

# Regional Water Commons Meeting Agenda Packet

## Next Meeting:

**WEDNESDAY, MAY 18, 2022 AT 9:00AM**

**MICROSOFT TEAMS MEETING**

## Agenda Packet Includes:

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



**McKinley County**  
207 West Hill Avenue  
Gallup, NM 87301



**NWNM 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, May 18, 2022  
9:00AM – 10:00AM

**Microsoft Teams Meeting**



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# REGIONAL WATER COMMONS

## BI-MONTHLY MEETING

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**Wednesday, May 18, 2022**

**9 AM — 10 AM**

[Virtual Meeting](#)

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# A G E N D A

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<b>WELCOME</b>	<i>Angelina Grey</i>
<b>PRESENTATIONS</b> <i>Water Regionalization Updates</i> <i>Funding Opportunities</i>	<i>Angelina Grey</i> <i>Blanca Surgeon, RCAC</i> <i>Ramon Lucero, RCAC</i>
<b>WATER SYSTEMS LIGHTNING ROUND</b>	<i>Water Systems</i>
<b>COG REVIEW / UPDATES</b>	<i>Angelina Grey</i>
<b>STANDING PARTNER UPDATES</b>	<i>NMED, RCAC</i>
<b>CLOSING</b>	<i>Angelina Grey</i>

**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 RWC MEETING – Wednesday, July 20, 2022, from 9AM to 10AM**

# Regional Water Commons Meeting

Wednesday, May 18, 2022  
9AM — 10AM

*Presented by McKinley County and its working partners*



Next Meeting: Wednesday, July 20, 2022



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# AGENDA

## WELCOME

*Angelina Grey, COG*

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## PRESENTATION

*Water Regionalization Update  
Funding Opportunities*

*Angelina Grey  
Blanca Surgeon, RCAC  
Ramon Lucero, RCAC*

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## WATER SYSTEMS LIGHTNING ROUND

*Water Systems*

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## COG REVIEW/UPDATES

*Angelina Grey*

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## STANDING PARTNERS UPDATES

*NMED, RCAC*

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## CLOSING

*Angelina Grey*

# WATER REGIONALIZATION UPDATE

## PRESENTATION

### **Water Regionalization Initiative (WRI) Programming Activities to date:**

The COG and RCAC have facilitated meetings with individual water system to gauge level of need and technical assistance and types of training for staff and board members.

- 1. Systems Workshop (Feb 8)** — board overview of rules and regulations for small water systems.
- 2. JPA Meeting (Feb 23)** — updates on the Joint Powers Agreement process.
- 3. Meetings with Systems (Feb 22-24)** — [Bluewater WSD](#), [Catalpa WA](#), and [“Allison WA”](#)
- 4. Meetings with Systems (Mar 18-19)** — [White Cliffs MDWUA](#), [Gamerco WSD](#)
- 5. Meetings with Systems (Apr 26-28)** — [Ramah WSD](#), [JPA Meetings](#), [Gamerco WSD](#), [City of Gallup](#)
- 6. Next scheduled RCAC Visits:**
  - Thursday, June 2 through Saturday, June 4, 2022
  - Tuesday, July 19 through Thursday, July 21, 2022



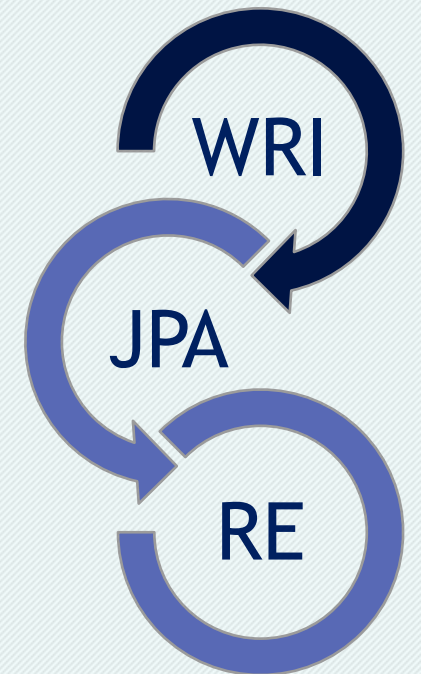
# WATER REGIONALIZATION UPDATE

## PRESENTATION

### Joint Powers Agreement (JPA) Process Update

The County also contracted with Cartron Law Associates to research and develop a **Joint Powers Agreement** (“JPA AGREEMENT”) that legally binds and establishes the forming *Umbrella or Regionalized Entity* (“JPA ENTITY”), which is yet to be named.

1. JPA Agreement (document) has been drafted
2. Initial 3 “Joining” Entities:
  - a. White Cliffs MDWUA
  - b. Gamerco WSD
  - c. Yahtahey WSD --- *status pending*
    - Court-appointed Receiver;
    - Petitioning for Receiver sign on behalf of incoming board members.
3. Next steps: is to
  1. Final JPA review
  2. Submit to NMDFA for final approval
  3. Goal: Get “JPA ENTITY” up and running by July 1, 2022; next fiscal cycle.



# FUNDING OPPORTUNITIES

## PRESENTATION

This is a review of all the available funding programs for local projects, including the Bipartisan Infrastructure Bill.











### 1. ICIP

- a. Time to update your ICIPs!!
- b. Time to start planning for next round of funding
- c. Deadline: Friday, July 15, 2022, by 5:00PM
- d. COG available for Assistance...

### 2. Community Development Block Grant (CDBG)

- a. 2023 application cycle – *in progress*
- b. Process to seeking this fund:
  - Water Systems cannot apply on their own;
  - Will need to request for County assistance
  - If this is an option, need to start talking with County for next application cycle
- c. Deadline: Friday, August 26, 2022

### April - June

-  2020 G.O. Bonds due to ALTSD | April
-  Senior Center Applications due to ALTSD | April
-  Call for all Transportation Projects Notice | April
-  CDBG LMI Calculation Deadline | April 10th
-  WTB Funding recommendations to NMFA | May
-  WTB Final Approval/Awards | May
-  Local Governments Only - Prelim Budgets Due | June 1st
-  CDBG Application Due | June 11th
-  TIF Award Announcement | June
-  NM Local Gov't Certifications of Severance Tax Bonds (STB) / Bonds sold for Capital Outlay Projects *for local and tribal governments*



# FUNDING OPPORTUNITIES

## PRESENTATION

3. **Water Trust Fund** (more commonly known as Water Trust Board (WTB))
  - a. Prepare for next cycle!
  - b. **Determine match funding (5-20% of total project cost)**
  - c. 2 Application Rounds:
    - a. Project Application (Notice of Intent) ~ August - September
    - b. Readiness Application ~ December - January
  - d. Funding eligible for planning and design.
4. **BIL Funding Programs**
  - a. Federal funds to be funneled down to state agencies:
    - NM Environment Department
    - Environmental Protection Agency
  - b. Status of when funding will be available?

## July - September

-  ICIP Virtual Training Workshops | July 22nd, 28th, 29th, 30th
-  Project Feasibility Forms (PFFs) Due | July
-  ICIP Due for Special Districts | September 4th
-  WTB Notice of Intent | August
-  ICIP Due for Tribal Entities | September 18th
-  CDBG Application Hearing | September 3rd
-  CDBG Allocation Hearing | September 17th
-  Mandatory PFF Consultations w/ NMDOT District Office | August  
*by appointment only*
-  ICIP Due for Municipalities and Counties | September 18th
-  Grant Agreements are issued | July - September

# WATER SYSTEMS LIGHTNING ROUND

*Open floor for Water Systems and other attendees*

## Brief Updates from Small Water Systems



# STANDING PARTNERS

NMED, RCAC



## News and Updates



New Mexico Department of  
Finance & Administration

# CLOSING

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



*Do You Have  
Any Questions??*

**Next Meeting: Wednesday, July 20, 2022**

# CONTACT INFORMATION



## McKinley County

[www.co.mckinley.nm.us/](http://www.co.mckinley.nm.us/)

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**Doug Decker**  
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# CONTACT INFORMATION

*Standing Partners*



[www.env.nm.gov/drinking\\_water/](http://www.env.nm.gov/drinking_water/)

## NM Environment Department

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Sustainable Water Infrastructure Group Manager

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**Catherine Conran**

SWG Community Services Coordinator (NW region)

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[www.rcac.org](http://www.rcac.org)

## Rural Community Assistance Corporation

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**Ramon Lucero**

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# Regional Water Commons (RWC)

## AGENDA PACKET

### Regional Water Commons

#### **Previous Meeting**

Wednesday, March 16, 2022  
9:00AM – 10:00AM

[Microsoft Teams Meeting Recording](#)



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## BI-MONTHLY MEETING

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*Angelina Grey, COG*

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*Regional Water Planning Update  
Joint Powers Agreement Update  
Bipartisan Infrastructure Bill Update*

*Angelina Grey  
Blanca Surgeon  
Ramon Lucero*

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## WATER SYSTEMS LIGHTNING ROUND

*Water Systems*

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## COG REVIEW/UPDATES

*Angelina Grey*

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## STANDING PARTNERS UPDATES

*NMED, RCAC*

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## CLOSING

*Angelina Grey*

# REGIONAL WATER PLANNING UPDATE

## PRESENTATION

### WRI Programming Activities (January – March)

1. **Systems Workshop (2/8/22)**
2. **Meetings with Systems (2/22/22 through 2/24/22)**
  - a. Bluewater WSD
  - b. Catalpa MDWCA
  - c. Allison MDWCA
3. **JPA Meeting (2/23/22)**
4. **Additional Meetings with Other Systems**
  1. Yahtahey WSD
  2. Williams Acres WSD
  3. Ramah WSD

# JOINT POWERS AGREEMENT UPDATE

## PRESENTATION

### JPA Process Update

- 2 of 3 agreeing water systems have signed the Joint Powers Agreement
  - White Cliffs MDWUA
  - Gamerco WSD
- **Yahatahey WSD**
  - New board members selected
  - Process of transferring powers and authority from Receivership to new YWSD Board
  - *In progress*
- **Next JPA Meeting (4/27/22)**

Any questions or concerns, please forward to Angelina at [agrey@nwnmcog.org](mailto:agrey@nwnmcog.org)



# BIPARTISAN INFRASTRUCTURE BILL UPDATE

## PRESENTATION

The Infrastructure Investment and Jobs Act, or the Bipartisan Infrastructure Bill, was introduced and enacted by Congress, on November 15, 2021. The act is a \$715 billion infrastructure package to aid local infrastructure projects, such as broadband access, clean water and transportation.

### 1. Past Webinars

- a. Passenger and Freight Rail - February 28, 2022
- b. Public Transportation - February 24, 2022
- c. Electric Vehicles - February 22, 2022

### 2. Upcoming Webinars

- a. Water - March 15th, 2 pm
- b. Resilience - March 17th, 2 pm
- c. Environmental Remediation - March 22nd, 2 pm
- d. Broadband - March 24th, 2 pm

Keeping our region as priority!

# WATER SYSTEMS LIGHTNING ROUND

*Open floor for Water Systems and other attendees*

## Brief Updates from Small Water Systems



# COG REVIEW / UPDATES



## Capital Outlay Recap

- 2022 Legislative Session ended (February 17<sup>th</sup> and Governor made final signatures)
- Capital Outlay Update
  - If awarded, please follow up with respective agencies

## Water Trust Board

- Williams Acres WSD

## Community Development Block Grant

- White Cliffs Water Storage Project (McKinley County)
- West Logan Street & Drainage (City of Gallup)
- Next cycle opens: TBD

## Infrastructure Capital Improvement Plan

- Start preparing in July and August

# PROJECTEERING



## January - March

- ★ Navajo CDBG Applications due | January
- 🏛️ NM Legislature Opens | January
- 💧 WTB Readiness Application Due | January
- 🏛️ Legislative Capital Outlay Request Forms Due | January
- 🏛️ Senior Center Application Training | January - February
- ★ CDBG LMI Methodology Deadline | February 14th
- 🚗 RTIPR Prioritization | February
- ➔ TIF Portal Opens | February
- ★ CDBG Threshold Deadline | March 13th
- 🏛️ Final Capital Outlay Bill | March
- 🚗 ZIPPR Prioritization | March
- ➔ TIF Application Deadline | March
- 💧 WTB Legislature Phase 1 Project Approvals | January - March

WINTER

## April - June

- 🏛️ 2020 G.O. Bonds due to ALTSD | April
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- 🚗 Call for all Transportation Projects Notice | April
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SPRING

# COG REVIEW / UPDATES



## Upcoming Calendar Events (March – May)

1. Training: “Consumer Confidence Reporting Compliance (NM)” (3/23/22, 5PM-8PM)
2. Training: “Optimizing Nutrient Removal in Wastewater Treatment Plants” (3/31/22, 11AM - 12:30PM)
3. Training: “Taking Action to Address Apparent Losses” (3/31/22, 11AM - 12PM) *Credited towards Utility Operator Certification*
  - For managers, owners, operators, board members, local government, and consultants
4. 2022 New Mexico Water Workshop (4/7/22 through 4/8/22)
5. Training: “Taking Action to Address Real Losses” (4/14/22, 11AM - 12PM) *Credited towards Utility Operator Certification*
  - For managers, owners, operators, board members, local government, and consultants
6. Training: “Mapping Water Loss Control & Asset Management” (4/28/22, 11AM - 12PM) *Credited towards Utility Operator Certification*
  - For managers, owners, operators, board members, local government, and consultants
7. Training: “Low Cost Nutrient Removal (for Ww Operators)” (5/10/22 & 5/12/22, 8AM - 5PM) *FREE!*
  - For managers, owners, operators, board members, local government, and consultants

For more information on registration, go to [NMENV website](https://www.env.nm.gov/):

<https://www.env.nm.gov/events-calendar/?trumbaEmbed=date%3D20220301%26index%3D0>

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## News and Updates



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## **Bipartisan Infrastructure Law: State Revolving Funds Implementation Memorandum March 2022**

President Biden signed the Bipartisan Infrastructure Law (BIL) on November 15, 2021. The law's investment in the water sector is nothing short of transformational. It includes \$50 billion to the Environmental Protection Agency (EPA) to strengthen the nation's drinking water and wastewater systems—the single largest investment in clean water that the federal government has ever made. A significant portion of water infrastructure dollars will flow through the Clean Water and Drinking Water State Revolving Funds (SRFs), which represent a partnership between the Agency, states, tribes, territories, and local communities. EPA is committed to maximizing the impact of these funds in addressing urgent water challenges facing communities.

EPA's implementation memorandum provides information and guidelines on how EPA will administer the SRF capitalization grants appropriated to states under the law. The implementation memorandum is expected to be applicable to all five years of BIL appropriations.

### **Provide Flexibility to Meet Local Water Needs**

A fundamental principle of the SRFs is the flexibility provided to states and borrowers to address a wide variety of local water quality and public health challenges. EPA continues to support and actively encourages flexibility in the implementation of SRF funding included in the BIL. With supplemental funding to the CWSRF and DWSRF—and creation of dedicated funding within the SRFs to tackle lead and emerging contaminants—states will have a great deal of flexibility in program administration.

### **Increase Investment in Disadvantaged Communities**

A key priority of the Bipartisan Infrastructure Law is to ensure that disadvantaged communities benefit equitably from this historic investment in water infrastructure. Disadvantaged communities can include those with environmental justice concerns that often are low-income and communities of color. Disadvantaged communities experience, or are at risk of experiencing, disproportionately high exposure to pollution—whether in air, land, or water.

The Bipartisan Infrastructure Law mandates that 49 percent of funds provided through the DWSRF General Supplemental Funding and the DWSRF Lead Service Line Replacement Funding must be provided as grants and forgivable loans to disadvantaged communities. The BIL also requires that at least 25 percent of funds provided through the DWSRF Emerging Contaminants Funding be provided as grants and forgivable loans to disadvantaged communities or public water systems serving fewer than 25,000 people. For the CWSRF, the law mandates that 49 percent of funds provided through the CWSRF General Supplemental Funding must be provided as grants and forgivable loans to communities that meet the state's affordability criteria or certain project types, consistent with the Clean Water Act. To accomplish this, states may need to:

- Evaluate and revise, as needed, the DWSRF disadvantaged community definition and CWSRF affordability criteria.
- Evaluate the SRF priority point system for project ranking commensurate with need.
- Use technical assistance funding to help disadvantaged communities identify needs and access funding.
- Engage residents and community stakeholders in disadvantaged communities.

EPA will collaborate with state SRF programs to share models, examples, and build state capacity to target resources to disadvantaged communities.

### **Make Rapid Progress on Lead Service Line Replacement**

The BIL contains a historic \$15 billion in dedicated funding through the DWSRF for lead service line (LSL) identification and replacement. This funding is being provided to states with no match requirement. EPA will collaborate with state SRF programs to share models, guidance, and build state capacity to assist local communities and ensure lead service line funding is effectively and equitably deployed. DWSRF supplemental funding and base funding can be used for LSL identification and replacement. The implementation memorandum provides examples of eligible projects. Any project funded under this appropriation must replace the entire LSL, not just a portion, unless a portion has already been replaced.

### **Address PFAS and Emerging Contaminants**

The BIL provides \$5 billion through the SRFs to reduce people's exposure to perfluoroalkyl and polyfluoroalkyl substances (PFAS) and other emerging contaminants through their drinking water and to help address discharges through wastewater and, potentially, nonpoint sources. By law, these funds must be distributed to communities entirely as forgivable loans or grants. States are not required to provide matching funds. This demonstrates an unprecedented commitment from Congress to addressing PFAS water contamination across the nation. The implementation memorandum provides a description of emerging contaminants for the SRF programs to use in evaluating project eligibility.

### **Support Resilience and One Water Innovation**

One of the defining features of the State Revolving Funds is the broad range of eligible projects that states can fund to flexibly support priority needs. EPA encourages states to utilize the significant increase in SRF funding for infrastructure projects that make water systems more resilient to all threats—whether it is natural disasters, climate change, or threats such as bioterrorism and cyber-attacks.

### **Support American Workers and Renew the Water Workforce**

The Bipartisan Infrastructure Law is not only an opportunity to reinvest in America's water infrastructure, it is an opportunity to invest in the American worker. SRF projects are protected by Davis-Bacon prevailing wage requirements, consistent with federal law. BIL investments will create jobs in construction, operations and maintenance, and other family-supporting careers—at a pivotal moment when more than one-third of the water workforce will retire in the next five years. As it implements BIL, EPA is committed to working with states, tribes, and territories—as well as labor organizations, employers, and educators—to renew America's water workforce and create good-paying jobs in communities across America.

### **Cultivate Domestic Manufacturing**

Acting in a bipartisan fashion, Congress passed the Build America Buy America (BABA) Act in 2021, concurrently with the Bipartisan Infrastructure Law. Congress established this domestic preference program to create long-term opportunities for domestic manufacturers and manufacturing jobs and build resilient domestic supply chains for a wide range of products. BABA expands existing American Iron and Steel (AIS) requirements for SRF recipients to include additional materials and manufactured goods. In the coming weeks, EPA plans to issue implementation procedures for BABA compliance for federal water infrastructure funding programs. EPA will work closely with states, tribes, and territories on technical assistance and training.

## Fully Enforce Civil Rights

Under Title VI of the Civil Rights Act, EPA has a responsibility to ensure that federal funds are not being used to subsidize discrimination based on race, color, or national origin. EPA’s nondiscrimination regulations prohibit recipients of EPA financial assistance from taking actions in their programs or activities that are intentionally discriminatory and/or have a discriminatory effect based on race, color, national origin, age, disability, or sex. EPA intends to carefully evaluate the implementation of SRF funding under the BIL to ensure compliance with civil rights laws.

## Refine State SRFs to Build the Pipeline of Projects

EPA encourages states to strategically use funds from the Bipartisan Infrastructure Law as a catalyst to continue building and maintaining a robust project pipeline of SRF projects. EPA recommends states use practices already exemplified in some SRF programs, such as simplifying and streamlining their application process, using set-asides and technical assistance to build capacity in small and disadvantaged systems, encouraging integrated and regional approaches, and increasing internal and external outreach about the new funding opportunities through the SRF programs.

## BIL SRF Funding Details

SRF Funding Program	Total Funding	State Match	Additional Subsidy	Eligible for Additional Subsidy
Clean Water SRF Supplemental	\$11,713,000,000	10% in 2022 & 2023	49%	Assistance recipients that meet the state’s affordability criteria or project types as described in section 603(i) of the CWA.
		20% in 2024 - 2026		
Drinking Water SRF Supplemental	\$11,713,000,000	10% in 2022 & 2023	49%	Disadvantaged Communities
		20% in 2024 - 2026		
Clean Water Emerging Contaminants	\$1,000,000,000	0%	100%	No restriction
Drinking Water Emerging Contaminants	\$4,000,000,000	0%	100%	25% for Disadvantaged Communities or Public Water Systems Serving Fewer Than 25,000 Persons
Drinking Water Lead	\$15,000,000,000	0%	49%	Disadvantaged Communities