
Meeting Date: December 7, 2022
Staff Contact: Mark S. Sanchez, Executive Director

TITLE: C-22-39 – 2023 Federal Legislative Priorities

ACTION: Recommend Approval

SUMMARY:

The Albuquerque Bernalillo County Water Utility Authority (Water Authority) 2023 Federal Legislative Priorities are summarized below. The priorities are consistent with the prior year requests with modifications to reflect funding and updated status reports.

Funding Request

1. Water Reclamation and Recycling Program

The Water Authority intends to seek multiple forms of Federal and State funding for completion of the following reuse projects, which are integral to fulfillment of reuse strategies outlined in WATER 2120, the Water Authority's long-term resource management plan:

- A. Bosque Non-Potable Water Reclamation Plant and Re-Use System. This project will provide 3 to 5 million gallons per day (3,000 – 7,000 acre-feet per year) of non-potable reuse water for Albuquerque's West Side for irrigation of parks, golf courses and potentially for industrial uses. The project will consist of a new, completely enclosed wastewater reuse plant; a storage reservoir; and distribution pipelines. The treatment plant will be located on Water Authority property just north of the Bosque School and education will be a central mission of the facility.

The Water Authority is seeking funding to construct the treatment facility.

- B. South-to-North Reuse Pipeline. This project entails construction of a pipeline that will connect the Water Authority's existing East Side non-potable water systems, allowing reclaimed wastewater effluent from the Southside Water Reclamation Plant (SWRP) to be used to irrigate turf throughout a much larger portion of the service area on Albuquerque's East Side.

This pipeline would also enable the Water Authority to store significantly more water from the Alameda subsurface river diversion using aquifer storage and recovery at the existing Bear Canyon surface infiltration gallery.

2. Support Annual Appropriations for Kirtland Air Force Base (KAFB) Bulk Fuel Facility Spill Corrective Action

The Water Authority supports any efforts by the U.S. Air Force (Air Force) to obtain and allocate funding for continued investigation, risk assessment, interim measures, and remediation activities at the KAFB Bulk Fuel Facility (BFF) site pursuant to fulfillment of the Air Force's Resource Conservation and Recovery Act (RCRA) permit. The Water Authority supports maintaining or increasing allocations to ensure robust investigation and remediation efforts at the site.

The Water Authority is concerned that the pace of the investigation has slowed, while impacts to groundwater have not been mitigated. The Water Authority will advocate the allocation of resources to expedite the pace of the investigation and RCRA process and the simultaneous institution of robust interim remediation measures to treat and restore impacted groundwater.

3. Support Appropriations for the Sandia National Laboratory's Environmental Restoration Activities and the Mixed Waste Landfill and other groundwater contamination sites

The Water Authority maintains a status of groundwater protection and monitoring activities at the lab's former operational areas, including the Mixed Waste Landfill, which is one of the solid waste management units covered under Sandia National Labs' (SNL) RCRA permit. The Water Authority wants to ensure that sufficient funding for long-term monitoring and maintenance of the mixed Waste Landfill is secured by the Department of Energy National Nuclear Security Administration (DOE-NNSA), and that regular status reports are provided to the Water Authority Governing Board on an annual basis.

Additionally, the New Mexico Environment Department (NMED) has recently proposed Monitored Natural Attenuation (MNA) as the selected remedy for groundwater contamination at the Tijeras Arroyo Contamination Site, also a solid waste management unit covered under SNL's RCRA permit. The Water Authority has significant concerns with the proposed remedy as contamination from this site is a continuing threat to groundwater quality and the MNA remedy does not treat or reduce contaminant concentrations. The Water Authority has communicated these concerns regarding MNA to NMED. The Water Authority wants to ensure that sufficient funding is allocated to fully implement monitoring and maintenance at this site, and that regular status reports are provided to the Water Authority Governing Board on an annual basis.

In addition, the Water Authority supports the funding for interim measure activities at other groundwater contamination sites on the SNL, including, but not limited to the Burn Site and the Technical Area – V Groundwater Area of Concern.

Legislative Request

4. San Juan-Chama and Native Storage in Abiquiu Reservoir (Policy I-1, Water 2120: Securing our Water Future)

The Water Authority is requesting assistance from the Congressional Delegation to ensure that its federal partners are working in good faith to implement the Water Resources Development Act of 2020 for the benefit of all New Mexicans in the Rio Grande basin.

Implementation of the Act is necessary to allow storage of native water in Abiquiu Reservoir, which is critically important for the future success of Rio Grande Compact compliance, and the Endangered Species Act (ESA) Collaborative Program. The Water Authority will also be submitting a State Engineer's application for temporary native water storage, pending WRDA Implementation and the modification of the Corps' Water Control Manual, a requirement of WRDA.

Status Reports

5. Water Operations and the Endangered Species Act (ESA) Collaborative Program

A Biological Opinion (BO) was issued for water operations in the Middle Rio Grande (MRG) in December 2016 to provide ongoing ESA coverage for the State of New Mexico, Middle Rio Grande Conservancy District (MRGCD) and the BOR (collectively the "Biological Assessment (BA) Partners and the BOR"). There has been a tremendous amount of work completed in 2021 for the ESA Collaborative Program. The adaptive management plan and long-term plans have been approved and are being implemented. The long-term plan is needed to assist with the U.S. Corps of Engineers efforts to secure additional funding for the environmental programs that are critical for the program. The Science and Adaptive Management committee is active and takes the place of multiple committees.