
Meeting Date: December 4, 2019
Staff Contact: Mark S. Sanchez, Executive Director

TITLE: C-19-37 – 2020 Federal Legislative Priorities

ACTION: Recommend Approval

SUMMARY:

The 2020 Federal Legislative Priorities for the Water Authority are summarized below. The Legislative 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

Under Policy B of the water resources plan (Water 2120: Securing our Water Future), the Water Authority should utilize all excess wastewater effluent as part of a reuse and recycling plan which includes aquifer storage and recovery. The Tijeras Reuse project in the southeast portion of the service area and the Bosque Reuse project on the west side are two projects that we are requesting funding in the amount of \$2.5 million for National Environmental Policy Act (NEPA) and other required permitting activities for the following projects:

- A. Tijeras Reuse Project. The Water Authority would like to thank Kirtland Air Force Base (KAFB) for providing the needed 24-acre site for the construction and operation of the Tijeras non-potable Water Reclamation Plant. 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 the eastside of Albuquerque to provide additional non-potable water for irrigation and aquifer storage and recovery (drinking water source). The facility is planned as part of the Water Authority's 100-year water plan and will consist of a new completely enclosed wastewater reuse plant, reservoir to store the water and pipelines to distribute the non-potable water to the various irrigation sites and to discharge into the Tijeras Arroyo as part of a comprehensive aquifer storage and recovery program. In the winter when water demands are lower, the purified effluent will be discharged to the Tijeras Arroyo and will be allowed to infiltrate into the aquifer for future use.

The first phase of the project is to complete the conceptual design and start the permitting process including submitting an aquifer storage and recovery (ASR) permit to the State Engineer and a new permit from the United States Environmental Protection Agency (EPA) to discharge into the Tijeras Arroyo. The second phase is

to complete the preliminary and final design with the last phase to be construction of the new plant and associated pipelines.

- B. Bosque Reuse Project. The Water Authority has secured the land for the construction and operation of the new wastewater treatment plant and has also completed the feasibility study required by the Bureau of Reclamation (BOR) under the Title XVI requirements. The feasibility study was approved by the BOR and is eligible to move forward towards NEPA with this authorization. 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 the westside of Albuquerque including parks, golf courses and potentially for industrial uses. The facility is planned as part of the Water Authority's 100-year water plan and will consist of a new completely enclosed wastewater reuse plant, reservoir to store the water and pipelines to distribute the non-potable water to the various irrigation and industrial sites. In the winter when water demands are lower, the purified effluent will be discharged to the Rio Grande. The new wastewater reuse plant will be located on Water Authority property just north of the Bosque High School and education will be a central part of the facility.

The first phase of the project is to complete the conceptual design and start the permitting process including submitting a new permit to EPA for discharge to the Rio Grande. The second phase is to complete the preliminary and final design. The last phase would be the construction of the facility and that could be completed in smaller phases consistent with extension of the pipelines to the irrigation sites.

2. Support Annual Appropriations for Kirtland AFB's Bulk Fuel Facility Spill Corrective Action

The Water Authority supports any efforts by the U.S. Air Force to allocate funding for continued investigation, risk assessment, interim measures, and remediation activities at the KAFB Bulk Fuel Facility Spill site, being performed by KAFB to come into conformance to their Resource Conservation and Recovery Act (RCRA) permit.

The Water Authority expects continued participation as a consulted stakeholder in the decision-making process for interim measures and other corrective action activities to ensure the safety and security of the aquifer and drinking water supply for the citizens of Albuquerque and Bernalillo County remains safe and secure. The Water Authority supports an aggressive and active remediation strategy, including cleanup of the source area (including both soil and fuel floating or submerged) and the dissolved-phase contamination plume, in order to return the aquifer back to "pre-spill" conditions.

3. Support FY18 and FY19 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.

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 Tijeras Arroyo Contamination Site, 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 policy of the Water Authority Board is to complete the necessary permitting to store native water in Abiquiu including other water entities in the basin. Storage of native water is critically important for the future success for both Rio Grande Compact Compliance and Endangered Species Act (ESA) Collaborative Program. The Water Authority is diligently working towards obtaining the necessary permits and permanent easements and will be requesting a modification to our existing storage contract. The Water Authority is planning on submitting a State Engineer's application for native water storage in FY2020.

The Water Authority, working closely with the Army Corps of Engineers (COE), has developed language for reauthorization of storage of native and San Juan-Chama water in Abiquiu. The language was recently submitted for the 2020 WRDA Bill and we have been working with the federal delegation, COE and BOR to obtain legislative approval to amend the existing authorizing legislation for storage of native and San Juan-Chama storage in Abiquiu Reservoir.

Status Reports

1. Water Operations and the Endangered Species Act Collaborative Program

A new 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"). The conservation measures in the BO include provisions for implementing the principles of adaptive management to improve understanding of how hydrology in the MRG can meet ESA conservation needs. The long-standing Middle Rio Grande Endangered Species Collaborative Program (MRGESCP), which has been active for many years, is in the processes of integrating adaptive management principles to improve the status of endangered species and is in the process of determining what roles entities could play in the future. The policy of the Water Authority Board (Policy J-1) is to continue to participate in the MRGESCP, including support of the integration of adaptive management, and provide flexibility in water operations when possible for the long-term success of endangered species.

FISCAL IMPACT:

None