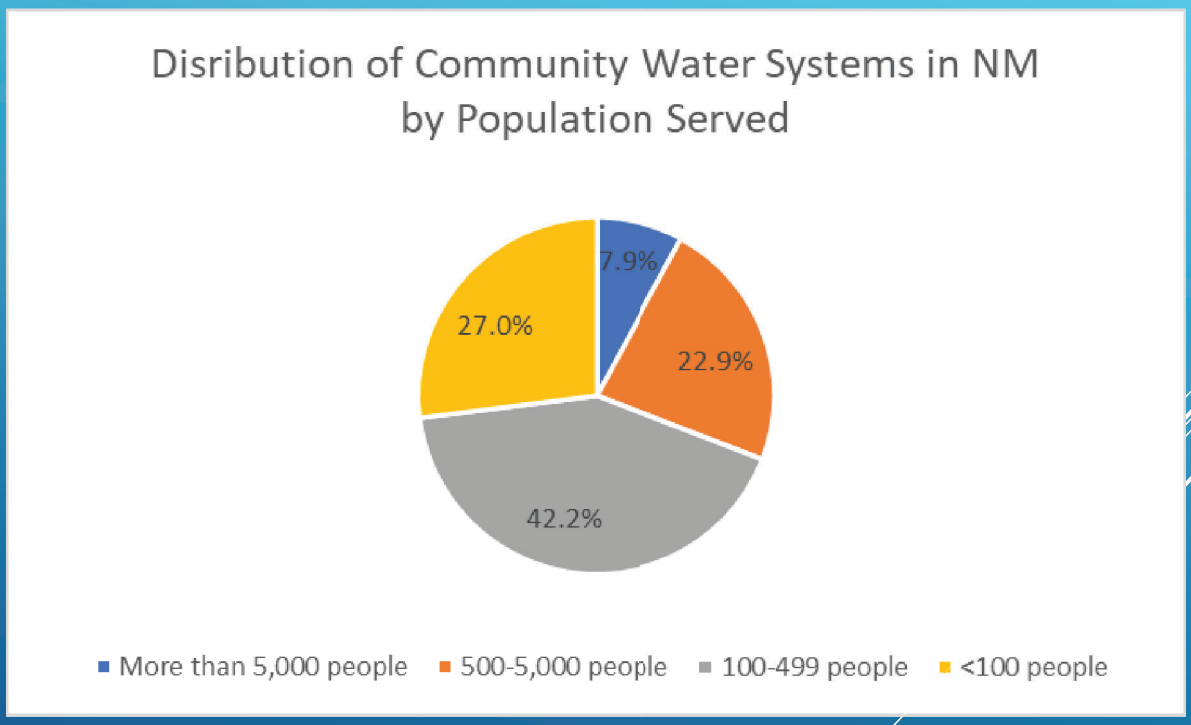

State Funding
TECHNICAL ASSISTANCE
Federal Funding
Funding Criteria
System Capacity
Enforcement
NMED TA

FUNDING CRITERIA – WTB & OTHERS

- Financial Plan / Adequate Rate Structure
- Sufficient Project Governance Structures
- Asset Management Plan
- Water Accounting System with Full Metering
- Regulatory Compliance (OSE, NMED & SDWA)
- Technical Capacity – new addition for WTB
  - Cross-Connection Control Program
  - Source Water Protection Plan

New Mexico Water System Facts	
Community Water Systems	588
Non-Transient Non-Community	144
Non Community Systems	408
Systems >25,000 population	11
Groundwater Systems	95%

410 serve fewer than 500 people; and, of these, 160 community water systems serve fewer than 100 people.



SMALL RURAL COMMUNITIES WATER PROJECT NEEDS AND CHALLENGES - CONTINUED

- Volunteer board: difficult for volunteers to meet all state requirements. Board members are either aging or are working and serving on the board. People don't want to volunteer. (younger members don't/can't volunteer – busy at work)
- Limited capacity because of unpaid staff
- Systems are small and have limited funds to keep up with operations and reporting

SMALL RURAL COMMUNITIES WATER PROJECT NEEDS AND CHALLENGES - CONTINUED

- Our system is getting old (this is a common factor for many systems across the state)

Regulatory Compliance

- Compliance with seven state agencies

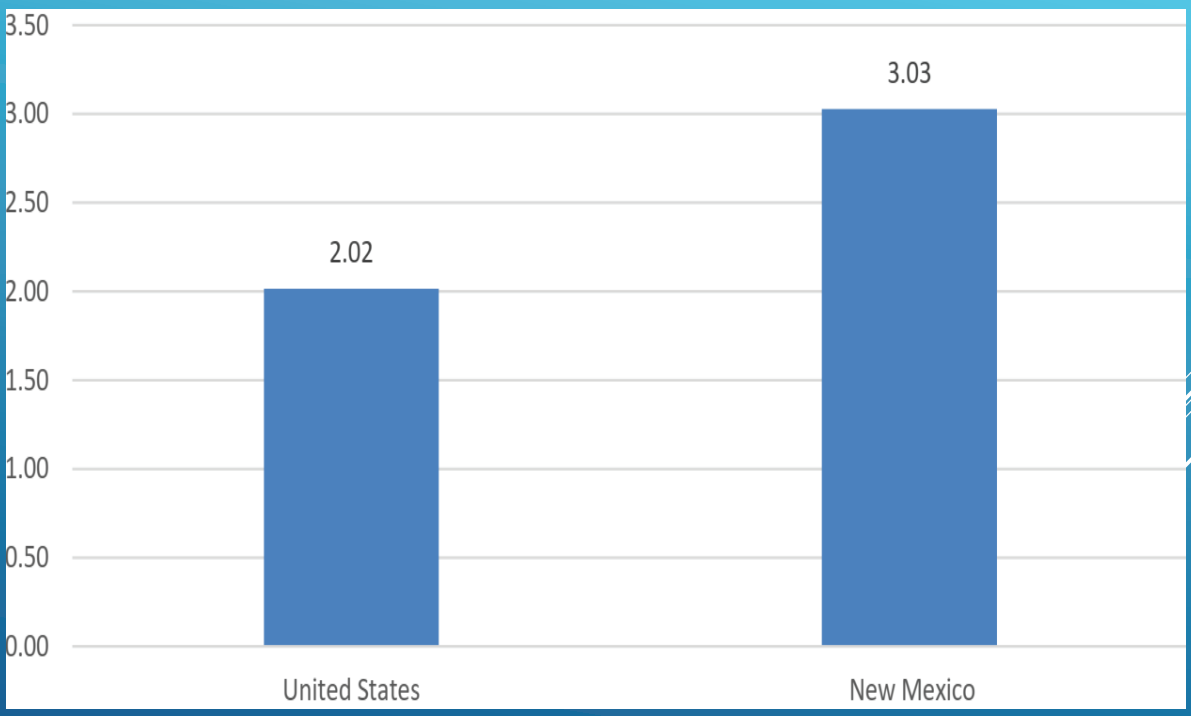
- Managerial & Operational Capacity
  - Provide safe drinking water 24/7
  - Technical, Managerial and Financial Capacity
  - Proactive Operation & Maintenance
  - Data Management
  - Debt Capacity & Financial Reserves

SMALL RURAL COMMUNITIES WATER PROJECT NEEDS AND CHALLENGES - CONTINUED

- Compliance with state agencies requires electronic reporting and not everyone has access to internet, computer, scanning capabilities (sometimes there is a limited pool of people in a community with this knowledge /experience)
- Funding is difficult to get; cannot afford loans (administrative detail is burdensome for small communities
- Cannot find certified operator they can afford (there are limited availability of operators in general - this is a common factor to many systems across the state)

AVERAGE NUMBER OF HEALTH-BASED VIOLATIONS PER PUBLIC WATER
SYSTEM IN 2020 (N.M. VS U.S.)

IN 2020, THERE WERE 211 WATER SYSTEMS WHO HAD 639 HEALTH-BASED VIOLATIONS.



SMALL RURAL COMMUNITIES WATER PROJECT NEEDS AND CHALLENGES - CONTINUED

- Environmental Emergencies
  - Wildfires
  - Drought

  In 2021, two public water systems in Santa Fe County ran out of water due to the persistent drought conditions in New Mexico. While Governor Michelle Lujan-Grisham declared a drought emergency in 2020, the state does not have a defined process to provide resources who experience drought or forest fire emergencies.

SMALL RURAL COMMUNITIES WATER PROJECT NEEDS AND CHALLENGES

Building Water System – 5 to 10 years

- Example: Ancones MDWCA – Two communities; El Llanito and Ancones located in Rio Arriba County, north of Ojo Caliente
  - Between 2007 through 2018, after nine funding application cycles, they secured approximately $2.1M to construct a water supply well, a 40,000- gallon water storage tank, and approximately 27,000 LF (5-miles) of waterline for approximately 60 service connections. Local match, approximately $242,000, including five funding awards from the WTB.

SMALL WATER SYSTEM FUNDING NEEDS

- Secure funding for planning
  - Preliminary Engineering & Environmental Reports
- Secure funding for design
- Replace aging infrastructure
- Develop data management tools (Asset Management)
- Sustainability to fund aging infrastructure and operations

FINAL MISSING PIECES

- Involve the real stakeholders – the systems
- Legislature should take a leadership role to ensure consistent water policy
- Hold agencies accountable to mission
- Evaluate all policies based on their capability to produce measureable, sustainable improvement in water resource management

COLLABORATION / REGIONALIZATION

Challenge – How does an aging and smaller population meet the long-term operations, management and sustainability of our community water associations

REGIONAL WATER AUTHORITIES & COLLABORATION

- Eastern NM Water Utility Authority
- Navajo – Gallup
- ABCWUA
- Lower Rio Grande WUA
- Grant County Regional Water Project
- Camino Real Water Authority
- San Juan / McKinley Counties
- Dona Ana MDWCA
- Aamodt Settlement – Pojoque Region
- Abeyta Settlement - Taos
- Sangre de Cristo Regional
- El Rito Regional
- Mora MDWCA
- Rio Arriba County Association of Water Users
- Agua Sana WUA
- Mora County Water Alliance
- Potential Taos County Collaboration
- El Valle Water Alliance

EL VALLE WATER ALLIANCE

- Comprised of a group of MDWCAs who were organized in 2006 under the PRC. Located in San Miguel County along the Pecos River

EL VALLE WATER ALLIANCE WATER SYSTEMS

- Lower Colonias
- South San Ysidro
- Ilfeld
- San Juan
- San Miguel del Bado
- El Coruco
- La Sacatosa
- Villanueva
- El Ancon
- La Cueva
- Rowe
- Sena
- Tecolotito
- El Creston
- San Jose

Vision to Sustainability

MISSION: AN ALLIANCE OF INDEPENDENT AND AUTONOMOUS MDWCAS WHO SEEK TO DEVELOP A MANAGEMENT STRUCTURE AND THE NECESSARY INFRASTRUCTURE IMPROVEMENTS TO SUSTAIN THE HEALTH OF OUR COMMUNITIES, WATER TABLE, AND WATERSHED FOR CURRENT AND FUTURE GENERATIONS

DEVELOP A MANAGEMENT TEAM OF PAID PROFESSIONALS TO PROMOTE AND MAINTAIN SOUND BUSINESS PRACTICES OF A REGIONAL WATER UTILITY TO MAINTAIN APPROPRIATE FUNDS FOR FINANCIAL SELF SUFICIENCY

- Office Manager
- Certified Water Operator

MAINTAIN AN EFFICIENT WATER SYSTEM THAT PROMOTES LONG-TERM PROTECTION OF THE REGIONAL AQUIFER AND SAFE DRINKING WATER FOR FUTURE GENERATIONS.

- Technical Management
- Managerial Management
- Financial Management

MAINTAIN COMPLIANCE WITH LOCAL, STATE AND FEDERAL REGULATORY REQUIREMENTS

- Attorney General's Office
- Secretary of State
- NMED
- NM Tax and Reg
- OSE
- State Auditor's Office
- DFA-LGD

MAINTAIN BOARD/ COMMUNITY ENGAGEMENT

Significance to cultural identity

Regionalization Mechanics

MEMORANDUM OF UNDERSTANDING

SUPPLEMENTAL NO. 1 TO MOU

FUNDING AGREEMENT

FUNDING ACCOMPLISHMENT

- El Ancon - $10,000
- South San Ysidro - $20,000
- 2006 Legislative Funding - $300,000
- 2007 NMFA Planning - $100,000
- 2007 Legislative Funding - $574,000
- 2008 WTB Funding - $451,381
- 2008 Legislative Funding - $10,000
- 2009 WTB Funding - $100,000
- MOU Circuit Rider - $225,000
- MOU Water System Imp. - $250,000
- USDA Villanueva - $1,500,000
- 2013 Legislative Funding - $10,000
- NMFA Planning - $50,000
- 2014 Legislative Funding - $80,000
- DWSRF - $222,000
- 2015 Legislative Funding - $10,000
- 2015 WTB Funding - $882,278
- 2016 Legislative Funding $50,000
- 2016 NMFA Planning
-
- Total: $4,894,659

PRESENTATION

Dominique Cartron, Attorney
dcartronlaw@cybermesa.com

Doug Decker, County Attorney
doug.decker@co.mckinley.nm.us

Water Regionalization

Regionalization Scope & Timeline

SYSTEM LIGHTNING ROUND

Open floor for Water Systems and other attendees

- **Meeting Scheduling:**
  - Is 9:00AM a good time to hold these meetings?
- **Other key issues to discuss**
- **Topic suggestions for next meeting**

COG REVIEW / UPDATES

Rural Water Summit
Agenda Packet – *in progress*

Other Updates
Projecteering > ICIP, Water Trust Board

Upcoming Webinars

1. "Building Resilience and Adapting to Climate Change Impacts (for Drinking Water / Wastewater Utilities)"
   September 21, 2021, from 10:00 am - 12:00 pm MST
   https://register.gotowebinar.com/register/7009638832007080715

STANDING PARTNERS

NMED, RCAC

Goal: Schedule a mini-workshop with new systems

"Requirements for New Water Systems and MDWCAs"

New Mexico Department of Finance & Administration

CLOSING

1. Closing Remarks
2. Questions or Comments
3. Issues or Concerns

Next Meeting:
Wednesday, October 20, 2021

CONTACT INFORMATION

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Standing Partners

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www.env.nm.gov/drinking_water/

Rural Community Assistance Cooperative (RCAC)

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www.rcac.org

Key Takeaways

Regional Water Commons Meeting
September 15, 2021

1. **September 15th meeting recording**
    - Access meeting recording.

2. **Regionalization Case Study**: Ramon Lucero, RCAC
    - Presented on the history of infrastructure reporting and funding capacities at the state level, followed by an overview of case studies on water regionalization projects around the state.
    - Review of New Mexico legislative bills regarding drinking water system infrastructure needs, funding for water infrastructure, criteria for water system planning, and other state water system data.
    - Case study reviews of other water regionalization projects around the state.

3. **Water Regionalization**
    - (Dominique Cartron, DBS&A) presented on the process and progress of the County's water regionalization project. Researched and assessed options for regionalizing water systems.
    - Regionalization opportunities include collaborative planning, improvement of management and operations efficiency through shared resources and services, and economies of scale. Review of case studies.
    - McKinley County moving forward with water regionalization to help address the many issues and problems surrounding managerial and financial capacities, infrastructure needs, etc.
    - Options for McKinley County include:
        - Memorandum of Agreement. An agreement among interested parties to share some resources to fund the hiring of an office manager and a certified water operator. Interested parties (water systems) will retain their autonomy in regard to other assets. Favored option.
        - Water & Sanitation (Super) District. The merging of WSDs, including water supplier's service area. Option has a very extensive legal process and expensive. Not the most efficient option.
        - Regional Mutual Domestic. The merging of mutual domestics, as defined under the Sanitary Projects Act merger clause. McKinley County does not have enough mutual domestics to make this a viable option.

- Joint-Powers of Agreement (JPA) will require:
    - Board of directors, made up of representatives from each member water system, will delegate powers and duties and hire professionals to begin the compliance process for member water systems.
    - Other water systems are allowed to join.

4. **Systems Lightning Round**
    - No updates from attending water systems.
    - No changes to meeting dates and times.

5. **COG Review / Updates**
    - Rural Water Summit. Agenda packet pending. To be posted soon. http://www.nwnmcog.com/rural-water-summit.html
    - ICIPs for special districts completed. Awaiting final confirmation from DFA.
    - Water Trust Board. Application window currently open. Schedule meetings will applicant water systems to review checklist of items needed.

6. **Standing Partners Updates**
    - No updates from RCAC.
    - (Karen Torres) NMED launched StoryMap to provide drought information to public water utilities. Handouts attached. For more information, go to https://nmenv.maps.arcgis.com/apps/MapSeries/index.html?appid=4029d1298b4c42aabda3dfdbe92baff5

7. **Next Meeting: Wednesday, October 20, 2021, from 9:00AM to 10:00AM**

NEWSLETTER – August 31, 2021

Smart Water Management –
Sustainability –
Equity –

New Mexico 50 Year Water Plan

Resilience Assessment Initiation –
Discussion and Public input on Resilience Assessment Tools Analysis and Resiliency Assessment Information!

New Mexico
Interstate Stream Commission

A collaboration between two state-funded agencies

New Mexico Tech, Bureau of Geology & Mineral Resources

Resilience Assessment Initiation

The NM Interstate Stream Commission is hosting webinars on resilience definition and resilience assessment tools based on sectors of water use for public input:

5 Webinars on the Resilience Assessment Initiation
2 Webinars (in-depth) on the Draft Resilience Assessment Tools

We plan to use resilience matrices, and other potential assessment tools, to engage with stakeholders to investigate and show their level of resilience to the expected changes.

- **Focus on different climatic regions and sectors of usage**
- **The resilience assessment will inform strategy building and help evaluate the potential resilience / vulnerability of different water use sectors**
- **Set the stage for plan recommendations**

Resilience: The ability to anticipate, prepare for, and adapt to changing conditions and withstand, respond to, and recover rapidly from disruptions.

We will initiate the discussion and gather public input and input from other state and federal agencies to build better tools to assess the levels of resilience different sectors of water use and climatic region are to the changes coming.

We will provide Leap Ahead Analysis document for Public Comment

WEBSITE https://www.ose.state.nm.us/Planning/50YWP/index.php EMAIL NMWaterPlanning.ISC@state.nm.us

Importance of Maintaining or Becoming More Resilient Matters

- Severe drought continues
- Future projections show water resources will decrease
- Find gaps of issues now and not after things get worse
- Figure out obstacles that could get in the way of becoming resilient now and not when you cannot make a change
- Build a water plan that follows:

SMART WATER MANAGEMENT – We must be good stewards of our precious water supply and prepare for the impact of our changing environment

SUSTAINABILITY – We must manage our water to meet the needs of today while ensuring a reliable supply of clean water for future generations

EQUITY – a system that serves all New Mexico

SEPTEPMBER 2021

Resilience Assessment Initiation

- Present draft resilience assessment tools for public input
- Gather input and refine tools
- Release tools for public use in October

We plan to use resilience matrices (in development), and other potential assessment tools, to engage with stakeholders to investigate and show their level of resilience to the expected changes.

- Focus on different climatic regions and sectors of usage
- The resilience assessment will inform strategy building and help evaluate the potential resilience / vulnerability of different water use sectors
- Set the stage for plan recommendations

Please take the Resiliency Survey between September 1 – October 31:

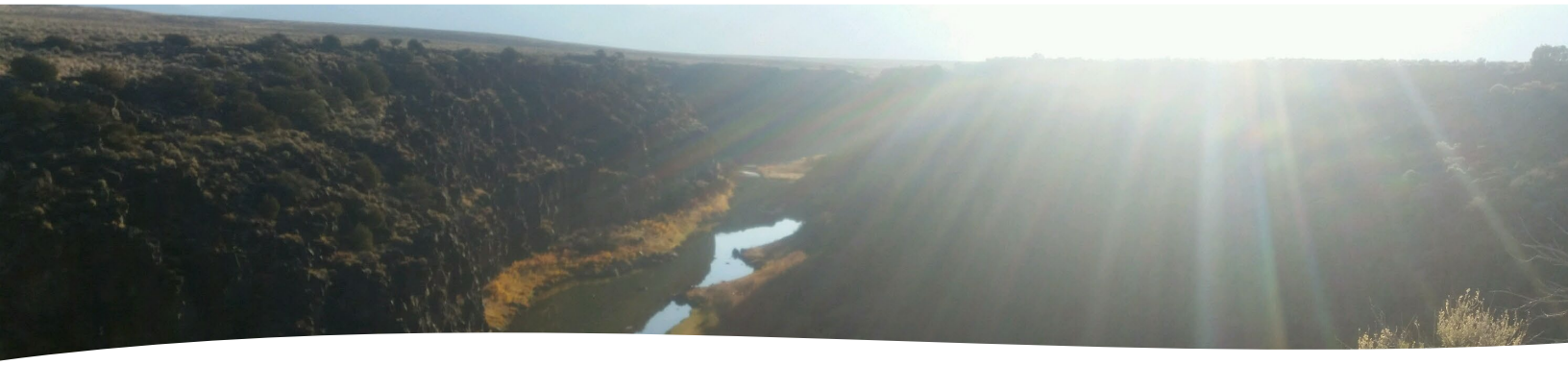
50-Year Water Plan: Resilience Survey

NMBGMR Leap Ahead Analysis – Next Steps

- September 7th the Leap Ahead Analysis will be available for public comment
- Provide Leap Ahead document showing projections of changes and impacts to water resources
- Get feedback from NM water users, State and Federal agencies, Tribes, Pueblos and Nations, and NGOs on the projections and on the Leap Ahead analysis,
- Refine Leap Ahead results, as needed and technically correct, to be more meaningful to water decision makers

For Questions and Comments on the Leap Ahead Analysis or on the Resilience Assessment Tools and Process, please use the Public Input Comment Page:

https://nmose.isc.commentinput.com/



SEPTEMBER 2021 RESILIENCE WEBINARS

Resilience Assessment Initiation:

September 20th at 2pm: Agriculture and Livestock Watering – NM ISC

September 22nd at 3pm: Public Water Systems and Domestic Wells – NM ISC

September 28th at 2pm: Watersheds and Habitat – NM ISC

September 29th at 2pm: Industrial, Commercial, Mining, and Power – NM ISC

September 30th at 2pm: Recreation and Quality of Life – NM ISC

In-Depth Webinars Evaluating Resilience of Sectors:

September 21st at 2pm: Evaluating Resilience of Irrigated Agricultural Areas – Amy C. Lewis

September 23rd at 3pm: Evaluating Resilience of Public Water Systems – Amy C. Lewis

In Case You Missed It! Previous Meeting Recordings

Media, Water Data Stories, and Info-videos

New Mexico Environment Department
Drinking Water Bureau

FORMING A MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION

INTRODUCTION

Water systems in New Mexico operate under different types of ownership. There are both public and private water systems. Private water systems can be either for-profit or not-for-profit. There are advantages and disadvantages to each ownership type.

This document discusses key factors to consider before forming a Mutual Domestic Water Consumers' Association (MDWCA). It also outlines the steps required to form an MDWCA. The intended audience for the document is communities that are considering creating a new MDWCA, and existing non-profit water systems that are considering reorganizing as an MDWCA.

WHAT IS AN MDWCA?

Historically, many rural communities in New Mexico relied on surface water or shallow wells for their drinking water supplies. In the early 1900's, it became clear that unsanitary drinking water was contributing to high infant mortality rates and short life spans in New Mexico. In response to this public health crisis, the New Mexico legislature passed the Sanitary Projects Act in 1947, which authorized the creation of MDWCAs (NMSA 1978, § 3-29-1 to -21). Section 3-29-3 outlines the purpose of the Act:

> *The purpose of the Sanitary Projects Act is to improve the public health of rural communities in New Mexico by providing for the establishment and maintenance of a political subdivision of the state that is empowered by the state to receive public funds for acquisition, construction and improvement of water supply, reuse, storm drainage and wastewater facilities in communities, and to operate and maintain such facilities for the public good.*

It is important to highlight that this section defines an MDWCA as a subdivision of the state, or a "local government". MDWCAs are therefore eligible for public funding sources, but they also have significant responsibilities under the law, as described below.

Today, a new MDWCA cannot be created by original incorporation (or by reorganization unless the preceding entity was in existence on January 1, 2000) if the association's proposed service area includes property contiguous to an incorporated municipality, an unincorporated area currently served by a municipality, or a water and sanitation district. [1]

ADVANTAGES OF MDWCAS

The key advantage of an MDWCA is that, as a local government, it is eligible for public funding. Public funding can take the form of a grant, a loan with below-market interest rates, or a combination of the two. Funding sources include the Drinking Water State Revolving Loan Fund, the USDA Rural Development Water and Waste Disposal Program, the Water Trust Board Water Project Fund, the

1 This restriction does not apply if the contiguous incorporated municipality or water and sanitation district does not or cannot provide services at or below the cost proposed by the MDWCA.

Colonias Infrastructure Fund, the Community Development Block Grant program, the Rural Infrastructure Revolving Loan Program, and the Public Project Revolving Fund.

MDWCAs also have certain tax benefits. MDWCAs pay the governmental Gross Receipts Tax rate of 5%, instead of the local (county) rate. An MDWCA, as a local government, is also exempt from paying property tax.

RESPONSIBILITIES OF MDWCAS

Water systems have different obligations under the law, depending on their organization type. This section provides an overview of the legal requirements applicable to MDWCAs.

I. Legal requirements applicable to all water systems in New Mexico

A. Federal and state drinking water regulations

All public water systems must comply with the federal and state drinking water regulations.[2] These include requirements that systems have a certified operator, collect required samples, provide water that meets water quality standards, and report to their customers on their water quality. For more information on drinking water regulations, go to the Drinking Water Bureau's web site at www.env.nm.gov/dwb, or call the Drinking Water Bureau at 1-877-654-8720.

B. Water rights

All water systems that produce their own water must own or lease water rights. Water rights in New Mexico are overseen by the Office of the State Engineer. Systems must regularly report their water usage to the State Engineer, and they must ensure that their water use does not exceed their water rights. For more information on water rights, see the Office of the State Engineer Water Rights Division web site at www.ose.state.nm.us or call 1-800-928-3766.

C. Taxes

All water systems that produce their own water are required to pay the Water Conservation Fee (3 cents per 1,000 gallons of water produced). The fee pays for the analysis of all compliance samples that are required under drinking water regulations. It also pays for the New Mexico Environment Department Drinking Water Bureau staff to collect some compliance samples. All water systems must also pay gross receipts tax. As a subdivision of the state, the tax rate for MDWCAs is 5%. Tax collection is overseen by the NM Taxation and Revenue Department.

II. Legal requirements specific to local governments (and other public bodies) in New Mexico

A. Open Meetings Act

The Open Meetings Act (NMSA 1978, § 14-2-1 to -12) requires that all public bodies in New Mexico conduct business in an open meeting that can be attended by the public. The Act sets out requirements for the meeting notice, agenda, and minutes. The New Mexico Attorney General's Office publishes an excellent Open Meetings Act Compliance Guide, available at: www.nmag.gov.

2 A *public water system* serves at least 25 people or 15 service connections for at least 60 days out of the year.

B. Inspection of Public Records Act

The Inspection of Public Records Act (NMSA 1978, § 10-15-1 to -4) gives the public the right to review and obtain copies of public records maintained by public bodies in New Mexico. The Act specifies how and in what time frame the public body must respond to public records requests. The Attorney General's Office also publishes an Inspection of Public Records Act Compliance Guide, available at: www.nmag.gov.

C. Procurement Code

The Procurement Code (NMSA 1978, § 13-1-28 to -199) stipulates requirements for the process public bodies must use to purchase goods and services. There are fewer controls on small purchases, and more stringent controls on large purchases. These requirements are intended to ensure the procurement process is fair and open, and that the public body gets good value for the public funds expended.

D. Reporting to the Department of Finance and Administration Local Government Division

Local governments must submit annual budgets and quarterly reports to the Department of Finance and Administration Local Government Division, if they take in more than $10,000 in revenue in a year (NMSA 1978, § 6-6-1 and -2). For more information, contact the Division at (505) 827-4950.

E. Audit Act

The Audit Act (NMSA 1978, -12-6-1 to -14) requires local public bodies to submit annual financial reports to the Office of the State Auditor. Reporting requirements under the Audit Act are tiered; more reporting is required of systems earning more revenue. For more information, contact the State Auditor's Office at (505) 476-3800 or www.saonm.org.

III. Legal requirements specific to MDWCAs

A. Sanitary Projects Act

The State law that applies solely to MDWCAs is the Sanitary Projects Act (NMSA 1978, § 3-29-1 to -21). Any community that is considering becoming an MDWCA should thoroughly understand the requirements of the Act, most of which relate to water system governance and administration. The Act outlines the powers and responsibilities of Boards; criteria for association membership; requirements for the association's certificate of association, bylaws, and rules; reporting requirements; and the New Mexico Environment Department's powers over MDWCAs.

In summary, MDWCAs enjoy the advantage of being eligible for public funding. However, MDWCAs are also subject to State laws that require accountability and transparency in exchange for access to public funding. It is important to keep in mind that many of these requirements reflect practices that are recommended for all water systems. For example:

- All water systems benefit from adhering to clear and carefully-crafted governing documents (e.g. Certificate of Association, Bylaws, and Rules). The Sanitary Projects Act provides requirements for these documents that ensure they address some of the most important managerial and financial functions of a governing body.

- All water system boards benefit from transparency and accountability to their customers, as required by the Open Meetings Act and Inspection of Public Records Act.
- All water systems benefit from annual budgets, reserve funds, and periodic rate analyses, as required by the Sanitary Projects Act.
- All water systems benefit from using a prescribed process for purchasing items that ensures the best price and equal treatment of vendors, as required by the Procurement Code.

STEPS TO FORMING AN MDWCA

The steps to form an MDWCA differ depending on whether the community is creating a new MDWCA by original incorporation or reorganizing an existing entity as an MDWCA. Only cooperative associations or non-profit corporations can reorganize as MDWCAs. Other organization types (e.g. for-profit corporations) must create a new MDWCA.

I. Creating a new MDWCA

To create a new MDWCA, the individuals organizing the association must draft a Certificate of Association that is in compliance with the requirements of the Sanitary Projects Act. It is highly recommended that they then invite members of the community to a meeting, at which they conduct a vote on whether to create the MDWCA and approve the draft Certificate of Association. The Certificate of Association must be filed with the Office of the Secretary of State (http://www.sos.state.nm.us/Business_Services/Corporations_Overview.aspx); note there is filing fee. The association must hold an election to seat a board, and create Bylaws and Rules that comply with the requirements in Sanitary Projects Act. NMED can provide example governing documents to use as a reference upon request.

New water systems must be approved by the Drinking Water Bureau before they begin operation. This requires submittal of an application form, plans and specifications, an engineering design summary, a disinfection and sampling plan, an inventory of contamination sources, and information on how the water system will be managed and financed. More information on requirements for new systems is available at: www.env.nm.gov/dwb/watersystemmodificationdesignconstruction.htm.

II. Reorganizing as a MDWCA

The requirements for reorganizing an existing cooperative or non-profit corporation into an MDWCA are described in the Sanitary Projects Act (3-29-20 NMSA 1978). The Act requires that the water system create a Certificate of Association, Bylaws, and Rules that comply with the requirements for governing documents in the Sanitary Projects Act. The Certificate of Association must state that it supersedes the Articles of Incorporation of the cooperative association or the non-profit corporation. Reorganization must be approved by a majority vote of a quorum of the members. This vote must occur at an open meeting. Notice of the meeting and a copy of the proposed Certificate of Association must be sent to each member at their last known address at least 15 days prior to the meeting. The Certificate of Association must be filed at the Office of the Secretary of State (www.sos.state.nm.us/Business_Services/Corporations_Overview.aspx). It is strongly recommended that the Bylaws and Rules be written and approved prior to filing the Certificate of Association with the Secretary of State because, once the Certificate of Association is filed, the system is an MDWCA and must operate as an MDWCA.

For more information, contact the Drinking Water Bureau at 1-877-654-8720 or www.env.nm.gov/dwb.

New Mexico Environment Department

Application for Construction or Modification of a Public Water Supply System

Date of Application: _____

Proposed Construction Start Date: (Check 20.7.10.201.K NMAC for Response Times) _____

If this application is for an existing water system, please include the Water System ID (WSS #): NM35_____

If this application is for a new* water system or conversion of an existing system to a public water system, please fill out and attach Appendix A. Appendix A does not apply to active water systems in the NMED inventory. Please consult https://dww.water.net.env.nm.gov/DWW/.

Please consult the citations to the New Mexico Drinking Water Regulations, http://164.64.110.239/nmac/parts/title20/20.007.0010.pdf, when responding to the following questions.

1. Is the application for a project described in 20.7.10.200.B NMAC? Yes[1] ☐ No ☐
2. Is the application for a project described in 20.7.10.200.C NMAC? Yes[2] ☐ No ☐
3. Is the application for a project described in 20.7.10.200.E NMAC? Yes[3] ☐ No ☐ If responding "Yes" to Question 3 please submit the approval letter from the New Mexico Environment Department Drinking Water Bureau.

Public Water System Information		**Consulting Engineer Information (P.E. Registered in New Mexico)**	
System Name:		Name:	
Contact:		Company:	
Address:		Address:	
City, State, Zip:		City, State, Zip:	
Phone/Fax:		Phone/Fax:	
Email:		Email:	

Public Funding: Will state or federal grant or loan funds be used to complete this project? Yes ☐ No ☐
List the NMED Construction Programs Bureau contact for publicly funded projects_____

Project Impact: (Please check all that apply)

☐ **A** Supply Source	☐ **B** Treatment	☐ **C** Storage
☐ **D** Transmission	☐ **E** Distribution	☐ **F** Disinfection
☐ **G** Pumps (booster or transfer)	☐ **H** Backflow Prevention	☐ **I** Meter Installation
☐ **J** New or Converted System	☐ **K** Other (explain)	

Project Summary (Do not exceed space provided): (Qty, size, linear footage, and type – as related to above impact)

I, the undersigned, a responsible officer or representative of the applicant, certify that, to the best of my knowledge, the information stated in this application together with the associated plans, specifications and other information give a true and complete representation of the proposed construction or modification of the public water supply system.

Name: _____ Title:_____

Signature:_____ Date:_____

[1] Notification is not required.
[2] Notification is required. Approval is not required.
[3] Approval is contingent upon certification by the applicant that the project conforms to 20.7.10.200.D.

Application for Construction or Modification of a Public Water Supply System

The application package for the project must be submitted prior to advertising the project for bid or entering into a construction contract if the project is not advertised for bid. The application will be reviewed within the applicable period stated in 20.7.10.201.K. A checklist is available on the Construction Link of the DWB Home Page, https://www.env.nm.gov/dwb/construction/, to ensure that the submittal is complete. Only electronic submittals to NMENV-DWBPlanReview@state.nm.us will be accepted to be reviewed for completeness. Incomplete applications will not be reviewed. The application package must contain:

1. Application Form – The "Application for Construction or Modification of a Public Water Supply System" must be submitted. The form must be completely filled out and signed. Department staff cannot make additions, deletions or changes to the form.

2. Plans and Specifications – A complete set of the plans and specifications must be submitted. The plans must be clear, legible and drawn to a scale that permits all necessary information to be shown without crowding. The plans must include a title page giving the name of the project, the owner of the public water supply system and the design engineer. The plans must include a location map for the project and a general layout of the facilities to be constructed. Detail plans should consist of plan views, elevations, sections, supplementary views and schematic diagrams as may be needed for construction of the proposed project.

   The specifications must specifically cover the proposed project. The specifications must include all construction information not shown on the plans which is necessary to inform in detail the requirements for quality of material, workmanship and fabrication of the project.

   Plans and specifications for public water supply system projects must be prepared under the direction of a professional engineer certified to practice in the State of New Mexico. Plans and specifications cannot be accepted for review by Department staff unless the engineer responsible for the design of the project has affixed his/her seal to the plans and specifications.

3. Engineering Design Summary – An engineering design summary must be submitted. An engineering design summary must include engineering information as required to set out the basis of the design of the proposed project. The engineering design summary must be in sufficient detail to allow Department staff to review the plans and specifications with regard to minimum design criteria, recognized public health and sanitary engineering practices and regulatory requirements.

4. Disinfection and Sampling Plan – A disinfection and sampling plan must be submitted. The plan must address disinfection of the system and sampling for the presence of bacterial contamination following completion of the project and prior to providing water to the public. The plan should include the method and scope for disinfection, a bacterial sampling plan which addresses the number of samples to be taken, the location(s) of sampling, and a contingency plan in the event bacterial sampling shows bacterial contamination. The plan should address the entire construction project and associated impacts to existing water system components, if any. The criteria used for review by Department staff include the American Water Works Association (AWWA) Standards for Disinfection and all references as listed in NMDWR 20.7.10.104. Additionally, the plan should include samples specified in NMDWR 20.7.10.201.E(2) to be collected from any new water sources that are part of the project as part of the source development. The list of required samples is available at https://www.env.nm.gov/dwb/construction/documents/RequiredSamplingNewSource_Contaminants_FEB2016.pdf

5. Inventory of Contamination Sources – For new wells or water sources only, an inventory of contamination sources must be submitted. The submittal should contain a physical inventory of existing and planned facilities and land uses that are actual or potential sources of contaminants of concern. The inventory must indicate the nature of the source and include the location of the contaminant source relative to the public water supply source. The location data can be provided in latitude/longitude format, state plane coordinates, or by distance and bearing, and can be absolute or relative to the public water supply source. The inventory must include the method used for collecting the location data. Specific requirements are given in NMDWR at 20.7.10.201.F for ground water sources and 20.7.10.201.G for surface water sources. The required land uses to be considered are available at https://www.env.nm.gov/dwb/construction/documents/AppendixK.pdf.

Submit your application to NMENV-DWBPlanReview@state.nm.us

APPENDIX A

Additional Information Required for Projects involving the Construction or Activation of a New Public Water System: **Capacity Demonstration**

The NM Drinking Water Regulations (20.7.10.201.C NMAC) require any new public water system, defined as a newly-constructed public water system or an existing water system that is converted to a public water system, to submit documents that demonstrate sufficient technical, managerial, and financial capacity in their application to the Department.

Please submit the following documentation to the assigned Community Services Coordinator (CSC) 2 - 4 weeks BEFORE submitting this application in order to allow time for the capacity review. Applications submitted without the results of a completed capacity assessment, will be returned as incomplete. Please check the service area map online at https://www.env.nm.gov/dwb/assistance/documents/CapacityRegionsMap_Jan_2016.pdf; or call 1-877-654-8720 to request the contact information for the Community Services Coordinator assigned to your county. The assigned CSC can provide assistance with submitting the required documentation upon request.

Documents to be submitted:

1. Office of the Secretary of State Corporation Number (if applicable)
2. Articles of Incorporation, Bylaws, Rules, Regulations/Policies and Procedures for water system (if applicable)
3. Current Open Meetings Resolution (if applicable)
4. Job descriptions for all positions at water system
5. Annual water system budget or, if system does not charge for water service, a Water System Financial Plan
6. Water Rate and Fee Schedule (not required if system does not charge for water service)
7. Certification number of the operator(s) in responsible charge of water system
8. Operator contract (if system is operated by contract operator)
9. Operations and Maintenance Plan
10. Emergency Response Plan
11. Distribution System Sample Plan (DSSP) for distribution system contaminants
12. Source Water Assessment that identifies potential sources of source water contamination
13. If the new system is within one mile of an existing public water system, please provide documentation indicating why consolidation with that system is not a viable option. The location of all existing public water systems can be obtained from Drinking Water Watch at https://dww.water.net.env.nm.gov/DWW/.

New Mexico Environment Department

PROTECTING OUR ENVIRONMENT, PRESERVING THE ENCHANTMENT

Drinking Water Bureau

This checklist is to be used by applicants to determine whether their application for a public water system project is complete. The items below are considered essential. Not all items will apply to all projects. The symbol "✓" is used to denote that the item was present in the application; "☒" is used to denote that the item was absent. Incomplete applications will not be reviewed. Application requirements are stated in the drinking water regulations at 20.7.10.201 NMAC, http://www.nmcpr.state.nm.us/NMAC/parts/title20/20.007.0010.htm.

Name of Water System, NM35zzzzz	**Received date/time:** 00/00/2016
	Completed application form for **Project Impacts A B C D E F G H I J K**, available at http://www.nmenv.state.nm.us/dwb/construction/
	NMAC 20.7.10.201.A
	Plans, sealed on all pages by a professional engineer registered in New Mexico for **Project Impacts A B C D E F G H I J K**
	NMAC 20.7.10.201.B(1)
	Specifications, sealed (at least on the first page) by a professional engineer registered in New Mexico for **Project Impacts A B C D E F G H I J K**
	NMAC 20.7.10.201.B(1)
	Engineering design summary for **Project Impacts A B C D E F G H I J K**
	NMAC 20.7.10.201.B(2)
	Disinfection plan, including sampling for bacteria meeting AWWA standards for **Project Impacts A B C D E F G H I J K**
	NMAC 20.7.10.201.B(3)
	Other information requested by the department for **Project Impacts B, F, H and K**
	NMAC 20.7.10.201.B(4)
	Letter from Drinking Water Bureau Community Services Coordinator Verifying that the System Demonstrated Adequate Technical, Managerial & Financial Capacity (See Appendix A of the application, Page 3 of 3); for **Project Impact J**
	NMAC 20.7.10.201.C
	Storage tank – description of an adequate foundation for **Project Impact C**
	NMAC 20.7.10.201.D(1)
	Appropriate State Engineer Office permit and for an existing well log and proof of completion for **Project Impact A**
	NMAC 20.7.10.201.E(1), and also when applicable 20.7.10.201.T(6)
	Requirement to sample for regulated and secondary contaminants for **Project Impact A**
	NMAC 20.7.10.201.E(2)
	Contaminant inventory for **Project Impact A**
	Ground water – NMAC 20.7.10.201.F or *Surface water – NMAC 20.7.10.201.G*
	The application is complete. Written comments will be sent when review is complete.
	The application is incomplete and will not be reviewed.
COMMENTS:	