

Meeting Date: October 20, 2021

Staff Contact: Mark Kelly, Water Resources Manager

TITLE: R-21-28 – Authorizing the Approval and Continued Support of the

U.S. Bureau of Reclamations Supplemental Water Program and Allowing Said Water to be Stored in the Water Authority's Space in

Abiquiu Reservoir at the Discretion of the Executive Director

ACTION: Immediate Action Requested on October 20, 2021

SUMMARY:

The Albuquerque Bernalillo County Water Utility Authority (Water Authority) is partnering with the U.S. Bureau of Reclamation (USBR) to keep water in the Rio Grande River System to support endangered species, specifically the Rio Grande Silvery Minnow. USBR is requesting to store up to 10,000 acre-feet of water per year in Abiquiu Reservoir in the Water Authority's space to support supplemental flows used to keep more water in the Rio Grande during irrigation season. In return, the USBR will provide the Water Authority with a waiver to store its annual allotment of San Juan-Chama water in Heron reservoir for an additional Federal fiscal year. This resolution allows the Executive Director to negotiate a storage agreement with USBR.

FISCAL IMPACT:

None.

ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY

BILL NO. <u>R-21-28</u>	
1	RESOLUTION
2	AUTHORIZING THE APPROVAL AND CONTINUED SUPPORT OF THE U.S. BUREAU
3	OF RECLAMATIONS SUPPLEMENTAL WATER PROGRAM AND ALLOWING SAID
4	WATER TO BE STORED IN THE WATER AUTHORITY'S SPACE IN ABIQUIU
5	RESERVOIR
6	WHEREAS, the Water Authority has the right under Contract No. DACW47-86-C-
7	0009, dated March 20, 1986, with the Army Corps of Engineers (Corps) to store up to
8	170,900 acre-feet of water and has the right to sub-allot storage space to other parties
9	subject to approval from the Corps; and
10	WHEREAS, on August 24, 2016, the Water Authority and the U.S. Bureau of
11	Reclamation (Reclamation) executed an agreement under which the Water Authority
12	provided to Reclamation up to 10,000 acre-feet of their contracted storage space in
13	Abiquiu Reservoir; and
14	WHEREAS, the August 24, 2016, agreement and subsequent renewals of that
15	agreement will expire in calendar year 2021; and
16	WHEREAS, Reclamation has the need for 10,000 acre-feet of storage space each
17	year, beginning in October 2021 through September 30, 2035, in Abiquiu Reservoir as
18	part of its Supplemental Water Program; and
19	WHEREAS, Reclamation is subject to the 2016 Biologic Opinion (BO) issued by
20	the US Fish and Wildlife Service in accordance with the Endangered Species Act of
21	December 28, 1973 (87 Stat. 884), particularly Section 1536 (a) (1) (16 U.S.C. §§ 1531-
22	1543); and
23	WHEREAS, upstream conservation storage is a specific commitment under the
24	2016 BO to increase flexibility in water operations and for reducing negative impacts on
25	species habitat; and
26	WHEREAS, in return for the ability to store Supplement Program Water in Abiquiu,

Reclamation will provide one-year waivers for the Water Authority to store its San Juan-

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1	Chama water in Heron Reservoir for an additional Federal fiscal year as long as this
2	agreement is in place; and
3	WHEREAS, while Reclamation and its 2016 BO partners seek more permanent
4	strategies for managing the existing limited water supply to meet the needs of the Middle
5	Rio Grande water users, continued efforts need to be made to manage river flows to
6	optimize minnow propagation and spawning as delineated in the 2016 BO.
7	BE IT RESOLVED BY THE WATER AUTHORITY THAT:
8	Section 1. The Executive Director requests and the Board grants the ability to
9	confer with the Bureau of Reclamation to enter into new storage agreements similar to
10	the expired 2016 agreement to provide Abiquiu Reservoir storage in support
11	endangered species in the Rio Grande; and
12	Section 2. The Executive Director requests and the Board grants authority to act
13	on behalf of the Water Authority to sign this agreement and similar subsequent
14	agreements with Reclamation that provide for future requests for the storage of
15	supplemental water.
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