

Calendar No. 684108TH CONGRESS
2^D SESSION**S. 2511****[Report No. 108-328]**

To direct the Secretary of the Interior to conduct a feasibility study of a Chimayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 8, 2004

Mr. DOMENICI (for himself and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

AUGUST 25, 2004

Reported under authority of the order of the Senate of July 22, 2004, by Mr. DOMENICI, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To direct the Secretary of the Interior to conduct a feasibility study of a Chimayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Chimayo Water Supply
 5 System and Espanola Filtration Facility Act of 2004”.

6 **TITLE I—CHIMAYO WATER**
 7 **SUPPLY SYSTEM**

8 **SEC. 101. DEFINITIONS.**

9 In this title:

10 (1) **SECRETARY.**—The term “Secretary” means
 11 the Secretary of the Interior, acting through the
 12 Commissioner of Reclamation.

13 (2) **STUDY AREA.**—The term “study area”
 14 means the Santa Cruz River Valley in the eastern
 15 margin of the Espanola Basin.

16 (3) **SYSTEM.**—The term “system” means a
 17 water supply system described in section 102(a).

18 (4) **TOWN.**—The term “Town” means the town
 19 of Chimayo, New Mexico, located in Rio Arriba
 20 County and Santa Fe County, New Mexico.

21 **SEC. 102. CHIMAYO WATER SUPPLY SYSTEM FEASIBILITY**
 22 **STUDY.**

23 (a) **IN GENERAL.**—The Secretary, in cooperation
 24 with appropriate State and local authorities, shall conduct
 25 a study to determine the feasibility of constructing a water

1 supply system for the Town in the study area that includes
2 potable water transmission lines, pump stations, and stor-
3 age reservoirs.

4 (b) SCOPE OF STUDY.—In conducting the study
5 under subsection (a), the Secretary shall—

6 (1) consider operating the system in connection
7 with the Espanola Water Filtration Facility;

8 (2) consider various options for supplying water
9 to the Town, including connection to a regional
10 water source, local sources, sources distributed
11 throughout the Town, and sources located on adja-
12 cent Bureau of Land Management land;

13 (3) consider reusing or recycling water from
14 local or regional sources;

15 (4) consider using alternative water supplies
16 such as surface water, brackish water, nonpotable
17 water, or deep aquifer groundwater; and

18 (5) determine the total lifecycle costs of the sys-
19 tem, including—

20 (A) long-term operation, maintenance, re-
21 placement, and treatment costs of the system;
22 and

23 (B) management costs (including personnel
24 costs).

1 (c) **DEADLINE FOR STUDY.**—As soon as practicable
 2 after the date of enactment of this Act, but not later than
 3 $\frac{3}{2}$ years after the date of the enactment of this Act, the
 4 Secretary shall complete the study.

5 (d) **COST SHARING.**—The Federal share of the cost
 6 of the study shall be 75 percent.

7 (e) **EASEMENTS; DRILLING.**—

8 (1) **EASEMENTS.**—The Secretary may reserve
 9 any easements on Bureau of Land Management land
 10 adjacent to the study area that are necessary to
 11 carry out this section.

12 (2) **DRILLING.**—The Secretary, in cooperation
 13 with the Director of the United States Geological
 14 Survey, may drill any exploratory wells on Bureau of
 15 Land Management land adjacent to the study area
 16 that are necessary to determine water resources
 17 available for the Town.

18 (f) **REPORT.**—The Secretary shall submit to Con-
 19 gress a report on the results of the feasibility study as
 20 soon as practicable after the date of enactment of this Act,
 21 but not later than the earlier of—

22 (1) the date that is 1 year after the date of
 23 completion of the feasibility study; or

24 (2) the date that is 4 years after the date of en-
 25 actment of this Act.

1 **SEC. 103. EMERGENCY WATER SUPPLY DEVELOPMENT AS-**
2 **SISTANCE.**

3 (a) **IN GENERAL.**—The Secretary may enter into con-
4 tracts with water authorities in the study area to provide
5 emergency water supply development assistance to any eli-
6 gible person or entity, as the Secretary determines to be
7 appropriate.

8 (b) **ELIGIBLE ACTIVITIES.**—The Secretary may pro-
9 vide assistance under subsection (a) for—

10 (1) hauling water;

11 (2) the installation of water purification tech-
12 nology at the community wells or individual point-of-
13 use;

14 (3) the drilling of wells;

15 (4) the installation of pump stations and stor-
16 age reservoirs;

17 (5) the installation of transmission and dis-
18 tribution pipelines to bring water to individual resi-
19 dential service connections;

20 (6) the engineering, design, and installation of
21 an emergency water supply system; and

22 (7) any other eligible activity, as the Secretary
23 determines to be appropriate.

24 (c) **COST SHARING.**—The Federal share of the cost
25 of any activity assisted under this section shall be 75 per-
26 cent.

1 **SEC. 104. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) **IN GENERAL.**—There is authorized to be appro-
3 priated—

4 (1) to carry out section 102, \$2,000,000 for the
5 period of fiscal years 2005 through 2008; and

6 (2) to carry out section 103, \$3,000,000 for the
7 period of fiscal years 2005 through 2010.

8 (b) **LIMITATION.**—Amounts made available under
9 subsection (a)(1) shall not be available for the construc-
10 tion of water infrastructure for the system.

11 **TITLE II—ESPANOLA WATER**
12 **FILTRATION FACILITY**

13 **SEC. 201. DEFINITIONS.**

14 In this title:

15 (1) **COMPONENT.**—The term “component”
16 means a water delivery resource or infrastructure
17 development described in section 202(b).

18 (2) **FACILITY.**—The term “facility” means the
19 Espanola water filtration facility described in section
20 202(a).

21 (3) **SECRETARY.**—The term “Secretary” means
22 the Secretary of the Interior, acting through the
23 Commissioner of Reclamation.

24 **SEC. 202. ESPANOLA WATER FILTRATION FACILITY.**

25 (a) **IN GENERAL.**—The Secretary shall provide finan-
26 cial assistance to the city of Espanola, New Mexico, for

1 the construction of an Espanola water filtration facility
 2 consisting of projects—

3 (1) to divert and fully use imported water to
 4 meet future demands in the greater Espanola, New
 5 Mexico region, including construction of—

6 (A) presedimentation basins for removal of
 7 sediments;

8 (B) an influent pump station to supply
 9 water into treatment facilities;

10 (C) a pretreatment facility;

11 (D) filtration facilities;

12 (E) finished water storage facilities;

13 (F) a finished water booster pump station;

14 (G) sludge dewatering facilities; and

15 (H) potable water transmission lines to
 16 connect into the water distribution facilities of
 17 the city of Espanola, New Mexico; and

18 (2) to use reclaimed water to enhance ground-
 19 water resources and surface water supplies.

20 (b) PARTICIPATION.—The Secretary may provide fi-
 21 nancial assistance to the Santa Clara and San Juan Pueb-
 22 los of New Mexico and the non-Federal sponsors of the
 23 facility for the study, planning, design, and construction
 24 of a water delivery resource and infrastructure develop-

1 ment for the Santa Clara and San Juan Pueblos as a com-
 2 ponent of the facility.

3 (c) **COST SHARING.**—The Federal share of the total
 4 cost of the facility and the component shall not exceed 25
 5 percent.

6 (d) **LIMITATION ON USE OF FUNDS.**—Funds pro-
 7 vided by the Secretary may not be used for the operation
 8 or maintenance of the facility or the component.

9 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

10 There is authorized to be appropriated for the con-
 11 struction of the facility \$3,000,000 for the period of fiscal
 12 years 2005 through 2009.

13 **SECTION 1. SHORT TITLE.**

14 *This Act may be cited as the “Chimayo Water Supply*
 15 *System and Espanola Filtration Facility Act of 2004”.*

16 **TITLE I—CHIMAYO WATER**
 17 **SUPPLY SYSTEM**

18 **SEC. 101. DEFINITIONS.**

19 *In this title:*

20 (1) **SECRETARY.**—*The term “Secretary” means*
 21 *the Secretary of the Interior.*

22 (2) **STUDY AREA.**—*The term “study area” means*
 23 *the Santa Cruz River Valley in the eastern margin of*
 24 *the Espanola Basin.*

1 (3) *SYSTEM.*—*The term “system” means a water*
 2 *supply system described in section 102(a).*

3 (4) *TOWN.*—*The term “Town” means the town of*
 4 *Chimayo, New Mexico, located in Rio Arriba County*
 5 *and Santa Fe County, New Mexico.*

6 **SEC. 102. CHIMAYO WATER SUPPLY SYSTEM FEASIBILITY**
 7 **STUDY.**

8 (a) *IN GENERAL.*—*The Secretary, in cooperation with*
 9 *appropriate State and local authorities, shall conduct a*
 10 *study to determine the feasibility of constructing a water*
 11 *supply system for the Town in the study area that includes*
 12 *potable water transmission lines, pump stations, and stor-*
 13 *age reservoirs.*

14 (b) *SCOPE OF STUDY.*—*In conducting the study under*
 15 *subsection (a), the Secretary shall—*

16 (1) *consider operating the system in connection*
 17 *with the Espanola Water Filtration Facility;*

18 (2) *consider various options for supplying water*
 19 *to the Town, including connection to a regional water*
 20 *source, local sources, sources distributed throughout*
 21 *the Town, and sources located on adjacent Bureau of*
 22 *Land Management land;*

23 (3) *consider reusing or recycling water from*
 24 *local or regional sources;*

1 (4) *consider using alternative water supplies*
2 *such as surface water, brackish water, nonpotable*
3 *water, or deep aquifer groundwater; and*

4 (5) *determine the total lifecycle costs of the sys-*
5 *tem, including—*

6 (A) *long-term operation, maintenance, re-*
7 *placement, and treatment costs of the system;*
8 *and*

9 (B) *management costs (including personnel*
10 *costs).*

11 (c) *DEADLINE FOR STUDY.—As soon as practicable,*
12 *but not later than 3 years after the date of enactment of*
13 *this Act, the Secretary shall complete the study.*

14 (d) *COST SHARING.—The Federal share of the cost of*
15 *the study shall be 75 percent.*

16 (e) *COORDINATION.—The Secretary shall coordinate*
17 *activities of the Bureau of Reclamation, the Bureau of Land*
18 *Management, and the United States Geological Survey in*
19 *the furtherance of the study, including—*

20 (1) *accessing any Bureau of Land Management*
21 *land adjacent to the study area that is necessary to*
22 *carry out this section; and*

23 (2) *the drilling of any exploratory wells on Bu-*
24 *reau of Land Management land adjacent to the study*

1 *area that are necessary to determine water resources*
 2 *available for the Town.*

3 *(f) REPORT.—The Secretary shall submit to Congress*
 4 *a report on the results of the feasibility study not later than*
 5 *the earlier of—*

6 *(1) the date that is 1 year after the date of com-*
 7 *pletion of the feasibility study; or*

8 *(2) the date that is 4 years after the date of en-*
 9 *actment of this Act.*

10 **SEC. 103. EMERGENCY WATER SUPPLY DEVELOPMENT AS-**
 11 **SISTANCE.**

12 *(a) IN GENERAL.—The Secretary may enter into con-*
 13 *tracts with water authorities in the study area to provide*
 14 *emergency water supply development assistance to any eli-*
 15 *gible person or entity, as the Secretary determines to be ap-*
 16 *propriate.*

17 *(b) ELIGIBLE ACTIVITIES.—The Secretary may pro-*
 18 *vide assistance under subsection (a) for—*

19 *(1) hauling water;*

20 *(2) the installation of water purification tech-*
 21 *nology at the community wells or individual point-*
 22 *of-use;*

23 *(3) the drilling of wells;*

24 *(4) the installation of pump stations and storage*
 25 *reservoirs;*

1 (5) *the installation of transmission and distribu-*
 2 *tion pipelines to bring water to individual residential*
 3 *service connections;*

4 (6) *the engineering, design, and installation of*
 5 *an emergency water supply system; and*

6 (7) *any other eligible activity, as the Secretary*
 7 *determines to be appropriate.*

8 (c) *COST SHARING.—The Federal share of the cost of*
 9 *any activity under this section shall be 75 percent.*

10 **SEC. 104. AUTHORIZATION OF APPROPRIATIONS.**

11 (a) *IN GENERAL.—There is authorized to be appro-*
 12 *priated—*

13 (1) *to carry out section 102, \$2,000,000 for the*
 14 *period of fiscal years 2005 through 2008; and*

15 (2) *to carry out section 103, \$3,000,000 for the*
 16 *period of fiscal years 2005 through 2010.*

17 (b) *LIMITATION.—Amounts made available under sub-*
 18 *section (a)(1) shall not be available for the construction of*
 19 *water infrastructure for the system.*

20 **TITLE II—ESPANOLA WATER**
 21 **FILTRATION FACILITY**

22 **SEC. 201. DEFINITIONS.**

23 *In this title:*

1 (1) *COMPONENT.*—*The term “component” means*
 2 *a water delivery infrastructure development described*
 3 *in section 202(b).*

4 (2) *FACILITY.*—*The term “facility” means the*
 5 *Espanola water filtration facility described in section*
 6 *202(a).*

7 (3) *SECRETARY.*—*The term “Secretary” means*
 8 *the Secretary of the Interior, acting through the Com-*
 9 *missioner of Reclamation.*

10 **SEC. 202. ESPANOLA WATER FILTRATION FACILITY.**

11 (a) *IN GENERAL.*—*The Secretary shall provide finan-*
 12 *cial assistance to the city of Espanola, New Mexico, for the*
 13 *construction of an Espanola water filtration facility con-*
 14 *sisting of projects—*

15 (1) *to divert and fully use imported water to*
 16 *meet future demands in the greater Espanola, New*
 17 *Mexico region, including construction of—*

18 (A) *presedimentation basins for removal of*
 19 *sediments;*

20 (B) *an influent pump station to supply*
 21 *water into treatment facilities;*

22 (C) *a pretreatment facility;*

23 (D) *filtration facilities;*

24 (E) *finished water storage facilities;*

25 (F) *a finished water booster pump station;*

1 (G) *sludge dewatering facilities; and*

2 (H) *potable water transmission lines to con-*
3 *nect into the water distribution facilities of the*
4 *city of Espanola, New Mexico; and*

5 (2) *to use reclaimed water to enhance ground-*
6 *water resources and surface water supplies.*

7 (b) *PARTICIPATION.*—*The Secretary may provide fi-*
8 *nancial assistance to the Santa Clara and San Juan Pueb-*
9 *los of New Mexico and the non-Federal sponsors of the facil-*
10 *ity for the study, planning, design, and construction of a*
11 *water delivery infrastructure development for the Santa*
12 *Clara and San Juan Pueblos as a component of the facility.*

13 (c) *COST SHARING.*—*The Federal share of the total*
14 *cost of the facility and the component shall not exceed 25*
15 *percent.*

16 (d) *LIMITATION ON USE OF FUNDS.*—*Funds provided*
17 *by the Secretary may not be used for the operation or main-*
18 *tenance of the facility or the component.*

19 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

20 *There is authorized to be appropriated for the con-*
21 *struction of the facility \$3,000,000 for the period of fiscal*
22 *years 2005 through 2009.*

Calendar No. 684

108TH CONGRESS
2^D SESSION

S. 2511

[Report No. 108-328]

A BILL

To direct the Secretary of the Interior to conduct a feasibility study of a Chinayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico, and for other purposes.

AUGUST 25, 2004

Reported with an amendment