
Meeting Date: June 5, 2024

Staff Contact: Diane Agnew, Water Rights Program Manager

TITLE: R-24-15 – Authorizing the Executive Director to Enter Into a Memorandum of Agreement with the City of Albuquerque for the Maintenance of Water Authority Habitat Restoration Sites Within the Rio Grande Valley State Park

ACTION: Recommend Approval

SUMMARY:

The City of Albuquerque Parks and Recreation Department Open Space Division cooperatively manages the Rio Grande Valley State Park through a Joint Powers of Agreement with the Middle Rio Grande Conservancy District and through the Rio Grande Valley State Park Act. The extent of the Rio Grande Valley State Park encompasses the Albuquerque Bernalillo County Water Utility Authority's (Water Authority) two existing habitat restoration sites, Paseo del Norte (PDN) East and PDN West, as well as the planned habitat restoration site at the Water Authority's wastewater effluent outfall into the Rio Grande. The habitat restoration sites require short and long-term maintenance, to be completed by the City of Albuquerque Open Space Division consistent with their management responsibilities for the Rio Grande Valley State Park and to ensure consistency across restoration projects within the park.

Under the Memorandum of Agreement (MOA), the Water Authority will provide the City of Albuquerque Open Space Division an annual amount of \$82,000 in order to complete necessary maintenance actions at both PDN sites and the future Southside Water Reclamation Plant (SWRP) Outfall Restoration project site. Maintenance activities specified in the MOA include sediment management, trash removal, removal and maintenance of non-native and invasive vegetation, and trail maintenance.

FISCAL IMPACT:

None

ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY

BILL NO. R-24-15

1

RESOLUTION

2 **AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A MEMORANDUM OF**
3 **AGREEMENT WITH THE CITY OF ALBUQUERQUE FOR THE MAINTENANCE OF**
4 **WATER AUTHORITY HABITAT RESTORATION SITES WITHIN THE RIO GRANDE**
5 **VALLEY STATE PARK**

6 WHEREAS, the Albuquerque Bernalillo County Water Utility Authority (Water
7 Authority) is owner and operator of two existing habitat restoration sites, Paseo del
8 Norte East and Paseo del Norte West, hereinafter referred to as the "PDN Sites" located
9 north of the Water Authority's surface water diversion; and

10 WHEREAS, the Water Authority is owner and operator of the Southside Water
11 Reclamation Plant (SWRP) Outfall Restoration Project, hereinafter referred to as the
12 "Project," located at and around the SWRP effluent outfall into the Rio Grande; and

13 WHEREAS, the Agreement, except as otherwise stated herein is exempt from
14 the provisions of the procurement code in accordance with NMSA 1978, § 13-1-98(A);
15 and

16 WHEREAS, the City of Albuquerque and the Water Authority desire to enter into
17 this Agreement complete regular maintenance of the PDN Sites and Project in a cost
18 effective and efficient manner; and

19 WHEREAS, the City of Albuquerque cooperatively manages the Rio Grande
20 Valley State Park through a Joint Powers of Agreement with the Middle Rio Grande
21 Conservancy District as well as through the Rio Grande Valley State Park Act codified
22 at NMSA 19078, §§16-4-9 through 16-4-17; and

23 WHEREAS, the Water Authority is responsible for the monitoring and
24 maintenance of the PDN Sites and site in compliance with requirements associated with
25 Project permitting, including Endangered Species Act, Clean Water Act, Middle Rio
26 Grande Conservancy District licensing, and Rio Grande State Park rules; and

1 WHEREAS, the Water Authority has enacted policies through its water resources
2 management strategy, Water 2120, that state “The Water Authority should work with the
3 City, Middle Rio Grande Conservancy District and others to protect and enhance the
4 Rio Grande State Park and the Bosque.”; and

5 WHEREAS, the Water Authority has enacted policies through its water resources
6 management strategy, Water 2120, that state “The Water Authority should continue to
7 participate in the Endangered Species Collaborative Program and Recovery
8 Implementation Efforts for multiple species in the MRG.” And the consistent and proper
9 maintenance of the restoration sites will benefit multiple endangered species; and

10 WHEREAS, the City of Albuquerque and Water Authority desire to enter into this
11 Intergovernmental Agreement to provide short and long-term maintenance of existing
12 and to be constructed habitat restoration sites; and

13 WHEREAS, Water Authority funding in the amount of \$82,000 will be provided on
14 an annual basis for the City of Albuquerque to conduct sediment management, trash
15 removal, invasive and non-native vegetation removal, and trail maintenance.

16 BE IT RESOLVED BY THE WATER AUTHORITY:

17 Section 1. The Executive Director is authorized to act on behalf of the Water
18 Authority to sign an agreement whereby Water Authority funds in the amount of \$82,000
19 will be applied to short and long-term maintenance actions at Water Authority habitat
20 restoration sites within the Rio Grande Valley State Park. The Executive Director is also
21 authorized to act on behalf of the Water Authority to sign the Memorandum of
22 Agreement.