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2 **THE BUCKMAN DIRECT DIVERSION BOARD**

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4 **RESOLUTION NO. 2013-3**

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7 **A RESOLUTION REQUESTING THE AMENDMENT AND EXTENSION OF THE**
8 **MAY 13, 2010 MEMORANDUM OF UNDERSTANDING BETWEEN THE U.S.**
9 **DEPARTMENT OF ENERGY AND THE BUCKMAN DIRECT DIVERSION BOARD**
10 **REGARDING WATER QUALITY MONITORING**
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14 **WHEREAS**, the May 13, 2010 MOU has the express purpose to establish the roles and
15 responsibilities with regard to coordination of monitoring activities by Los Alamos National
16 Laboratory ('LANL') and the Department of Energy ('DOE') in Los Alamos Canyon, Pueblo
17 Canyon, and the Rio Grande in relation to the operation of the Buckman Direct Diversion
18 Project ('BDD Project'); and

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20 **WHEREAS**, the MOU was administratively amended to clarify certain technical issues on June
21 17, 2011; and

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23 **WHEREAS**, the water quality and flow monitoring of LA/P Canyon inflows to the Rio Grande
24 upstream of the BDD diversion site has become a significant component of BDD operations;
25 and

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27 **WHEREAS**, the BDD Board and staff have coordinated closely with LANL staff and the Los
28 Alamos Site Office of the NNSA regarding the implementation of the MOU; and

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30 **WHEREAS**, historic stormwater flows in LA/Pueblo Canyon during September, 2013 have
31 impacted the gaging and sampling station at E109.9; and

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33 **WHEREAS**, LANL and the LASO office of the NNSA have identified alternate and preferred
34 locations for continued monitoring of flow and water quality sampling; and

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36 **WHEREAS**, the Buckman Direct Diversion Board requires a long term commitment to the
37 continued monitoring of flow and water quality in LA/Pueblo Canyon in order to support the
38 diversion of Rio Grande water for use in and around Santa Fe, New Mexico; and

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40 **WHEREAS**, the May 15, 2010 MOU between the parties will expire on May 13, 2015 unless
41 extended by the parties; and

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44 **NOW, THEREFORE, BE IT RESOLVED BY THE BUCKMAN DIRECT DIVERSION**
45 **BOARD** that the Board hereby requests that LANL and LASO/NNSA staff meet and confer
46 with BDD Board staff on amendments to the May 13, 2010 MOU to reflect both the changed
47 circumstances in LA/Pueblo Canyon as a result of the September, 2013 stormflow and to extend
48 the MOU for additional years into the future; and

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BE IT FURTHER RESOLVED that BDD Project staff report to the BDD Board at its regularly scheduled meetings the status and progress of the discussions in order to inform the elected officials and the public of progress concerning this important issue; and

BE IT FURTHER RESOLVED that the BDD Project Manager be directed to transmit copies of this resolution to LANL, LASO/NNSA, the New Mexico Environment Department, the New Mexico Governor's Office, the Santa Fe area Legislators and Congressional Delegation.

PASSED, APPROVED and ADOPTED this 5th day of December, 2013.

BUCKMAN DIRECT DIVERSION BOARD:

Kathy Holian
Commissioner Kathy Holian, BDD Board Chair
BDD B Approved 12/12/2013

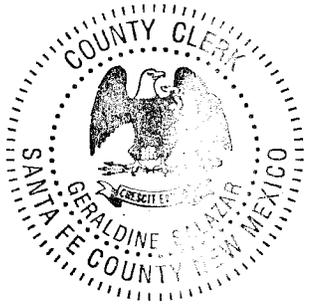
ATTEST:
Geraldine Salazar
Geraldine Salazar, County Clerk

1-28-2014



APPROVED AS TO FORM:
Kyle Harwood
Kyle Harwood, BDD Board Counsel

Approved as to form
Santa Fe County Attorney
By: *[Signature]*
Date: *1-20-14*



BUCKMAN DIRECT RESOLUT
PAGES: 2
COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
I Hereby Certify That This Instrument Was Filed for
Record On The 29TH Day Of January, 2014 at 09:01:52 AM
And Was Duly Recorded as Instrument # 1728694
Of The Records Of Santa Fe County

Deputy *Marcelle [Signature]* Witness My Hand And Seal Of Office
Geraldine Salazar
County Clerk, Santa Fe, NM

RECORDED
1728694
JAN 29 2014