



# Albuquerque Bernalillo County Water Authority

Albuquerque/Bernalillo  
County  
Government Center  
One Civic Plaza  
Albuquerque, NM 87102

## Legislation Text

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File #: C-18-21, Version: 1

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### **Approval of First Amendment to Settlement Agreement the Albuquerque Bernalillo County Water Utility Authority, Rio Grande Silvery Minnow and with City of Albuquerque**

In 2005, the City and Water Authority jointly settled with the Plaintiffs in the Rio Grande Silvery Minnow v. Keys litigation. The purposes of the settlement agreement were to take steps to protect and restore the ecological integrity of the Rio Grande and to provide greater certainty for the Water Authority to develop and utilize San Juan-Chama as part of the Drinking Water Project. Under the terms of the settlement agreement, the Water Authority has successfully implemented the following items:

1. Set aside 30,000 acre-feet of space in Abiquiu Reservoir as an environmental pool for the storage of native or San Juan-Chama water acquired by others for use in the Middle Rio Grande to benefit endangered species. The environmental pool does not affect the ability for the Water Authority to utilize the space in the event that space is needed, but does provide important benefits for endangered species, the Bosque and other ecosystem restoration efforts.
2. The Living River Fund was established that allows for rate payers of the Water Authority to donate to a fund to acquire water rights for storage in the environmental pool.

We are seeking authorization for the Executive Director to enter into an agreement with the Plaintiffs to utilize existing funds with the goal of working to secure the legal and operational flexibilities to Rio Grande Basin Reservoirs. The settlement agreement amendment allows for funds that were set aside for pilot environmental leasing program to be utilized to hire staff whose job will be to promote reservoir flexibility in the Middle Rio Grande.

**FISCAL IMPACT:** None